

Evaluating the Efficacy and Due Process Implications of 'Stop and Search' in Crime Prevention: A Comprehensive Analysis for Bangladesh

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Abstract : Police possess the power to 'Stop and Search' any person and vehicle in the public sphere, but the disproportionate use of such powers raises significant concerns regarding the legitimacy of the power used by them. This paper critically analyses the efficacy and due process implications of the 'Stop and Search' policy in Bangladesh, drawing insights from the British policing model. It also explores the historical development of the policy and its impact on the relationship between communities and law enforcement. Despite due process safeguards outlined in legislative instruments such as section 54 of the Code of Criminal Procedure, statistical and practical evidence raises questions about the effectiveness of the policy in ensuring a balanced and equitable regime. Like the UK, the 'reasonable suspicion' threshold is being examined closely, revealing concerns over arbitrary stops, racial discrimination, and inadequate grounds for searches. The paper conducts a comparative study of the 'Stop and Search' policy in Bangladesh and Herbert Packer's Crime Control Model, highlighting both commonalities and disparities. Although acknowledging the investigative capabilities of 'Stop and Search,' the research questions its effectiveness in substantially contributing to crime detection and prevention. This paper comprehensively explains the dynamics of 'Stop and Search' practices in Bangladesh, shedding light on its impact on civil liberties and the overriding objective of crime prevention.

Keywords: Stop and Search, Police Power, Human Rights, Reasonable Suspicion, Civil Liberties

1. Introduction

The public always expects the police to protect them from any harm by exercising the powers granted to them by parliament in a fair, effective, and equitable manner (HMIC, 2013, p. 15). For detection and prevention of crimes, police conduct "Stop and Search" to enable them to confirm or allay suspicions about any individual without exercising the power of arrest. Arguably, police powers to 'Stop and Search' any person and vehicle in the

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public sphere are amongst the most debatable aspects of Policing. (Bowling & Phillips, 2007, p. 936) The inappropriate and disproportionate use of such powers has diminished the relation between police and communities, and this brings the question of legitimacy of the power used by them (HMIC, 2013, p. 9). Like other countries, section 54 of the Code of Criminal Procedure 1898 (CrPC 1898) confers wider power on police to 'Stop and Search' individuals in Bangladesh. Though there are some due process protections and limitations for such wide power enjoyed and used by the constables, statistics show that these limitations may not ensure an effective 'Stop and Search' regime. Moreover, 'Stop and Search' policy can recently be compared with Herbert Packer's Crime Control Model which believes that crime can be only reduced by allowing the police to use wide power in criminal justice system and ensuring more conviction rates. This models also states that police and prosecution's factual proof should be prioritized over legal proof and criminal punishment should be quick and swift so that no offender can walk free (Schroeder, 1981, p. 1379). Now the pertinent question is whether 'Stop and Search' policy can effectively and efficiently reduce crime in society, whereas the primary purpose of both models is the repression of crime.

2. Background of the Study

Policing stands as a fundamental cornerstone in maintaining societal order and safety, entrusted by the public to protect them from potential harm. Within this purview, the power granted to police for 'Stop and Search' operations appears as a crucial component. This practice of 'Stop and Search' of individuals or vehicles allows authorities to identify or dismiss suspicions without resorting to immediate arrests, thereby making a significant contribution to crime detection and prevention (Miller et al., 2000). Nevertheless, the use of these powers has sparked debates over their legitimacy, efficacy, and impact on community relationships.

In the United Kingdom, 'Stop and Search' policies have recently faced intense scrutiny due to concerns regarding disproportionate and inappropriate use. This increased scrutiny has resulted in tense relations between police and the communities they serve. Since the power to 'Stop and Search' was first developed in PACE 1984 in the United Kingdom, police powers have massively expanded (Hall et al., 1998, p. 23). Originally, the power in question was intended to grant a constable the power to temporarily detain a person to mitigate well-founded and legitimate suspicions without exercising his power of arrest. But the power is unnecessarily and disproportionately used by police even though there are some restrictions and limitations under

PACE 1984 (Bowling, 1999, p. 165). Some significant changes have been brought accordingly but police officers neither fully comply with the reasonable suspicion requirement (HMIC, 2013, p. 15) nor bother to keep the recording and information of conducted search (House of Commons Library, 2020, p. 9).

