Special Conference Edition Nr. 1

EUROPEAN POLICE SCIENCE AND RESEARCH BULLETIN

Policing civil societies in times of economic constraints

D. Nogala/K. Neidhardt/Th. Görgen/J. Kersten/J.-M. Fiquet/G. Meško (editors)

Contributions to the
2013 CEPOL European Police Research and Science Conference
Münster, Germany, 11.-13. September 2013

CEPOL
European Police College

EUROPEAN POLICE SCIENCE
AND RESEARCH BULLETIN

Also published online:
Latest issue available here:
https://www.cepol.europa.eu/science-research/european-police-science-and-research-bulletin/latest-issue

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Published by: European Police College (CEPOL) (Director: Dr. Ferenc Bánfi)

Editorial and production support provided by: the European Police College (CEPOL).

Contributions or comments are to be sent to: research.bulletin@cepol.europa.eu

For guidance on how to publish in the European Police Science and Research Bulletin:
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Luxembourg: Publications Office of the European Union, 2016

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Print QR-AA-14-001-EN-C ISSN: 2443-7883

PDF QR-AA-14-001-EN-N ISSN: 1831-1857

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EDITORIAL INTRODUCTION

Detlef Nogala
European Police College - CEPOL

The 2013 CEPOL Annual European Police Research and Science Conference which took place at the German Police University in Münster, Germany, was actually the tenth of its kind since the European Police College introduced the event as a place where police educators and professionals would meet and exchange perspectives with academic scientists and institutional researchers and scientists. In the year before, in 2012 in Lyon, the contributions had centred on the development of police science in Europe and its potential impact on police practice and police education and training in general terms. This time, in 2013, when the repercussions of the crisis that took off in 2008 in the international banking sector have had already a strong impact on the budgets of governments across European countries, and affecting their willingness or ability to fund public expenditure for services like the police, a more practically issue was put to experts and the participants of the conference to be examined and discussed: what are the challenges for policing, police officers, police trainers and those who demand or receive their services in times of severe economic constraints?

Budget cuts, austerity, Euro–crisis, doing more with less – these were then the topic headlines, dominating the political and public discourse. While police forces and organisations are confronted with the political demand to reform and streamline their business, a growing number of citizens began to feel under economic distress as well, caused by widespread unemployment, in particular among the young, or by sinking living standards among the middle and working classes. The full force of the social consequences of financial turmoil and the corresponding economic downturn has not been shared equally across EU member states, but even lesser affected countries inside or outside of the Euro-zone could not escape the side-effects of the crisis in development. Social protest, scapegoating of minorities and distrust in governments and their bodies is often an inescapable upshot and police officers can be literally caught "between the lines" - on the one hand being subject to worsening working conditions and pay imposed by their political masters, on the other hand blamed and confronted by the disadvantaged and marginalised for being oppressed or not being sufficiently protected and cared for. In democratic, open societies, police forces and police officers have to square the wheel in finding the right balance between upholding the rule of law, professional conduct and efficiency while respecting not just fundamental human rights, but also meeting the European citizens' reasonable expectation of their sound public service.

It was with a reference to this economic, political and social background, the organisers of the conference from the German Police University, the Ecole Nationale Supérieure de la Police, the Faculty of Criminal Justice and Security at the University of Maribor, and CEPOL, had invited contributions and papers from experts and scholars from Europe and overseas: What would scientific research have to contribute, and if any, what could be the ramifications for police training and education?

In all 44 keynotes, papers, and presentations were on the programme, encouraging lively, occasionally controversial discussions and debates among the overall 220 participants and speakers. Holding the strong belief, that the further development of European police science and a good public police service is not just a matter of small expert circles, CEPOL has committed itself to share the outcomes of the

conference with interested individuals and the wider public as far as possible. Recordings of the spoken presentations and files of presentation slides are available either from the public CEPOL website ([1]) or from the CEPOL extranet, depending on technical circumstances, delivery and permission given by the authors. The organisers approached also the speakers about the delivery of a full paper for a publication of the conference proceedings a posteriori, resulting in the publication at hand ([2]), featuring nineteen delivered and editorially accepted papers.

THE CONTRIBUTIONS

Few of the presentations are actually addressing the impacts or effects of economic constraints on police or training directly. Instead, the majority deals rather with the epiphenomena – either as empirically detectable negative influences on police performance, ethics or public trust, or as encouragement to rethink policing and innovating the way how it is organised or done. While there is variously differing emphasis on the reasons, causes and perspectives to be applied appropriately, there seems to be one universal assessment to be shared by everyone involved: that there has been a significant shift in conditions and circumstances how policing has to be organised and executed in the democratic societies of the European continent. As so often in conferences that try to build bridges between different experiences and professions, there are those who try to enhance common understanding by applying sharp analytical tools to the area of concern at hand, and those stressing new opportunities and possible solutions.

In the keynote of the conference, J*ames Sheptycki,* a Canadian scholar with large empirical experience of policing studies in Europe, offered what he termed a "Constabulary Ethic", not as a full solution to the dilemmas police officers see themselves confronted within their spot of a transnationalised, tensioned and torn world of conflicts and crime, but as personalised professional fundament, on which actions and activities of "good policing" can rest and built upon. The paper, co-written with UK-based Ben Bowling, makes a start from a number of empirical observations that was also stated earlier as relevant for the development of a European police science (Jascke *et al.* 2007): policing has become increasingly transnational and has expanded into the global; legitimacy is a crucial factor for successful policing, not just in democratic societies; policing is not monolithic – it is concerned with different priorities and performed by a multitude of societally organised actors, dissolving into various subcultures. From their view that "…under transnational conditions (…) policing practice has transcended the boundaries of 'the state'" they perceive a risk of iatrogenesis, a case of falling for a security-paradox, "where the proscribed cure for an illness actually makes matters worse".

Instead their plea is for an emphasis on reflexive thinking within the police profession, aiming towards the "development of an ethical standpoint". If it is a standpoint or a conceptual point of is not entirely clear, but Sheptycki and Bowling seem to consider it as well as an imperative on the system level of global policing, but also as a rather personalised attitude of the individual officers, guiding their daily practice.

Several of the papers presented at the conference dealt with the nexus between the sometime volatile relationship between citizens and the police, where, under conditions of increasing economic constraints, conflicts can rise more easily, putting the trust in the police as a functional element of the state at stake. The tricky problems coming along with an attractive idea of "good governance" or good police behaviour on the officer level, are exemplified and discussed in the contribution of *Christian Mouhanna,* Director of the Center for Sociological Research on Law and Criminal Justice Institutions (CESDIP) in France on the perils of rigidity in encounters of citizens with law enforcement. With a key reference to sociological classic Max Weber and underlined by empirical observations, Mouhanna illustrates the potential dilemma police officers on the streets regularly get caught into, when they have to individually balance partly contradictory expectations from their superiors citing legal rules and regulations and members of the public, who require police protection from harm, but

([1]) https://www.cepol.europa.eu/science-research/conferences/2013

([2]) The unfortunate delay in publishing this special conference issue of the Bulletin is the sole responsibility of CEPOL and the author of these lines, while the college had been challenged by an extraordinary organisational change dynamic.

also seek leniency and understanding when they themselves are under scrutiny. In this perspective the irrefutable requirements of governance by regulation paradoxically undermine the street performance of the police officers, which it is meant to increase.

Trusting that the police do their job in a fair and right way, not at least from a citizen protester's perspective, is also the core theme of *David Waddington's* case study of ‚softer' tactics of policing political protest in South Yorkshire, UK. In his essay he traces dialogue-based police tactics that recently surfaced in Europe, like the Swedish inspired GODIAC project, back to concepts that were already applied in metropolitan London 20 years ago and describes in detail how this approach unfolds in practice. While he recognises the positive results in form of a bigger chance for civilised encounter between protesters and police forces and the building of rapport in the long-term, he stresses that the (mutual) trust goes only so far and that those tactics are not appreciated from all sections of the police force, where some favour still a more traditional robust approach.

The robust side of policing and its meaning for the contemporary self-understanding and training of police professionals is as well the topic of *Rafael Behr's* contribution from Germany, a turned into teaching academic former operational police officer. Relating to a public debate in Germany on violence against the police, he aims at an enhanced understanding of violent police-citizen encounters by examining the interpretative dynamics on both sides. His hypothesis is that the probability of violence increases, triggered by a growing estrangement between the police and marginalised parts of the society, where especially younger police officers are not equipped with sufficient knowledge about using alternatives to force, when dealing with people in social or economic poverty. Admitting that a sound empirical base to underpin his hypothesis is still to be found, he calls for scientific examination to steer public debates away from the risks of hysteria and hype.

In democratic societies, where the rule of law prevails and the respect for fundamental human rights is enshrined in legislative as well as in executive practices, citizen's suffering from unjustified police violence or misconduct will be given recourse to legal remedies. The analysis of the development of police complaint procedures in England and Wales by *Dermot Walsh* provides little optimism that those instruments are fully fit to instil confidence of the concerned public in the soundness and functioning of a balanced policing system, as he identifies five structural weaknesses in addressing individual legal cases.

