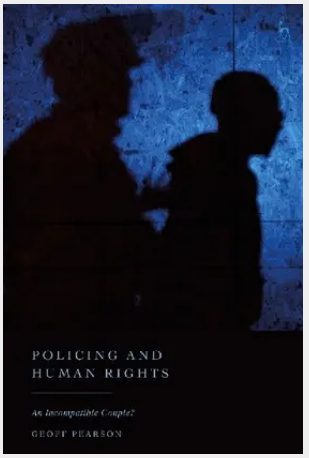
Pearson

Policing and Human Rights

An Incompatible Couple?



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This book presents a timely evaluation of the extent to which the Human Rights Act 1998 has achieved its objectives regarding policing. The UK Human Rights Act requires the police to act in a manner compliant with rights and freedoms enshrined in the European Convention on Human Rights. Subsequently, and quickly after its enactment, many changes took place which affected the service nationally, at force level, and on an individual officer basis. However, 25 years on, rather than becoming embedded in the day-to-day operation of the police, human rights remains an often-misunderstood 'add-on' to policing, typically subsumed by other laws, guidance, policies and practices. While some specialist areas of policing - including public order, firearms, and missing persons - have human rights embedded to a greater extent, in routine policing (response, neighbourhood, traffic and tactical aid), human rights are often completely forgotten in practice. This book presents new empirical research based on observations, surveys, interviews, and media analysis. It demonstrates the limitations of the UK police service's adherence to human rights obligations, resulting from initial training of recruits, confusing or misleading guidance, inadequate supervision and accountability, and poor leadership from some chief officers and the Home Office. It argues that, even in areas where human rights are more embedded, there is often pushback against protecting those rights, victimising marginalised communities. It explains, however, that this is not purely the fault of the police service; the Act itself, subsequent legislation, and the courts, have failed to provide adequate clarity, guidance and resource to enable the service to adapt to the human rights-based framework, delivering conflicting priorities for the police and setting them up for failure in this vital aspect of their work. The book presents a thorough socio-legal analysis identifying the successes and shortfalls of the police regarding protecting human rights, making informed and achievable recommendations for reform.

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