In Bangladesh, challenges surround the practice of 'Stop and Search,' primarily regulated by Section 54 of the Code of Criminal Procedure 1898. Unlike the UK, Bangladesh lacks specific legislation that directly addresses the practice of 'Stop and Search,'. Instead, it relies on the broad powers granted under Section 54 of the CrPC 1898. The absence of explicit due process protections and defined limitations in Bangladesh raises basic concerns about the effectiveness and fairness of such policing practices.

3. Theoretical Framework

In understanding the theoretical foundations of the 'Stop and Search' policy, Herbert Packer's Crime Control Model offers a significant framework. The model, formulated in the mid-1960s, proposes two contrasting approaches to criminal justice—namely, the Crime Control Model and the Due Process Model (Packer, 1964). The Crime Control Model, known for its aggressive approach towards law enforcement, promotes expedient and effective measures to repress criminal conduct. The primary focus of the Model is on the pursuit and punishment of wrongdoers, with an emphasis on the necessity of wide police powers, expedited investigative processes, and a prioritization of factual proof over procedural complexities in court proceedings. (Roach, 1999) This model conceptualizes a criminal justice system that has resemblance a conveyor belt, efficiently moving towards convictions with the aim of reducing crime in society.

Regarding 'Stop and Search,' the Crime Control Model supports the notion that extensive police power is necessary for successful crime prevention. The model proposes the need for a delicate equilibrium between the rights of individual and societal interests, granting law enforcement wider power to promptly conduct investigation, make arrest, and secure convictions (Roach, 1999). Nevertheless, this theoretical framework gives rise to inquiries regarding potential conflicts with the principle of due process, individual freedoms, and the possibility of excessive expansion. This research examines the implementation of 'Stop and Search' in Bangladesh, using the Crime Control Model as a framework to assess the balance between aggressive law enforcement, safeguarding civil liberties, and the effectiveness of crime prevention tactics. The analysis will examine the extent to which the

principles of the Crime Control Model are consistent or differ in the context of Bangladesh.

4. Methodology

This research employs a qualitative methodology to evaluate the efficacy of ‘Stop and Search’ as a crime prevention tool, with a specific focus on Bangladesh and England. To undertake this research, content analyses have been done of numerous primary and secondary documents namely, journal articles, books, case laws, online sources and various reports of organizations and news media.

5. Research Questions

This study has the following research questions: -

- a) Is there any comprehensive legal framework and procedural safeguards in Bangladesh regarding ‘stop and search’ powers used by Police?
- b) What is the effectiveness of due process protections and limitations on police’s ‘Stop and Search’ powers in Bangladesh?

6. Legal Framework of ‘Stop and Search’ in Bangladesh

‘Stop and Search’ is predominantly the power of police to stop an individual or vehicle and search it for specific articles/items related to criminal conduct (Johnston & Smith, 2020, p. 19). The primary aim of ‘Stop and Search’ policy is to enable the police to mitigate or confirm suspicions about any person without arresting him (Home Office, 2005, para. 1.4). This policy is designed to be used as an investigative tool for detecting and preventing potential criminal behavior of a person (Lustgarten, 2002, p. 608). In UK, the police can entertain the power of ‘Stop and Search’ under various legislative instruments - Misuse of Drugs Act 1971, section 23; Firearms Act 1968, section 47; Terrorism Act 2000, sections 44(1) and (2); Road Traffic Act 1988, section 163 and Police and Criminal Evidence Act 1984 (PACE 1984), sections 1 and 4 and Criminal Justice & Public Order Act 1994 (CJPOA 1994), section 60 (Bowling & Phillips, 2007, p. 937). Section 01 of the PACE 1984 enables a police constable to stop any individual or vehicle and search for stolen property, any prohibited items, or any sharp-pointed instrument under section 139 of the Criminal Justice Act (CJA) 1988. On the other hand, under Section 60 of CJPOA 1994, any individual police officer is allowed to conduct ‘Stop and Search’ without reasonable grounds, but a superior officer must authorize such search. Since 2006, more than 1 million