One could understand the existence and work of Amnesty International as an institutionalised response of civil society insisting on good, human-rights compliant, non-discriminatory policing. *Anja Bienert* from the Dutch AI section describes in her contribution the progress that has been made in dialogue with police authorities so far, while highlighting areas in further need of improvement.

An encouraging positive example, how a well-considered police training programme can underpin the formation of a positive relationship to populations at the fringe of established societies is delivered by the description of a community policing approach for Roma communities in Slovenia. *Branko Lobnikar* demonstrates how the introduction of special training programme on "policing in a multi-ethnic community" at police academy reaped benefits by significantly increasing the trust in proper police conduct and police procedures among influential members of the Roma community.

The significance of trust - and its strong connection with perceived legitimacy of both police actions as well as police procedure systems - has been the central analytical focus of three contributions:

- For a comparative analysis among eight countries in Central Eastern Europe, *Gorazd Meško, Chuck Fields, Jerneja Šifrer and Katja Eman* issued a web-questionnaire to a sample of law-students, inquiring about their perception of police authority and procedural justice, applying various statistical analysis methods to the outcomes.

- Restricted to Germany, but based on a much broader population sample, *Mai Sato, Rita Haverkamp and Mike Hough* looked into the reasons, why trust in the police and police procedures are higher in Germany, compared to the European average data set. Interestingly, they found that there were no significant differences between 'native' Germans and those respondents with a migration background.

- In differentiation to the approaches and conclusions taken in the two previous mentioned papers, *Juha Kääriäinen* from the Finnish University Police College, has doubts that reported variations regarding the trust in policing in a number of surveyed countries can be attributed to the level of perceived efficiency and fairness of police actions. He considers that the differences in trust in the police might be triggered rather by more broader factors like the spenditure for police resources in relation to overall welfare-spending within a society.

Although all papers are relating to different samples, chosen methods and reference countries, their outcomes underpin that measuring the level of trust in the police, can be a strong indicator of how the performance and status of the police as an institution or force is seen and experienced in a general climate of financial and economic constraints, which in certain places and circumstances could undermine the state's role as a warrantor of security and social peace.

There is one area in contemporary society, which has seen unrelenting growth and influence on the social fabric, regardless of any financial, economic or political crisis: the rise of the digital sphere and the emergence of a new dimension of public exchange. Cyber and virtual have become integral elements of modern life and various branches of the police apparatus are beginning to feel the full weight of its impact on their work and work environment.

Nick Keane, Digital Engagement Advisor of the College of Policing in the UK, and among the first to be aware of the change, social media are bringing towards the police officers' job, gives an account of how the likes of Facebook and Twitter conquered the cunning police officers mind, and where future research could help in better understanding and mastering the 21th century's preferred communication tools of the masses.

A pressing need for more research, both on the impact of how police organisations are functioning, as well as on communications with the public is the outcome of *Jeremy Crump's* paper on social media research and policing. He identifies three particular areas where more research has to be done: Big Data, analysis of online networks and the impact of social media on police (work) culture.

Speaking of new territories, difference in culture and changing modes of cooperation – but in a comparative sense: *Saskia Hufnagel* provided a paper in one of the open sessions, comparing practices and perceptions of police cooperation among practitioners and officials between Australia (as a federal state system with independent forces) and the European Union. Her most striking finding: cooperation in the EU generates more enthusiasm in comparison – maybe it is because it is still considered international business and thus more exciting.

Any attempt to assert a clear logical leitmotif running through the sequence of papers presented here, would not stand close scrutiny. Nevertheless, there is a shared perspective taken in the rest of the papers, which invites clustering them: ideas and visions on what could and should be done to alleviate the ramifications of the financial and economic crisis affecting individual police officers, diverse police organisations or entire policing systems.

Gloria Laycock (UK) promotes a paradigmatic shift towards "crime science", which aims at reducing crime either by preventing it from happening in the first place or at catching offenders more quickly post crime. Empirical analysis of objectified data and preventive design measures are the pillars of her model offering. Thus being a systemic approach to answer any crisis triggered by economic constraints for traditional policing models, the applied scientific rationality is in clear contrast to the one suggested by Sheptycki and Bowling. Comparing approaches side-by-side, it becomes instantly clear that there is not such a thing as ‚one science', but various, occasionally competing, approaches to analysis of a complex phenomenon like crime and the policing of it. However, at closer scrutiny connecting intellectual undercurrents become apparent: policing in our hypermodern times cannot improve without resorting for taking (more) time to analyse and reflect.

Based on his long experience with police training and education on national, international and European level, J*ános Fehérváry's paper tackles the impacts of austerity policies on the perspectives for law enforcement head on.* Listing the various areas of cut-backs, he delivers a detailed break down of the actual and potential practical consequences. While he finds that doing more in quality training with less politically admitted resources is clearly often deemed to be a mission impossible, he

nevertheless considers the attached challenges and risks of the situation. In consequence he calls for a research initative how quality police training and education for the police could be salvaged in times of constant austerity.

One example what could be done on an internationally aggregated level is what *Barbara Rohmann* describes UNICRI has developed and achieved in regard to providing support and training for the security planning of major public events.

That police work is a stressful occupation, is often taken for granted. It is also unlikely that austerity measures will reduce stress-levels for individual officers. In view of this situation, *Marianne Kaiseler, Christina Queirós and Susana Rodrigues* offer an innovative method to measure occupational stress levels among officers in a comparative international approach.

Marisa Silvestri examines the outlook of women's careers in policing under the prefix of organisational and political austerity measures. Although she recognises a cultural change of policing philosophies and strategies affiliated with the rise of numbers in female officers, she is less optimistic that this tendency will continue in times of severe economic constraints in public expenditure. When it is all about change management – what is possible in police organisations, which have a general reputation to be aversive to change?

Finding out about effective change management on a European level – that is the exact topic of a paper by *Natalie Hirschmann and Jochen Christe-Zeyse,* describing in a nutshell the structure and findings of the comparative Composite project. Among other relevant preliminary outcomes and conclusions of this cross-European project the most striking one is that police cultures and practices are not the same anywhere, thus a serious caution is put on the "best-practice-to-be-copied"-approach.

CONCLUDING NOTE

The papers collected in this special conference edition of the European Police Science and Research Bulletin are a selective, but authentic representation of the wealth of information and science- based insights that were exchanged among the participants on the days of the conference in Münster. The conference discourse was certainly dynamic, during the sessions and continuing in the coffee breaks and meals, when reactions to the presentations were traded among attending police officers, academic scholars and police educators. One of course could have expected a multiplicity of standpoints and perspectives, when experts and participants from more than two dozen countries in Europe and from overseas are invited to consider and to discuss a complex issue like "policing civil societies in times of economic constraints".

When talking about contemporary crisis-situations, it will always be very difficult to ascertain, if the crisis is already past its peak and will be over soon, or if it is going to get worse, before it becomes better. In any case, it is a feature of hypermodern societies, that the search for solutions and remedies will not stop – but there will certainly be no lasting results before a thorough and adequate analysis has taken place. This is the role of scientific research.

While the conference contributions were strong on analysis, there were also plenty of research-based and science-inspired hints and directions, where policing and related training and education for it shall go next. A satisfactory conference experience for some is to leave with new answers and inspired ideas – for others it is to go home with new and challenging questions. The conference organisers and editors of this volume trust that the 2013 CEPOL Annual European Police Research and Science Conference delivered to both ends.

Finally the editors would like to remind the readers that the presentation files and video recordings of even more speakers and contributions are available from the public CEPOL website and the CEPOL eNet for registered users. With the publication of the conference content, sharing it with a wider interested public, the European Police College and its network partners in the EU member states underpin their commitment to facilitate the further development of police science in Europe and by that fostering good policing to all citizens.

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GLOBAL POLICING AND THE CONSTABULARY ETHIC

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Keywords: Global Policing, Policing Subculture, Global Governance, Constabulary Ethic, Police Science

Abstract: This paper brides a gulf between the Enlightenment idea of a science of policing and contemporary police techno-science and asks questions about how such ideas can be brought into accord with notions of 'good policing'. Policing has been central to the art of governance since the modern period began more than two hundred years ago. Policing under transnational conditions presents enormous challenges. The system of global governance is highly complex and this is especially evident with regard to the conceptual field of policing. Globally speaking, police legitimacy is projected through a functionalist rhetoric predicated on certain folkdevils and suitable enemies, to which strong police measures are said to be the only answer. The original science of police was deeply imbued with normative thinking, since it was concerned with notions of the general welfare of society and state. In present times, police science is being reduced to experimental criminology and crime science.

This paper aims to affect thinking within the occupational world of policing by pointing to the idea of a Constabulary Ethic as an appropriate short-hand term for a broader normative standpoint for global policing. Empirical research is a necessary part of doing good police work, but it is not sufficient. Good science, like good governance, is possible only in an open society that fosters a dialogue that includes all its members. This essay aims to show the imperative of developing an ethical standpoint (called the Constabulary Ethic) for the system of subcultural meanings that inscribe the lifeworld of global policing.