‘Stop and Search’ encounters have been recorded every year (Home Office, 2013, para. 3.2) but only 9% of these result in an arrest in 2019/20 (House of Commons Library, 2020, p. 26).

Unlike some jurisdictions, Bangladesh lacks legislation that directly addresses ‘Stop and Search’ regimes. However, Bangladeshi law comprehensively addresses the issuance of search warrants and offers specific instructions for conducting various other types of searches. In Bangladesh, police officer must get a search warrant from a court before conducting searches in designated locations, highlighting the need for judicial authorization. Sections 96 to 106 of the CrPC 1898 set the legal framework for obtaining and executing search warrants, outlining specific circumstances under which a search warrant may be obtained. When the police believe that there are reasonable grounds to conduct a search at a specified premises, they can apply to a magistrate for a search warrant (CrPC, 1898, sec 96). Section 96 of the CrPC 1898 suggests three specific situations where a search warrant may be granted and the magistrate, after evaluating the information presented, may issue a warrant allowing the authorized individuals to search the designated premises (CrPC, 1898, sec 97). Section 103 of the CrPC 1898 mandates that a search must be conducted in the presence of at least two "respected inhabitants" of the locality and a list of all things seized during such search shall be prepared by the officer and shall be signed by the aforementioned individuals.

Exceptions to the basic principles of searches are acknowledged in Section 165 of the CrPC 1898 and Section 23 of the Narcotics Control Act, 2018 (NCA 2018), establishing the necessity for emergency situations. As per the mentioned provisions, an officer in charge of a police station or an investigating officer, or a specially authorized officer under the NCA 2018 can conduct a search without a warrant if they have a reasonable believes that obtaining a certain item through other means would cause unnecessary delay (Sourav, 2021). The officer must document in writing the grounds for his belief and clearly state the thing for which the search is to be conducted. This provision grants the officer the opportunity to search the body of any person present at the place and arrest him without a warrant. However, the provisions as to search mentioned in the CrPC 1898 shall also be applicable to search without warrant. For each search, the officer shall call upon two or more “respectable inhabitants” of the locality to attend and witness the process. The law does not provide any clear definition of the term "respectable inhabitant", which leaves room for ambiguity and potential abuse (Sourav, 2021). Regulation 280 of the Police Regulation of Bengal,

1943 (PRB 1943) further delineates the responsibilities of the police during searches, in accordance with the legal provisions of the CrPC 1898. The PRB 1943 highly recommends conducting searches in accordance with the legal provisions outlined in Chapter VII and sections 102, 103, 163 and 166 of the CrPC 1898 (PRB 1943, reg. 280).

In the context of 'Stop and Search' regimes, the legal framework is primarily governed by section 54 of the CrPC 1898. This section confers certain authority to law enforcement agencies regarding arrest and search without a warrant under specific circumstances. Section 54 grants authority for any police officer, without the need for a warrant or a magistrate's order, to arrest an individual if there is a reasonable suspicion that the individual has participated in a cognizable offense. Although this section specifically addresses the grounds for arresting and detaining individuals without a warrant, the Bangladesh police employ it to conduct 'Stop and Search' procedures in the country. The Court observe that as section 54 of CRPC 1898 now stands, a police officer is not required to disclose the reason for the arrest to the person whom he has arrested, but under Art 33 (1) of the Constitution of Bangladesh the person who is arrested must be informed, as soon as may be, of the grounds for such arrest (Kanto Das et al., 2016).

7. Due Process Protections and its effectiveness

The police are empowered to 'Stop and Search' any individual and vehicle for detecting any kind of unlawful items, it is also specifically mentioned that the power must be exercised under reasonable grounds. Failure to exercise the power of 'Stop and Search' by police officers judiciously diminishes their efficacy. The process of 'Stop and Search', therefore, should be carried out in a non-violent manner and with the explicit consent of the individual involved. In the UK, the police cannot simply exercise this power at any time for any reason, rather they are subject to few due process protections and certain limitations given under the PACE Act - the police must have 'reasonable suspicion' for conducting 'Stop and Search' (PACE 1984, section 1(2)) and the officers conducting the search must record the search including objects and grounds for such search: (PACE 1984, ss 3(1)-3(6)). Moreover, the police can only conduct 'Stop and Search' in a public place, not in a private dwelling of an individual (PACE 1984, sec 1(1)) and PACE Code of Conduct A enumerates that the length of such detention must be reasonable and kept to a minimum: (Home Office, 2014, para. 3.3).

In Bangladesh, section 54 of the CrPC 1898 has also enshrined some grounds under which an individual can be searched and arrested namely –

“(a) any person who has been concerned in any cognizable offence, (b) against whom a reasonable complaint has been made, (c) credible information has been received, (d) a reasonable suspicion exists of his having been so concerned.” (Ahmed, 2020, p. 172)

Regarding the phrases 'reasonable complaint,' 'reasonable suspicion,' and 'credible information,' there exists significant ambiguity concerning the criteria that qualify a complaint as reasonable (Ahmed, 2020).

a) The 'reasonable suspicion' requirement

The 'reasonable suspicion' requirement under PACE 1984 was further elaborated in the PACE Code of Conduct A which broadly elaborates that the police must have a genuine suspicion that he will find a prohibited item if he conducts the search and the suspicion must be reasonable. (Home Office, 2014, para. 2.2) The officer must exercise his power on the basis of relevant facts, intelligence or information and 'personal factors' cannot be used to support and justify the 'Stop and Search' (Home Office, 2014, para. 2.2B). Moreover, under *R v Christopher Bristol (2007)* case, the Court has made it mandatory for the officers to tell their name, station and grounds and objects for such search (PACE, 1984, s. 2). The officer must also record the search conducted, including objects of, and grounds for, making the search and finding items, if any (PACE, 1984, s. 3(1)-3(6)) and he has to give a copy of such search to the person searched (PACE 1984, s 3 and PACE Code A, para 4).

In Bangladesh, the Court stated in *Saifuzzaman (Md) Vs. State 56 DLR 324* that,

“the "reasonable suspicion" and "credible information" must relate to definite averments considered by the police officer himself before arresting a person under this provision. What Is a "reasonable suspicion" must depend upon the circumstances of each particular case, but it should be at least founded on some definite fact tending to throw suspicion on the person arrested and not on a mere vague surmise.” (Huq, 2005, p. 58)

In *Alhaj Md. Yusuf Ali Vs. The State 22 BLD (HC) 231*, the Court also opined that the 'reasonable suspicion' in the context of exercising power under this section refers to a bonafide belief held by a police officer that an offence has

either already been committed or is likely to be committed soon. Moreover, the Court imposed an obligation on police officer to record the reasons on which his suspicion is based if any individual is arrested on ‘reasonable suspicion’ (*Bangladesh Legal Aid and Services Trust (BLAST) and others Vs. Bangladesh and Others 55 DLR 363 (HC)*).