INTRODUCTION

Global policing and the global system are synchronous, homologous and heteronymous. As such, the study of global policing concerns much more than international law enforcement. Coming to terms with the nature and practice of global policing involves understanding the global system. For the police agents who do this work, the most important question should be how to police the global system well. It is now common to speak in terms of transnational networks of police agents in a globalising world. This essay is part of a continuing development of the theoretical language for talking about the phenomenon of global policing (Bowling and Sheptycki, 2012). What we do here is provide a sense of where the science of policing has come from and where it has arrived. In a sense the essay aims to bridge an historical gap between the original modern conception of the science of policing and 21st century police techno-science. This inevitably raises normative questions since, in trying to think about policing in scientific terms, over time questions arise about how to 'do it better', which require an evaluation of what 'it' is. This should orientate theories about global policing around the central question: 'what is good policing?'. We are interested to encourage exploration into what a practical ethics of policing science on a global (or even planetary) basis might look like. The notion of the Constabulary Ethic is, we argue, absolutely crucial because, instead of narrowly focusing on questions of the measurability of effectiveness, efficiency and economy in policing work, it encourages questions about the relationship

(1) I would like to thank Paul Rock, Ben Bowling, Auke van Dijk, Frank Hoogewoning, Steve Tong and Eduardo Manuel Ferreira for their useful comments relating to this paper.

between 'good policing' and the 'good society'. Here we aim to introduce an idea concerning an appropriate ethical standpoint for global policing: the Constabulary Ethic.

ORIGINS OF THE POLICE IDEA: FROM VON JUSTI'S ENLIGHTENMENT TO FOUCAULT'S TEARS

The police idea is a thoroughly modern one and it is intimately connected with the building up of that modern edifice of governance known as 'the State' (Mann, 1984). There is a huge literature concerning this notoriously difficult concept (eg. Jessop 1990; Tilly, 1975). The historical basis of the state idea lies in the Enlightenment period (Hampson, 1968; Pagden, 2013). Discussions about the state commonly reference Hobbs, Locke, Rousseau and Kant, among others, and note the many competing definitions of such terms as the 'social contract' and the 'state of nature' or 'civilisation'. From the Enlightenment period until the present time, except perhaps in a few isolated instances where Theocracy holds sway, the idea of a 'social contract' is the basis of all discussions concerning the legitimacy of government. During the closing years of the last century a number of thinkers made exaggerated claims concerning the 'death of the social' and consequently dramatic reconfigurations in political rationalities of rule (Baudrillard, 1983; Rose 1996). It is nevertheless interesting to notice the changing arch of meaning given to the terms 'police' and 'police science' (Brodeur, 2010), because this transformation is part of the changing nature of state governance.

Beginning sometime in the 18th century, if not before, European thinkers began to cast off the trappings of religious ideology as the theoretical basis of social order as slowly (and sometimes violently) the old feudal arrangements were supplanted by modern ones. That 'strange word police' was an important part of the new lexicon of governance (Radzinowicz, 1956; Pasquino, 1991). More than one Enlightenment age thinker sought to systematically articulate an understanding of the 'science of police'. Johann Heinrich Gottlob von Justi (1717-1771) was prominent among them. He understood policing to be a 'science to organise the internal constitution of the state in such a way that the welfare of individual families should constantly be in a precise connection with the common good' (Jaschke, *et al.* 2007 p. 32). His near contemporary Joseph von Sonnenfels shifted the focus of policing more onto the security of the state itself. Together these thinkers elaborated a system of ideas; von Justi was concerned with 'low policing' with policing as general social welfare, discipline and social order, whereas von Sonnenfels with state security, that is with 'High policing' (Brodeur, 1983). Von Justi conceived police essentially as *cura promovendi salutem publicam* (concerned with the promotion of the public good). Sonnenfels defined the task of police more narrowly, as *cura avertendi mala futura,* (concerned to avert future ills). Both did so by assigning policing an overarching state-objective in the governance of civil society. The distinction between 'high' and 'low policing' remains pertinent in the post-9-11 era of heightened global security (Brodeur, 2007).

The language of *Polizeiywissenschaft* tipped into *Polizeiwissenschaft*, and the science of police, became more narrowly focused. By the mid-19th century in Germany, Hannoverean Police Commissioner Gustave Zimmermann was in a position to argue that, in practice, police was an institution devoted to preserving the state by 'observation, prevention, repression, and discovery', rather than by benevolent welfare measures. Here we can distinguish a positive and a negative sense of police science. Negative policing power is repressive power — today we might equate it with Herbert Packer's 'crime control model', or 'zero tolerance policing'. Positive policing power is facilitative; it enables members of the public to participate as members of a civil society. In the 18th century, the regulation of weights and measures was an important aspect of positive policing power. In both its negative and positive senses the science of policing was part of a broader programme of state governance. The German word *Polizei* is redolent with connotations of fighting/repressing. In its strongest sense *Polizei* is negative policing using law against internal enemies of the state as the military is used against external enemies. An associated German word, *Politik,* points more towards policing in its positive sense; fostering the health of the citizen's life, the social order and thereby the state's strength. Whatever else, the notions of 'good' policing that this language game implies and that emerge from these principles in action, is already written in the history books.

Other Enlightenment age names are linked with the development of the modern language of policing. The English jurist, William Blackstone, thought that the power of police derived from the Sovereign's obligation to maximise the welfare of his household and his realm. In his Lectures on Jurisprudence Adam Smith articulated a pretty straightforward understanding of the ends of policing, namely public peace and security, promoted through a blend of preventative action, intimidation and remedial action. Smith is incorrectly thought of today merely as 'an economist'. His concerns were much broader than this term suggests. In thinking about political economy he was greatly concerned with the moral sentiments and with matters of jurisprudence. His thinking about the science of policing was typical of Enlightenment thinkers, as pivotal to social order and thus part of and partly constitutive of, something much bigger than itself. It is not frequently appreciated, or appreciated enough, how concerned were early modern thinkers about the relationship between good policing and a social order primarily based on free trade and exchange between rational actors. The language of policing was, in Enlightenment thought, part and parcel of a concern with the 'art of government'. That is why policing is a synecdoche of the global system. As the practice of government changes, so too does the language of policing and undoubtedly both are affected by globalisation. Since, as David Bayley (1985) famously argued, police is government as the edge is to the knife, as character of global governance comes into question, the nature of its policing apparatus also becomes interesting.

Post Foucault, the language of police science has become seemingly paradoxical and also uncomfortable. The language of governance through a 'science of policing' justifies the permanent intervention of the institutions of the state into social life. Looking back at the history of the modern state from the historical vantage point of the 1980s, Foucault cynically observed that 'since the population is nothing more than what the state takes care of for its own sake, of course, the state is entitled to slaughter it, if necessary' (quoted in Jaschke, *et al.* 2007, p. 40). From the end of the 18th century up to the present our language for talking about society has been co-dependant on a notion of the state. From then until now important notions like 'civil liberties', 'rule of law', 'social-contract', etc. were grounded in a language based on the state-civil society distinction, where states were national ones. That modern state governance did not turn out as well as the thinkers of the Enlightenment period might have hoped gives cause for concern. In the electronic age, the 'panoptic promise' that surveillance power suggests, has been devolved (van der Vijver, 1998) into an increasingly comprehensive global system of disciplining. Under transnational conditions the *synopticon* — where the many may observe the few — has become as important a means of disciplining as the *panopticon,* where the few observe the many (Mathieson, 1997). Global policing means that the 'panoptic sort' is achieved within a 'surveillant assemblage' which transgresses state boundaries in multiple ways.

POLICING THE TRANSNATIONAL CONDITION

Roughly about the time that the Cold War ended, people began to think differently about 'international relations'. With the end of the 'bi-polar world system' came a host of technological advances with massive social implications. Changes in transportation, shipping, communications, information handling and logistics were part of a complex of factors underpinning something called 'globalisation'. The global system is an interconnected bundle of economic, cultural, social or political 'levels', 'processes' or institutions (Held and McGrew, 2000; Sklair, 1995). Globalisation has resulted is a major re-thinking about the functioning of the state. Anne Marie Slaughter understands the global system in terms of 'disaggregated rather than unitary states' (Slaughter, 2004, pp. 13-14). According to her, states are not monolithic, homogeneous entities. Rather they are disaggregated concatenations of relatively bureaucratically autonomous institutions, any of which are capable of acting transnationally. Close watchers of the various US federal law-enforcement agencies (the FBI, the DEA, the ATF, etc.) understand this point well, having observed the (often combative) inter-agency rivalry between them, which is often played out in the transnational realm (Andreas and Nadlemann, 2006). Early globalisation theorists argued that, under the economic conditions fostered by global neo-liberalism, the state was being 'hollowed out' (Rhodes, 1994; Sheptycki, 1995). Certainly after the financial crisis which began

in 2008, if not before, it became possible to see that generally speaking states' abilities to provide welfare to their populations were weakened. States' ability to nurture and protect populations have been undermined by the burdensome cost of maintaining and enhancing states' power to punish, coerce and force (Karstedt and Nelken, 2013) ([1]).