Contrarily, the requirement is very strict in India under sections 41, 41A, and 41B of the Code of Criminal Procedure, 1973. In India, a police officer must have a reasonable belief in the truthfulness of a complaint, information, or suspicion before making an arrest without a warrant. Furthermore, other criteria must be fulfilled, such as the necessity of the arrest of an individual to prevent their further involvement in the offence, to prevent the manipulation of evidence, and to deter the intimidation of other witnesses in the case. (Ahmed, 2020, p. 179)

b) The ‘efficacy’ of Due Process Protections

Now the effectiveness of the abovementioned safeguards is often questioned by various studies and case law decisions. Lord Devlin in *Inspector Shabaan Bin Hussein v Chong Fook Kam (1970)* stated that the reasonable suspicion requirement for ‘Stop and Search’ is relatively ‘*a lower standard than that which would be required to establish a prima facie case*’ (*Howarth v Commissioner of Police for the Metropolis*, 2011). He also opined that this requirement also empowers the police to take something into account that may not be admissible as evidence before the court. Moreover, it is also seen that ‘reasonable suspicion’ requirement does not prevent police from arbitrary ‘Stop and Search’ to the pedestrian and vehicle (Miller et al., 2000, p. 29). Many police officers do not understand the meaning of reasonable suspicion and around 30% of ‘Stop and Search’ did not have sufficient grounds for justifying the lawful use of power used by them (HMIC, 2013, p. 15).

Statistics also show that a longstanding problem of ‘Stop and Search’ is racial discrimination and black people in the UK are six times more likely to be stopped and searched than white people (Bowling & Phillips, 2007, p. 958; Ministry of Justice, 2011, sec. 3), and they were approximately 40 times more likely to be searched than white people under section 60 of CJPOA (Equality and Human Rights Commission (EHRC), 2012). But the Equality and Human Rights Commission (EHRC) showed that it is unlikely that the black, Asian or ethnic communities are normally more involved in crime (Equality and Human Rights Commission (EHRC), 2010, p. 21).

Furthermore, more than 50% ‘Stop and Search’ remained unrecorded, and police did not provide any ground before conducting searches to approximately fifty percent of the vehicles and one-third of the pedestrians (Flood-Page et al., 2000, p. 209). For addressing the issues, Home Secretary and College of Policing introduced the Best Use of Stop and Search Scheme (BUSS) in 2014 (Home Office, 2014a) and PACE Code of Conduct A was significantly changed in 2015 for increasing public confidence in ‘Stop and Search’ (House of Commons Library, 2020, p. 9). There have been some improvements after this, but disproportionate ‘Stop and Search’ of black, Asian or ethnic people continued though reduced in severity (Miller, 2010, p. 972). In Bangladesh, Bangladesh Legal Aid and Services Trust (BLAST)'s findings indicate that 34.9% of individuals (Bangladesh Legal Aid and Services Trust (BLAST), 2008, p. 25), when subjected to searches by the police before arrest, experienced adverse behavior from police officers, with nearly 40% facing instances of manhandling (Bangladesh Legal Aid and Services Trust (BLAST), 2008, p. 27).

8. Comparative Analysis with Herbert Packer's Model

‘Stop and Search’ policy can be explained by Herbert Packer’s Crime Control Model. In mid 1960s, American Professor Herbert Packer, in his book ‘*the Limit of the Criminal Sanction*’, has developed two contrasting models of criminal justice system namely, Due Process model and Crime Control model (Edkins & Royal, 2011, p. 50). Where the Crime Control Model develops based on the idea that criminals must be pursued and punished aggressively, the Due Process model emphasizes on accused’s rights that need to be protected carefully in criminal investigations and trials (DUFF, 1998, p. 615). The Crime Control Model has primarily developed in *People v DeFore (1926)* case where Judge Benjamin Cardozo famously asked “*should the criminal go free because the constable has blundered?*”. The same principle was enumerated by Burger CJ in his dissenting judgement in *Bivens v. Six Unknown Federal Narcotics Agents (1971)* where he argued that countless guilty criminals must not be released due to fault or negligence of law enforcement agencies.