Concomitant with globalisation has been 'globalisation-crisis-talk' (Bowling and Sheptycki, 2012). There can be little doubt that considerable 'ontological anxiety', described by Jock Young as the 'vertigo of late modernity' (Young, 2007), has been a feature of the contemporary period. It is difficult to say precisely what are the causal connections between the diffuse cultural, economic, social and political aspects of globalisation and the 'politics of fear' (Furedi, 2005). What can be said is that, globally speaking in the early years of the 21st century, policing power is being increased along all dimensions (Deflem, 2006). There is now an impressive library of work that concerns policing and global governance (Aas, 2007; McGrew and Held, 2002; Sheptycki, and Wardak, 2004). Despite the theoretical differences, there is considerable consensus that under transnational conditions policing has become dis-embedded from the classic Weberian nation-state. This has happened in three different ways:

Policing has been transformed 'from above', so to speak, by the growing importance of transnational platforms of governance. As various platforms of governance existing above the level of 'the State' have grown in importance, so too have police agencies been affected. For example, the OECD provided the institutional nexus for the original development of anti-money laundering programmes and the early League of Nations provided a vehicle to advance global drug prohibition. Both of these policy developments at the transnational level above the state qua 'State' had tremendous implications for the practices of policing.

There is a second sense in which we can talk about the processes of change within the practices of policing. Policing has been transformed 'from below' as the global programme of neo-liberal governance gradually re-engineers the state sector. Neo-liberal ideology holds that market relations are the truest form of human interchange and ought to be as unfettered as possible and on that basis tries to limit the role of state agencies in the governance of everyday life. One obvious effect of this is that people have become what David Garland referred to as 'responsibilised' (1996). As individuals become responsible for their own security, a foundational assumption of modern state-police legitimacy is eroded 'from below'. This process has eventuated in questions about the governance of 'plural policing' as the policing sector has fragmented into a host of security providers operating under private and/or public auspices (Loader, 2000; Nogala and Sack, 1999). It can be seen that, as governance has taken place increasingly at the transnational level 'above' the state, policing has been subsequently transformed and as states themselves have been 'hollowed out' as a result of neo-liberal ideology, the balance of 'positive' and 'negative' types of policing power have been affected. Because the state is being hollowed out under conditions of global capitalism, states become less able to provide positive policing interventions that facilitate social welfare. As social welfare declines, justification for 'negative policing', crime control and zero tolerance, increases.

Alongside these tendencies operating 'above' and 'below' there is a third process taking place and it is transforming police organisations 'from within'. The changes going on within the organisation of policing are the result of the continuous adoption of ever more advance information and communications systems. To a large extent the contemporary period is conditioned by continuous technological innovation and this means that, like every other social institution, the institutions that take on policing roles are in a continuous process of internal organisational transformation. But this is not new (Nogala, 1995). New technologies perennially promise enhanced power and capacity, technical glitches, system failure and planned obsolescence in varying measures. Many things are uncertain. As policing becomes dis-embedded from the state qua State, under transnational conditions the policing sector becomes ever more complex and feelings about it become tinged with urgency. When global policing emerges as a theoretical possibility, its legitimacy arrives as a question.

([2]) States have also been hollowed out as a consequence of the near catastrophic and cyclical failures of a global financial system that is un-policed.

POLICING LEGITIMACY

With the original policing idea came a vocabulary for discussing its legitimacy. Democratic policing theory has stressed in various ways accountability to the rule of law and to the people through political representation as the means to achieve the appropriate balance of interests in mediating police legitimacy. Until relatively recently, what was common to all discussions on the subject of policing legitimacy was an assumption that the state was the container within which these issues were worked out. When police work is carried out transnationally, relationships to both law and the political structures of accountability change because police work overflows the organisational buffers that modern jurisdictional boundaries traditionally put up. The legitimacy of modern states depended in large part on a sense of patria; that is, devotion to one's country. When Hume suggested that 'we are to look upon the vast apparatus of government as having ultimately no other object or purpose but the distribution of justice', it went without saying that such distribution happened within a country and the extent to which a given country was capable of 'doing it' (distributing justice) was a test of its government's legitimacy (quoted in Pagden, 2013, p. 303). The traditional vocabulary for talking about the legitimacy of democratic governance (social contract, separation of powers, rule of law, etc.) has, as its scarcely spoken assumption, the Weberian state. Under transnational conditions the notion of a unified and coordinated 'state' successfully maintaining a monopoly claim on the use of coercive power in the maintenance of social order on a specified territory does not seem so tenable (Bayley and Shearing, 1996). Plenty of effort has been put into imagining new ways of governing governance under the mantle of neo-liberalism (eg. Johnson and Shearing, 2003; Zedner, 2010). Meanwhile, manifestations of global policing power are largely justified on functional grounds: because the global system is plagued with certain problems (drug or immigrant smuggling, for example, or sex tourism or cybercrime) there needs to be a control response. These control responses are largely symbolic and manifest around a number of folkdevils and suitable enemies, what Peter Gill called 'rounding up the usual suspects' (2000). Global governance is multi-leveled and highly complex leaving significant feelings of anomie, conflict and dislocation (Bauman, 2006) making the functional-mission rhetoric of global policing all the more crucial to its legitimation. Functionalism is accompanied by claims of a technical scientific nature concerning 'what works' in policing. Proponents of the new 'crime science' (Smith and Tilly, 2005), 'experimental criminology' (Sherman, 2009), and 'intelligence-led policing' (Ratcliffe 2004) offer a few examples of how expert claims about policing are being made along techno-scientific lines. Functional-mission and scientific rhetoric constitute the main basis of policing legitimacy under transnational conditions. Police science in the 21st century aims to separate the risky from the at-risk, the threatening from the threatened and the undeserving from the deserving. Instead of legitimating policing within a language concerned with the social contract and the other concerns with early state theorists, global policing is legitimated on the functional assumption that strong 'law enforcement' (ie. policing in its negative sense) can keep the suitable enemies in their place because it is scientific. Legitimating policing this way pretends to the truth that humankind can be defined in black and white terms.

TYPOLOGY OF THE POLICING FIELD

The policing field is crowded with security actors (Dupont, 2007). The architecture of global policing has been described in hierarchical terms (Bowling and Sheptycki, 2012, p. 25). According to this view, there are several tiers to global policing. At the global level are such institutional players as Interpol, the World Customs Council and the United Nations Police. At the regional level are different transnational police networks, for example ASEANAPOL in South East Asia and Europol in the European Union. Then there are national level agencies, the German BKA and the Australian Federal Police for example, and municipal policing agencies, for example the London Metropolitan Police. This tiered structure seems logical but it is inaccurate and incomplete in some respects. Firstly, since it is recognised that policing may be undertaken under either private or public auspices, and sometimes as a hybrid, any understanding of the architectural hierarchy of global policing cannot be restricted to state agencies (Zedner, 2006). Even if we could build a picture of the pyramid of global policing that encompassed both private and public based security providers there is still a difficulty with this view. At the supposed 'bottom of the hierarchy', where policing actually takes place, that is to say

in specific localities, we discover that police work is always already wired in to the circuits of global police information sharing. The architecture of global policing is a vast web of inter-institutional interconnections that are continuously changing and difficult to map with certainty.

Another way to describe this crowded field of security actors in a logical way is by taking account of some basic conceptual distinctions. As already mentioned it is now well established in policing scholarship that a great deal of policing work is undertaken by private security providers (Stenning, 2009). There is therefore a basic distinction made between policing under public or private auspices with roughly half the policing field being on either side of the fence. Another important distinction, already introduced, is between 'high' and 'low policing' (Brodeur, 1983, 2007). This is the difference between political policing and community policing, it is the difference between policing on behalf of particular interests or on behalf of a more general interest. Making this distinction on a practical level can be often be fraught with difficulty, but for the sake of theoretical completeness, it is important to at least be aware that the field of policing governance extends to both 'high' and 'low' domains. Lastly, policing as a set of practices involves controlling both territory and population through watchfulness, preparedness and a variety of other means. This distinction, between the policing of territory and the policing of suspect populations, can also be usefully made. So, altogether we have three two-fold distinctions: between public and private, high and low, territorial and population based policing. These three distinctions can be depicted in the following typology:

The ideal types that populate this field provide a useful analytical point of view. Looked at this way it becomes very apparent just how complex the policing *field* is and, by extension, how difficult it is to conceive of an accountability schema to render all of the institutional actors in the policing sector democratically transparent and legitimate. Some major efforts to come to terms with the new complexities of governance of the policing field simply fail to map the whole field. Towards the end of the recent report by the so-called Stevens Enquiry, the Report of the Independent Police Commission (2013), there is a short mention of the development of policing intelligence. The report welcomes a near future when there will be:

… a single searchable intelligence source, saving officers' time, enhancing operability as well as realising potential cost savings for the service as a whole … (p. 176).

The Report of the Independent Police Commission does not critically analyze what intelligence-led policing entails, because it does not recognise the basic high-low police distinction. That the report was released during the height of a worldwide media storm concerning the revelations of whistle blower Edward Snowden, who publically exposed something of the inner workings of a global high police surveillance apparatus, might make such an omission seem remarkable. We can only use the opportunity here to signal that global discussions about how to make policing better ignore the high-low and public-private distinctions to their loss. When the institutions that comprise the actually existing global police sector are understood in terms of a conceptual field, as the

	POLICE WORK AIMED AT SECURING TERRITORY		POLICE WORK AIMED AT SECURING POPULATIONS	
	Private Forms	Public Forms	Private Forms	Public Forms
HIGH POLICING	Corporate Security Guards	Guardians of the State Apparatus	Corporate Security Specialists	State Security & the Secret Service
LOW POLICING	Private Security Guards	Uniformed Patrol Officers	Private Eyes and Private Spies	Police Detectives & Undercover Cops

(Source: Sheptycki, 2000, p. 11)

above typology suggest, raises profound issues of accountability to politics and to law. It also helps to frame empirical enquiry about day-to-day global policing so that very little gets left out.