The primary objective of the Model is the repression of criminal behaviour and the most important function of criminal process is to punish the offender as early as possible to reduce the crime in the society (Packer, 1964, p. 9). The Crime Control Model believes that society should totally rely on police investigations to tackle crime and ensure peace in the society. But the Due Process Model believes that investigations done by constables must be

considered cautiously as human individuals can easily make mistakes (Walsh & Hemmens, 2008). The Crime Control Model thinks that victims should always be prioritized over the defendant's rights as it is the ultimate failure of the criminal justice system if a guilty person walks free (Packer, 1964, p. 11). The police should be allowed to exercise wider power so that it becomes easier to investigate the crime, arrest the accused and convict him accordingly. And any legal complexities that restrain police from conducting such activities should be eliminated (Packer, 1964, p. 11). The Model also believes that criminal punishment should resemble a conveyor belt that moves quickly and does not have any hindrance in between. The criminal justice system should work so swiftly and quickly that the offender should be pursued and punished aggressively as soon as the offence occurs (Packer, 1964, p. 9). The Model states that some individual rights may be sacrificed for greater good of the society and any error is also a part of efficient and effective criminal justice system (Markman, 1997, p. 434). The Crime Control model also advocates that the prosecutor and police's fact finding should be fully reliable and guilt should immediately be presumed once a person is arrested (Wilkey, 1979, p. 232). This model relies on more conviction rates as it does not leave any provisions for courts to decide the guilt of an individual and seeks to close the case quickly.

If the 'Stop and Search' policy is closely compared with Crime Control model, it is evident that there are a lot of crime control elements to 'Stop and Search'. Like Crime Control Model, the 'Stop and Search' policy is also designed to mitigate potential criminal behavior of an individual (Home Office, 2005, para. [1.4]). Both policies curtail some liberties of individual – 'Stop and Search' potentially affects the right to freedom and privacy of a citizen (*R (Gillan) v Commissioner of Police for the Metropolis* (2006) where Crime Control model amounts to deprivation of some fundamental principles of criminal justice system, i.e. doctrine of presumption of innocence, right to fair trial etc.(Schroeder, 1981, p. 1426) The Crime Control Model intends to repress the crime rates by conducting a swift and quick trial process (Packer, 1964, p. 9) and 'Stop and Search' policy also conducts a quick search to individual and vehicle for removing potential criminal conduct.

There may be some similarities between the 'Stop and Search' Policy and Crime Control Model, but does the 'Stop and Search' serve the same purpose as the Crime Control Model? For answering the question, it is pertinent to explain the purpose of both policies. When the primary objective of the Crime Control Model is the repression of criminal conduct (Packer, 1964, p.

10), the more 'Stop and Search' does not necessarily become effective in detecting and investigating crimes in society. The proportion of stops and searches resulting in an arrest has traditionally been used to calculate the success of 'Stop and Search' (House of Commons Library, 2020, p. 25). In England, the arrest rate has gradually improved since 2010, but it has never been above 20% over the years (Home Office, 2013, para. 3.2; House of Commons Library, 2020, p. 26). It is estimated that in 2019/2020, only 13% of all reasonable grounds' searches under s.1 of PACE 1984 led to arrest, and it was only 8% of all arrest in 2018/2019 (House of Commons Library, 2020, p. 26; Tiratelli et al., 2018). Thus, the outcome of 'Stop and Search' is meagre, and it has no significant contribution to the detection and prevention of crime in society (Miller et al., 2000, p. 12; Phillips & Bowling, 2007, pp. 100–101; Reiner, 2000). However, it is undeniable that 'Stop and Search' has some role in detecting and preventing crime in society, but its impact on society is very low. It is also seen in Bangladesh that 'Stop and Search' reduces less than one percent of disrupt-able crimes in the society (Bangladesh Legal Aid and Services Trust (BLAST), 2008).