The practical complexity of the global policing sector means that a great deal of what goes on in it remains relatively under-explored, or at least that exploration is known only to a relatively select number of people (Henry and Smith, 2007). Given the high degree of social anxiety previously discussed, and the organisational complexity, it is clear why the simplistic functional justifications for global policing are required. Narratives about global policing and certain suitable enemies — 'paedophiles', 'terrorists' and 'serious organised criminals', for example — provides a legitimation rhetoric which hides a complex set of practices left un-told. Ironically, the institutional nexus of global policing (which is intimately related to global governance) is ungoverned and, as things stand, ungovernable.

POLICING STUDIES AND POLICING SCIENCE

Enlightenment police science started off as an idea associated with the whole art of government. By the twentieth century, the language of police science had changed quite a bit. There are different opinions about what constitutes the most important historical landmark by which to characterise police science in the twentieth century. One candidate is the invention of radio-dispatched police patrol. The later introduction of other new technologies into the organisation of police systems cascaded in on a process of the 'scientification of police work' (Ericson and Shearing, 1986). The history of 20th century policing is a history of continuous technological transformation. Beginning in the mid-20th century there began to spring up some academic interest in policing as an object of empirical enquiry. Several ethnographic studies became famous landmarks in a small academic cottage industry in the United States and the United Kingdom (Newburn, 2011). In the United States, James Q. Wilson was an early pioneer in this new academic industry. His Varieties of *Police Behaviour* (1968) was a landmark study in the administration of comparative police science management in eight communities. Broadly speaking, two types of research can be distinguished: research for policing and research about policing. The former is police science (eg. Sherman, 2009) the later is police studies (eg. Reiner, 2012).

It is not a case of either police science or police studies, it is a case of both police science and police studies. The demands for both training and education among all ranks of policing and security professionals are for well-rounded professionals capable of solving novel problems with innovative solutions. Too much science can become 'controlology', too much study risks the 'paralysis of analysis'. An appropriate balance must be struck. Not wanting to veer off on too much of a tangent into the philosophy of science, we would simply concur with the view of Sir Karl Popper that scientific claims are falsifiable; what makes policing scientific is some minimal commitment to 'falsifiability criteria'. Police science need not be strapped to the procrustean bed of experimentalism in order to be scientific (cf. Sherman 2009). The descriptive case study can be rigorously scientific. For example, Darwin's observations taken on his travels aboard the HMS Beagle, or the confirmation of the theory of continental drift by geophysicists in the mid-20th century are both examples of good science, but they are not experimental science. In the same way, a descriptive case study of Caribbean Policing (Bowling, 2011) or the relationship between police and public (Smith and Gray, 1985), or a comparative description of European and Australian policing (Hufnagel, 2013) can certainly be considered empirical contributions to the understanding of the global police system that are scientific insofar as they are falsifiable. There is a fruitful nexus between police studies and police science. What we advocate is an interdisciplinary approach that promotes reflexive thinking. Because the means of policing are so powerful (surveillance powers, arrest and detention, potential use of force), it is important that any would be purveyors of those means are dissuaded from the hubris that holds that 'reality is wholly knowable, and that knowledge and only knowledge liberates, and absolute knowledge liberates absolutely' (Isaiah Berlin, quoted in Hitchens, 1998).

The promotion of a balanced understanding of policing as both 'studies' and 'science' is to look for a way to govern governance. The interdisciplinary approach we advocate aims to turn the whole policing field which was previously considered ungovernable (if it was considered at all) into an object of governance.

POLICING AND ITS SUBCULTURES

One of the most troublesome concepts associated with the governance of policing and security is that of 'subculture' (eg. Waddington, 1999 Chan, 1997). It is troublesome, firstly because of the contestability of the term. Everybody uses the word 'police subculture' as if its' meaning were clear and simple, but there are variations in meaning. The term is particularly troubling because it is usually used when referring to obviously problematic aspects of police behaviour: brutality, racism, sexism and machismo, for example. Theoretically it is not certain to what extent these supposed traits of police subculture are imported in from the wider culture, but surely they are not unique to policing institutions. Because the term is often vague and because it is almost invariably used as a shorthand label used to signal problematic police behaviour, the notion of police subculture presents slippery issues for the governance of policing. We would seek to stress that the idea of 'police subculture' is frequently reified but it is conceptually ephemeral and cannot be an object of governance for policy management.

As we understand and use the term it is defined in the conceptual language established by the classic subcultural theorists (eg. Bittner, Brodeur, 2007b; Downes, 1966; van Mannen and Manning, 1978; Skolnick 1966). Subculture is a set of collectively learned problem-solutions and an occupational subculture is a set of learned problem-solutions specific to a particular workplace routine. For example, nurses and doctors working in Accident and Emergency Wards have a predominant set of worries concerning the management of disease, pain, dying and death experienced within the context of a modern bureaucratic institutional work environment. Decisions about resuscitating, the administration of CPR routines, defibrillation and other life-saving interventions offer highly dramatic circumstances in which workplace decisions are made. In these circumstances expert knowledge may run counter to the emotional desires of on-lookers and bureaucratic routines may not offer the flexibility to cater to unforeseen circumstances. The structural context of the A&E ward, with its different system of expert knowledge classification, often concerned with life and death choices and undertaken in the context of bureaucratic surveillance, offers conditions where subcultural understandings, which ease the flow of action by the provision of 'recipe knowledge', flourish. An example of this is the so-called 'slow code' or 'code blue'. Sometimes in cases of cardiopulmonary failure, Accident and Emergency Ward personnel are faced with a situation where they effectively know that resuscitation will probably have harmful outcomes: the cardiovascular system may be revived, but higher cortical function may be impaired or disabled. Expectant family on-lookers may be of divided opinion, knowledge and understanding and likely desirous of a 'Hollywood ending', hospital procedures can offer varying forms of bureaucratic restriction, and emergency professionals have discretion to act. Calling a 'code blue' may signal the team to act out the procedures of life-saving, while going through the motions in slower manner or otherwise not performing in an optimal fashion. This allows the patient to die, while providing the on-lookers with a sense that measures that conform to expectations as seen in mass media portrayals are being taken. It will come as no surprise to learn that the practice of the slow code has ignited an ethical debate within the occupational world of the healing professions, but nobody is these discussions, at least to our knowledge, is talking about public accountability measures aimed at controlling the *subculture* of the medical profession (Lantos and Meadow, 2011). The ethics of life and death decisions in the healing professions continue to be largely a matter of an internalised ethical standpoint as summarised in, for example, the Hippocratic Oath.

Mutatis mutandis so is it with the police occupation, except that policing subculture is frequently on public trial. For working police agents there are problems associated with 'the job' that are collectively experienced. It is a 'tainted occupation', involved with a variety of kinds of 'moral dirt' from suicide to infanticide and much else. Insofar as those occupational problems generate collective solutions, they are learned problem-solutions, and these are the crux of an occupational subculture; from this point spins off a language of 'the job' and a subcultural universe of meaning. Just as the specific routines of the medical profession differ from place to place, depending on local circumstances — not least the technological backdrop for doing the work — so too does policing differ between jurisdictions. There are obvious differences in policing Montreal and Mumbai, Toronto and Tokyo, Regina and Rio de Janeiro. However, there are commonalities

since policing in all those places involves intervention in situations that 'ought-not-to-be-happening-and-about-which-someone-had-better-so-something-now' (Bittner, 1974, p. 17). Furthermore, policing agents have the capacity to muster coercive force, or threaten to do so, in order to get the job done. Additionally, so-called 'democratic policing' requires that such use of force is proportionate and the minimum amount necessary to get the job done. For example, if members of the public will not step back from the scene of an accident so that ambulance personnel, paramedics, and other emergency first-responders can properly attend to the scene, it is the police who have the authority to move the crowd. These features of police work, shared by policing agents the world over, mean that there is something of a 'family resemblance': a transnational subculture of policing so to speak. Police agents recognise their membership in this subculture. For example, when police officers go abroad on vacation, they sometimes bring with them emblems and other symbolic representations of their own organisation that they exchange with police they may meet in the countries they are visiting. Visit any police headquarters building and one will usually find a display symbolic paraphernalia from other agencies around the world, displayed with pride — perhaps in the corridor just outside the Chief Officer's office or in the reception area where more visitor traffic ensures a greater audience of appreciation. This is evidence of a transnational subculture of police. Subcultural theory is interesting because it encourages an appreciation of what the world looks like 'from within' the subculture, while at the same time allowing the subcultural theorist to place that worldview within a broader context. The ideology of the 'thin blue line' looks different if you are, or are not, part of the 'subculture'. All the while policing subculture reflects important aspects of the broader culture of which it is a contributing part.

If we can theorise a transnational subculture of policing, there is also a recognisable subculture of transnational policing. These agents are described by Robert Reiner as international technocratic police experts who disseminate the latest in scientific and technological solutions for a constantly innovating global police professionalism (Reiner, 1997, p. 1007). Transnational technocratic police experts have important effects on policing at the local level, and that is why the transnational subculture of policing is becoming more homogenous, despite the residual variation. This interactive process between the transnational subculture of policing and the subculture of transnational policing contributes to and 'makes up' Global Policing. Into this occupational mix we wish to insert a range of concerns signaled by the idea of a Constabulary Ethic.

The subcultures of policing thus theorised are mixed up in global cultural reproduction more generally and a great many volumes have been written about this (Reiner, 1997). One facet of this that cannot escape particular mention is the tendency for the occupational subculture of policing to be excessively shaped by a pattern of political language which articulates in terms of a 'war on crime', a 'war on drugs', a 'war on terror' and other, slightly less martial metaphors such as: 'law enforcement', 'crime control', 'deterrence', 'disruption' and 'incapacitation'. The complex interplay between general culture and particular subcultures is conceptually difficult to elucidate, but one simple point can be made: unduly combative language in policing heightens the stakes for an already tainted occupation. Subcultural theory offers a useful way to approach and understand global policing but, saying this, we are not intending to reify the concept as an object of governance. It is merely a way to help make global policing theoretically visible. What remains interesting is the actual work of policing, but with the higher stakes that war rhetoric brings comes a cloak of secrecy behind which ethically questionable practices remain hidden. That is one good reason why truly independent academic research on policing maintains continuing relevance.

POLICING; IATROGENESIS AND THE SECURITY-CONTROL PARADOX

The original idea of a science of policing was concerned with establishing a stable set of arrangements between the organs of state-government and civil society to maximise total welfare. Under transnational conditions the state is no longer the container of insecurity that the modern nation-state system envisaged and policing practice has transcended the boundaries of 'the state'. Of all of the outcomes of these circumstances the problem of iatrogenesis is the greatest (Bowling, 2010). Iatrogenesis is a

concept borrowed from the sociology of health and medicine. It refers to situations where the proscribed cure for an illness actually makes matters worse. For example, the United States military used DDT, a highly toxic and carcinogenic pesticide, to 'de-lice' young Vietnamese children as a way of protecting against transmission of disease. The cure was effective against the sorts of diseases borne by lice, fleas and other similar infestations of the human body, but carried with it other, more serious health risks. Thalidomide is another example of iatrogenesis. Thalidomide was prescribed to expectant mothers as a morning sickness curative; during the late 1950s and early 1960s more than 10 000 babies in 46 countries were born with acute physical deformities brought on by their mothers' use of the drug. Iatrogenesis is the unwanted and unintended consequence of curative action and it is a nemesis brought about when human beings succumb to hubris.

There are many effects of global policing that have been shown to be iatrogenic (Bowling and Sheptycki, 2012, pp. 101-127). The most obvious, and therefore classic, example is that of the war on drugs. Decades after President Richard Nixon declared this war, it has become obvious that drug prohibition has not delivered on its aim to stamp out drug use. Ethan Nadelmann (2007), among a host of others, has argued persuasively that drug prohibition has caused more harm than good. The paradigm example of transnational policing (Sheptycki, 2000), 'drug enforcement', is a notorious example of words that succeed despite policy failure — failure that is visible across a range of policy areas including health, education and economic development. The global war on drugs has helped facilitate the inculcation of martial metaphors across a range of policing practices. This further amplifies a social tendency towards an 'us versus them' mentality within policing subculture. Just as it may difficult to monitor the use of 'code blue' in the A & E Ward (where public visibility and awareness may be hampered), absent any effective means of making the myriad institutions that comprise the global architecture of policing transparent and accountable to the global society being policed means that correcting iatrogenic problems is difficult. This might be called the 'global police accountability gap' and into it is poured the rhetoric of justification. The official categories of suitable enemies inevitably become amplified as folkdevils in a spiraling rhetoric of legitimation. The paradox is that the promise of security-control turns out to be a chimera, because the more the global institutional order is secured by policing and enforcement means the less secure people feel. The policy failure of the war on drugs is thus experienced across a range of policing functions. Experienced international travellers who have been flying since the 1970s will know that, as the security screening at airports has increased over the decades, so the experience of travel has come to feel less secure. This is a practical, everyday and even banal effect of the security-control paradox which is manifest in many of the other ways that transnational policing is performed.

The security-control paradox provides several senses by which to judge that the emergent edifice of global policing is a failure on its own terms. The notable increase in travellers' experience of 'security theatre' comes at great financial expense. Building walls to enforce security divisions retards total economic development because security costs are a drain on the economy. The total cost of global policing, including not only that provided under state auspices, but also private security contractors and also including the cost of state security services (ie. high policing) is uncounted. And there are massive shifts happening across sectors of the policing field in terms of financial allocations, making such calculations even more difficult. The security-control paradox yields one final sense in which global policing has been unsuccessful at fostering the conditions of democratic freedom, because the promise was always that people had to surrender some liberty in order to gain in security. As the conditions of insecurity have been amplified through the iatrogenic effects of policing, there are yet further calls for curtailment of civil and private liberties. Without some conscious effort, this amplification spiral can go on out of control thereby continuously undermining the possibility of fostering a global system more firmly based on democratic legitimacy and societal well-being.

THE CONSTABULARY ETHIC

The structural arrangements of the global system do not facilitate transparent, accountable, and democratic governance (Sklair, 2002). The structures of global governance and, by extension, global policing simply do not have these attributes. As the previous brief discussion of the conceptual field of policing indicated, the police sector is broad, deep and global. Keeping

in mind that the original sense of police science brought with it the intention of fostering the social welfare of the individual in society so as to increase the general health of the commonwealth, raises issues as to how to normatively orient global policing towards correspondingly similar ends? One answer has been represented in the idea of a Constabulary Ethic (Sheptycki, 2007; 2010; O'Rourke and Sheptycki, 2011). The term presents difficulties. The word 'constable' is ill-defined. In some jurisdictions it carries an excess of negative connotative meanings, in other jurisdictions it is incomprehensible because there has no traditional equivalent concept. In some places it is linked to a paramilitary tradition in policing, in others to a civilian office. The term entered the scholarly lexicon from the sociology of the military. The first usage of the word Constabulary Ethic came out of studies looking at UN peace-keeping troops sent to Cyprus in the early 1960s. Recognising that military troop trained from the 'killing job' were being asked to perform a policing function in maintaining the buffer zone between Greek and Turkish Cypriots, military sociologists began to think about ways of fostering a Constabulary Ethic amongst military troops. Arguably trying to advance the acceptance of such an ill-defined category is ill-conceived. However, the preceding discussion has shown how global policing has tended to become trapped in a negative feed-back loop through processes that are paradoxical leading to unintended iatrogenic consequences and further amplification of (in)security. We would argue that this implies that decisions could be taken to change the policing practices leading to different outcomes and so, despite the terminological difficulties, the idea of a Constabulary Ethic is at least worth thinking about.

The notion of the Constabulary Ethic is aimed directly at those persons who inhabit the occupational world of global policing, at whatever level and in whatever capacity. The idea is an intellectual short-hand to indicate something about the need to proceed as the result of conscious effort and thoughtful deliberation. The discretion involved in policing 'work' (Bronitt and Stenning, 2011) can involve the threat or use of force up to and including lethal force. As we have stressed, policing is a tainted occupation. By inserting the notion of the Constabulary Ethic into the subcultural language of policing we are providing a linguistic handle on a complex set of normative problems. Can there be a compendium of police 'ethics'; recipe knowledge that can be listed? That there are efforts in the occupational world of policing to develop such recipe knowledge is a hopeful sign. For example, in some places the JAPAN model was promoted as a recipe for decision-making in the context of long-term undercover operations against serious and organised criminals. JAPAN was an acronym which stood for the following questions. Is the action Justifiable? Is it Accountable? Is it Proportionate? Is it Auditable? And, is it Necessary? The answer to these questions, and the questions themselves, are moot. There may be other more appropriate ways to ask ethical questions about police work. It is very difficult, if not impossible, to provide a *corpus compendium* of constabulary ethics. Even John Kleinig, whose massive attempt to do just that, admits that he is

'… very conscious that every issue canvassed in this long book cries out for further elaboration both philosophically and practically. The problems of authority, role morality, affirmative action, loyalty, privacy, coercion and deception, to mention some of them, have generated large and sophisticated literatures whose complexities have been barely touched upon … the concrete decisions that first line police officers and police managers must make on a day-to-day basis are more diverse and finely nuanced than the various situational circumstances to which I have alluded in the text' (Kleinig, 1996, p. 2)

The Constabulary Ethic is not the same as trying to list constabulary ethics; it is a normative position. How do we understand or describe this position? Accepting that 'the police job' is, in the final instance, one which involves the ability to muster coercive force in the maintenance of social order, in taking on board the notion of a Constabulary Ethic the person who takes up the policing role remains a human being first and as a human being governed by the categorical imperative can only act in a way that he or she would expect of any other human being. This is longwinded Kantianism — act by the maxim whereby you can, at the same time, will that it become a universal law. It is also a reaffirmation of the Peelian notion of the constable as a 'citizen in uniform', perhaps updated for global times. The police are the public and the public are the police. The constable is a mere pivot of social order. All that is policing does not lie with the police, and the constable is but one part of a vast social system of order. The normative position that the Constabulary Ethic recommends is that of philosopher, guide and friend, accustomed

to holistic thinking whose first question when coming upon a scene requiring policework is: 'how can I help?'. It is also a position of individual responsibility. The would-be Constable is always individually responsible for his or her actions in terms of human rights norms. For example, if a police action results a person's detention, then police assume responsibility for the health and well-being of that person for the duration. Individual responsibility to human rights norms sets a high normative bar for the Constabulary Ethic. But the capacity for reflexive thought that the concept of the Constabulary Ethic points toward goes even further by virtue of the fact that we are conceiving of an ethic for global policing. It has been some while since 'green criminology' has shown the possibility that Mother Earth could be a victim of crime (Beirne and South, 2012) and so positioning oneself with regard to a Constabulary Ethic concerned with the general welfare, would also involve the revolutionary act of incorporating environmental thinking about the global policing mission.