9. 'Stop and Search' Practice in Bangladesh: A Way Forward

To improve public safety, trust in the criminal justice system, and respect for individual rights, policymakers, law enforcement agencies, and communities should collaborate and implement the following recommendations aimed at refining the fairness, effectiveness, and accountability of 'Stop and Search' practices -

a. Comprehensive legal frameworks

In England, despite the existence of laws like the Police and Criminal Evidence Act 1984 (PACE), ongoing scrutiny and debate surrounding 'Stop and Search' procedures highlight the necessity for continued enhancement (Tiratelli et al., 2018). In Bangladesh, due to the current reliance on Section 54 of the Code of Criminal Procedure 1898 for the regulation of 'Stop and Search' powers, it is crucial to establish a stronger and more comprehensive legal framework that expressly deals with this practice. This framework should include explicit directives, procedural safeguards, and limitations to guarantee that the practice of 'Stop and Search' adheres to international human rights standards.

b. Strengthening the Due Process Protections:

Bangladesh should prioritize the strengthening of due process protections within their respective legal frameworks governing 'Stop and Search'

activities. This involves ensuring that police personnel strictly comply with the requirements of reasonable suspicion prior to carrying out searches, as well as accurately recording the justifications for searches and any subsequent consequences. Training programs for law enforcement officers should prioritize the significance of maintaining due process rights and provide guidance on conducting 'Stop and Search' operation in a way that values individual liberties, promotes transparency, and reduces the chance of arbitrary or discriminatory practices.

c. Training and Accountability

Police officers involved in 'Stop and Search' operations should undergo extensive training programs that include legal obligations, human rights standards, cultural sensitivity, and strategies for defusing tense situations. Continuous training is necessary to ensure that police stay updated on advancements in law, policy, and best practices. Measures to enhance accountability should be implemented to monitor the behavior of law enforcement officers and handle cases of mistreatment, misconduct, or prejudice in 'Stop and Search' incidents. This could involve the establishment of autonomous regulatory organizations, improving internal evaluation procedures, and creating channels for impacted individuals to lodge complaints and seek remedies.

d. Community Engagement

Building trust and fostering collaboration between law enforcement agencies and communities is crucial for ensuring the legitimacy and efficacy of 'Stop and Search' operations. It is important to emphasize community involvement initiatives to actively seek feedback, resolve concerns, and cultivate collaborative partnerships that are built on mutual respect and understanding. Police departments should actively engage community stakeholders in the process of developing, executing, and assessing 'Stop and Search' policies and procedures.

e. Evaluating Efficacy:

It is important to regularly analyze the effectiveness of 'Stop and Search' policies in terms of their influence on reducing crime, ensuring public safety, and maintaining positive community relations. These evaluations should incorporate a variety of quantitative and qualitative measures, such as arrest rates, crime statistics, community surveys, and input from stakeholders. The results of these evaluations should be utilized to guide evidence-based

decision-making, pinpoint areas that need improvement, and carry out specific interventions to tackle inequalities, enhance outcomes, and improve the overall efficacy and fairness of 'Stop and Search' procedures.

10. Conclusion

The examination of 'Stop and Search' practices in the United Kingdom and Bangladesh, examined from the perspective of Herbert Packer's Crime Control Model, uncovers a multifaceted landscape marked by challenges and implications for both countries. Although the act of 'Stop and Search' individuals is integral to crime detection and prevention, the practical implementation of these powers has sparked considerable concerns regarding validity and efficacy. The scrutiny surrounding 'Stop and Search' interactions in the United Kingdom has emphasized the necessity of rebalancing the trade-off between public safety and civil freedoms (Tiratelli et al., 2018). Legislative measures like the Police and Criminal Evidence Act 1984 aim to provide fair legal procedures, but the ongoing debate indicates the necessity for continued improvement. In Bangladesh, the use of 'Stop and Search' powers is authorized under Section 54 of the Code of Criminal Procedure 1898. However, the absence of explicit legislation governing this practice raises concerns about its effectiveness and impartiality. In comparison of 'Stop and Search' policy with Packer's Crime Control Model, it can be viewed that both policies have shared some common elements and to some extent reflect the Crime Control Model of Criminal Procedure. Nevertheless, considering the main objectives of Crime Control Model which is the repression of crime, it can be concluded that 'Stop and Search' policy cannot effectively mitigate crimes in the society as the statistics show that the arrest rate in reasonable ground searched is meagre (House of Commons Library, 2020, p. 26).

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