CONCLUSION

The science of policing as it was articulated at the beginning of the Enlightenment period was part of what the sociologist Norbert Elias termed the 'civilising process' (Elias, 1982). Civilisation can be defined as a process whereby one gradually increases the number of people included in the term 'we' or 'us' and at the same time decreases those labelled 'you' or 'them' until that latter has no one left in it. Policing was central to the art of governance, which was about consolidating the *patria* — the national 'social body'. The policing idea lives on in enormously changed circumstances in the 21st century. It is no longer quite right to think of the state system as a container of social order, indeed we argue that the existing transnational-state-system seems more often to equate with social disorder (Bowling and Sheptycki, 2012). Policing under transnational conditions presents enormous challenges. This essay draws attention to the complexity of the system of global governance, especially with regard to the conceptual field of policing. It argues that, globally speaking, police legitimacy has been largely sought through a functionalist rhetoric, a system of meaning figuratively spinning between the subcultural world of policing and the broader culture of which it is a part, predicated on the existence of certain folkdevils and suitable enemies, to which strong police measures are said to be the only answer. We further argue that, globally, policing practice tends to exhibit features of a security-control paradox in which, ironically, the pursuit of social order through law enforcement means has resulted in increased insecurity. A central focus of this essay has been to draw an historical line from the early manifestations of the modern science of police up to today. The original science of police was deeply imbued with normative thinking, since it was concerned with notions of the general welfare of society and state. In present times, police science is being reduced to experimental criminology and crime science and notions about what is good policing have been reduced to the measurable inputs and outputs of efficiency and effectiveness. This paper aims to affect thinking within the occupational world of policing by pointing to the idea of a Constabulary Ethic as an appropriate short-hand term for a broader normative standpoint for global policing. Empirical research is a necessary part of doing good police work, but it is not sufficient. Good science, like good governance, is possible only in an open society that fosters a dialogue that includes all its members. This essay has sought to show the imperative of developing an ethical standpoint for the system of subcultural meanings that inscribe the lifeworld of global policing and called in the Constabulary Ethic.

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POLICING AND CITIZEN ENCOUNTERS: LAW ENFORCEMENT AND RIGIDITY

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Keywords: Policing, police discretion, law, ethics, law enforcement, control of the police

Abstract: This paper deals with the tension that appears between on the one hand laws and rules which try to control police activities, police efficiency and police fairness, and on the other hand police discretion, regarded as essential by police officers on the beat. It also underlines the need for flexibility that every police officer has to use in order to preserve or to improve his relationship with the citizens. Because people have complex demands, because they don't want the police officer to apply the rules without any discretion, what would be unbearable, negotiation has to be part of the police officer's job. But the piling up of new rules is restraining this flexibility.

More and more, if we hear police discourses during interviews or meeting with police officers, police work appears to be a controlled work. In a civilised society, a police force that could be out of control would be an unbearable idea. In our democratic countries, the main current view is not only that the State has the monopoly of legal physical violence (Weber, 1919), but also that the police force, who is the one of the armed wings of this State, has to stay under the control of its authority. That means not only to obey the elected authorities, but also to respect the limits set by the other official rules.

But this legal-rational view itself crashes into some realities. Among practitioners and scientists working in this field of policing, it is well known that even in the most centralised, hierarchical and controlled police organisations, there is still room for the police officer on the ground to put a construction on the orders that they receive. But many tools, including GPS, cameras on police cars or on police officers' shoulders, or CCTV, are used to strengthen the control over the police and to reduce what is know as 'police discretion'. There is a permanent tension between control and autonomy.

The second great obstacle to a full respect of official rules is the need for efficiency. Sometimes, this requirement leads to discrepancies between compliance with the legal standards and the outcomes that are expected from police forces.

Many fictional police stories or movies are based on the dilemmas set by this tremendous question police officers have to face: is it preferable to catch a shoplifter — or a burglar, a serial rapist or a terrorist — without compliance to all the rules, or to let him go because it is not possible to 'build' a case without cheating the law? The distinction between on the one hand purposive/instrumental rationality and on the other hand value/belief-oriented rationality is classic for social scientists (Weber, 1922): police officers on the beat are practically dealing with this distinction quite often. The 'art' of policing in the street refers to this ability to combine laws and action. But until what limits is it possible to do it?

Among all the consequences of this gap between law in the books and practices, we want to shine light on a third issue, linked to the question of relationships between the population and police officers: the tension that could emerge between law enforcement and the need for flexibility in applying the rules.

A majority of police forces in developed countries have been involved in a strategy of community policing, or in a process of improving accountability.

In order to improve such strategies, police officers have to be more tolerant with and more open minded to citizens' behaviour. Sometimes the search for better interactions with people could lead police officers not to apply all rules. This issue is particularly relevant when these police officers are in contact with youngster from ethnic minorities and poor areas, who could have cultures or habits which are not accepted by official rules. But it could also be the case in richer neighbourhood where the citizens have enough social capital (Bourdieu, 1980) in order to force police officers to be less harsh when they misbehave and commit relatively petty offences. Therefore, our second main concern in this paper will be to understand how police officers may find a good balance between law enforcement and comprehension (discretion), and how some public policies could disrupt this balance.

HOW TO IMPROVE THE FUNCTIONING OF POLICE FORCES: LEGAL AND THEORETICAL ANSWERS

In the vast majority of the developed countries, the problem of racism and unfairness inside police forces has been a concern, with concrete results or not. For years, governments have increased the number of laws and rules that set limits to police officers' power. Many NGO have used these laws in order to fight against police violence or abuse of power, and more generally to put the pressure on police officers who were not respecting people from ethnic minorities, working classes or social minorities — all those who could carry a negative reputation within the police forces. Police chiefs at the highest level have introduced internal rules to increase the level of nonviolent attitudes within their staff. More and more police forces have their own code of ethics, adding new constraints to police work, even if it provides more guarantees for the citizens.

In order to improve the relationship with the citizens, many police organisation have also developed internal documents, which have created a new kind of rules: quality and/or service charters can be found in places, where the police officers receive the public. They are included in police training. Through these charters, police organisations recognise that the citizen, as a customer, has a right of control over police officers' work. Accountability has become more concrete for many citizens, especially those from upper or middle classes

At local level, cooperation with partners, such as social services, public housing, city offices; schools or other public organisations, has led to the production of another kind of rules: contracts or agreements stipulate how and when the police forces must intervene. These police partners have high expectations that police officers will respect the terms of the contract.

And above all, New Public Management (NPM), with a set of tools measuring and controlling the work, has put a new pressure both on chiefs' shoulders but also on police officers on the beat. From now on, the police officers have to achieve measurable goals, and they have to report to their authorities. Almost all police actions have to be justified and registered. Even if the NPM is not defined as a tool which is used to address wrong behaviours and attitudes in the police work, it is obvious that a heavy control over the work will also be considered as a mean to prevent all excesses, which is obviously a good thing.

But all these laws and rules have simultaneously reduced police officers' autonomy, which has been called 'police discretion' by police scientists' classic works (Goldstein, 1963, Waddington, 1999). Law and rules have brought on a real change in the police culture. It is nowadays difficult to meet police officers who are prone to break the rules because they would harm their effectiveness. The 'Dirty Harry's' style is likely to disappear, because the risks to be prosecuted are high. And for the same reasons, it is less easy to refuse the service due to the citizen. People who want to file complaints are better treated in the police stations. It is also admitted that there is less police violence, less racism within police forces, and less prejudices of all kind.

But it would be naive to consider that there is no problem any more and that police organisations have reached a level of efficiency, strong enough to keep all the citizens satisfied with the service provided by the police. Theoretical answers that have been presented above offered us a good opportunity to communicate on the progress done inside police forces. But many problems remain as far as concrete police work is concerned

OPERATIONALISATION OF THEORETICAL ANSWERS: CRITICISM AND LIMITS OF IMPROVEMENT

Observers in charge of the evaluation of the image of police forces can notice that criticisms against police still remain, especially among people who feel unsecure or among people, like youngsters from ethnic minorities, who feel 'targeted' by police actions. These reproaches are of different nature. They regard both complaints against the lack of effectiveness, the lack of effective policing, and the abuse of power and authority — too much policing.

As far as the first point is concerned, the need for a 'better' police service seems to be a Danaids' jar. The more people suffer from insecurity or need help, the more they claim for a more present and more efficient police forces in their district. Because it is hard to work in these areas, and because the police officers don't have the tools to answer to all local demands, they prefer to avoid these areas as much as possible. But all citizens don't accept this fact. Even elected authorities have to face arguments with citizens who demand a more visible presence of police patrols, swifter reaction of the police to emergency calls, or for a more efficient control of potential offenders — whether they are real or not. All these claims lead police chiefs to create new rules, like the ones underlined above, in order to force their staff to better integrate the public demands in their policing duties.

With respect to the second point, abuse of power, people would consider that the police are unfair, racist or targeting specific groups, such as youngsters and adolescents, ethnic minorities or inhabitants of poor areas. Even if these people often lack of social capital, they have organised themselves to thwart this targeted strategies. Here and there are emerging cop-watch-style movements who gain influence on the public scene. Politicians and police chiefs are bound to react to these calls by strengthening the rules. Codes of ethics, internal controls or long-life education are the most frequently-used tools to answer to the requirement of a democratic and citizen-friendly police force.

The different expectations could be contradictory, because older people who feel afraid of juveniles may require police action against them, which lead to targeting and control considered by the latter as inacceptable. But practically speaking, the police have to face these two demands. Therefore the increasing number of rules which are set up to meet all problems lures the police officer into a trap. Whatever they choose as a top priority, they would be accused not to address other requirement. When a police officer failed into applying one rule, the easiest answer is to censure, because they are to be considered as accountable. Of course, it is logical to act this way, but in some situations, considering one police officer being the only one accountable for a problem, is also a too convenient way for the management staff, not be involved in the challenge.

If it is not acceptable to deny the need for rules and for a control over police officers, it is still important to have a look on the consequences of this multi-fold layer of rules and laws regulating the police work. Many police officers complain about the threat of a permanent control over their activity. Our point is not to agree or disagree with their complaints, but to analyse the impact of the increasing tendency to establish a formalised response — rules — to complex problems in the field of policing. This phenomenon is not an isolated one: it is one example of the growing judicialisation of human relationships in our societies (Shapiro & Stone Sweet, 2002).

As far as the police forces are concerned, and beyond the traditional opposition between effectiveness and compliance with the law, we would argue that the mushrooming legal system could produce a pernicious effect: it could create or increase a gap between the police and the population and play a part in destroying the confidence of citizens in the police officers which is essential to do a 'good policing' and is going awry (Manning, 2010).

THE DILEMMAS OF POLICE WORK

Contradictions are 'natural' components of police work (Manning, 1977). With the development of accountability, the managerial approach of New Public Management, and, more recently, budget cuts, these contradictions have lead to dilemmas that police officers on the beat have to live with. Most of these contradictions are well known inside police units, even if they widely remain unknown outside.

Amongst all, they have to deal with budget and human resources cuts and are simultaneously required to increase the quality of the service for the citizens. This doesn't mean that a better police activity is always linked to more expenses and more staff, but the current need for an optimal use of public resources leads to crucial difficult choices and therefore it may lead to withdraw from some activities and priorities. All public demands cannot obviously be fulfilled under the given restrictive conditions.

This structural lack of means makes us question the relevance of this notion of 'accountability' (Skolnick and Fyfe, 1993, Walker, 2005). With fewer 'troops', some demands have to be ignored, and citizens, or some of them will be disappointed or dissatisfied with the service offered by the police. Moreover, the concept of accountability has to be challenged in a centralised and hierarchical organisation. Who has decided where the cuts have to be done? It is very rare that the citizens are associated to this kind of decision. Whatever the budgets are, the leaders of the organisations are always reluctant to share their power with customers or citizens. Even if authorities promote accountability, it is hard for them to bring it into effect. Internal logics are more absorbing than citizens' demands. And their plurality and diversity make them less coherent than clear top down style orders (Monjardet, 1996).

As far as fairness is concerned, one could note that the pressure being put on police officers to be more efficient and more productive has led to limit the time available to listen to protagonists and resolve disputes. Patrols units have to go as quickly as possible from one intervention to the next one. Lacking the time needed to listen to all involved parties, the police do have less opportunity to find a suitable answer. In many police organisations oriented to efficiency, such an attitude, i.e. taking time for discussion, could be interpreted as a waste of time and energy. Zero tolerance policies have increased this trend to avoid the development of robust relationships with the public: because the police must address each incident as a problem and not as an occasion to interact with somebody, the police enter into a system of confrontation rather than cooperation. Therefore, fairness is hard to maintain.

In many police organisations, all these contradictions would not be tackled Police officers on the beat are too much often the only who have to make choices. They have to take into account all constraints. But the worst thing is that police authorities are adding their own pressure over police officers in the street. As it was underlined above, the management produces regularly new rules in order to impose their view and their priorities. This phenomenon is not a new one: it is well known as the vicious circle of bureaucracy (Merton, 1940, Crozier, 1963). The procedures have to be followed by the civil servants. If they do, the social system becomes too rigid. It is impervious to external inputs. It they don't, the organisation reacts in creating new rules and procedures. It has to be recognised that police organisation are often involved in such administrative mechanism. Many police officers complain about the pile of rules that they have to adhere to and apply. And at the same time, many others ask for more rules because they feel more comfortable with prescribed attitudes, which prevent them from taking too much responsibility.

By adding internal rules on top of, or besides, the criminal code of procedure and other criminal laws, the police organisation is about to paralyze the whole system of policing. Of course, this paper is not defending non-ruled organisation of police forces. Relationships between policing and rules are quite a complex issue. Following Brodeur's argument (Brodeur, 1984), one could argue that laws are anyway submitted to police organisations' requirements. But with the piling up of new rules issued by diverse pressure groups, citizens, NGO's, local elected authorities, it seems that police forces are no more able to cope with all rules, let alone to control them. And above all, there is a gap inside police forces themselves between backstage officers and street-level troops (see in detail Reuss-Ianni 1982). The latter are in favour of more rules in order to better control the former.

THE UNINTENDED EFFECTS OF JUDICIALISATION

Police forces are both a part of the judicialisation process and a victim of it. In our democratic societies, embedded in a customs' pacification and civilisation process (Elias, 1974), conflicts and disputes are more and more solved through legal ways, with at least three impacts on police officers:

Firstly, they are called for a growing number of cases that could have been solved without their intervention, including a lot of disputes inside families or among neighbours;

Secondly, nowadays more people are better qualified. Citizens are able to use the existing rules and regulations in order to criticise the police work. They know their rights and can use legality in order to oppose to police officers orders if they don't agree with them;

Thirdly, as it was already underlined, there are more and more rules restricting the freedom of police officer in their job. It has become for them a real challenge to apply these rules in a complex world, while fellow citizens are denying their legitimacy. And they are also accused of not respecting the law.

As a result, many officers consider law and rules as a permanent constraint and impediment, which leads to attitudes of rigidity. They restrain them from developing negotiation strategies. They tend to follow the prescriptions and to avoid every risky initiative that could have legal consequences prejudicial to their career. In a micro-society like a police force where rules, laws, and New Public Management tools are applied, the police officer on the beat is the only one who has to face the real gulf between theory and practice, and the lowest level of the hierarchy is the one responsible in case of excess or non-respect of the rules. It is a very easy situation for the authorities that can always argue that they cannot be guilty of anything because they have produced rules that were not respected. It is better to put the blame on one single person rather than questioning one organisation or one policy.

But police officer's rigidness could be a source of incomprehension in the citizens' view. Of course, many of the citizens call for more severity. But same people are also claiming for tolerance when they commit an offence or on the occasion of traffic check. People who are calling for police interventions in case of petty incivilities often prefer mediation rather than punishment. If police discretion is a problem for the hierarchy, it is often the expression of this room for negotiation that both the police officer and the citizen need in order to build up a relationship based on mutual understanding.

A police officer on the beat is trapped within a police organisation too much bound on regulations, because whatever they would do, they are at risk of being punishable. If they are too tolerant, the hierarchy could put the blame on them, they are seen as not enough efficient, or by a judge, they do not apply the law. If they are too severe, it would generate tensions, conflicts, hate and a spirit of revenge among parts of the public. It is no more possible to build a relation where the police officer gets information and may solve problems without engaging into a judicial case. As a consequence, their legitimacy is threatened.

Of course, misdemeanour, or racism, especially when they come from police officers, has to be sanctioned, and rules, regulations and laws are appropriate tools to fight against these excesses. But excess of rules is not a good solution either, even if it could be sometimes an easy one. It is hard to precisely define the good balance between top-down orders and local police officer's discretion, but addressing all problems with more and more rules could place the officers in a too fragile situation, with the risk of reaction out of all proportion. Some police officers' excesses are also the result of this feeling of weakness.

To avoid such situations, politicians and authorities have to be careful in using new laws and new rules as answers to all problems. They have to take into account the specific consequences of their decisions. The best thing is to make a global diagnosis of the organisation instead of putting the pressure only on the police officer in the street. A first priority here must be to analyse the effects of the 'culture of performance' and its measurement on the relationships between police officers and the public.

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FROM 'IRON FISTS' TO 'BUNCHES OF FIVES': A CRITICAL REFLECTION ON DIALOGUE (OR LIAISON) APPROACHES TO POLICING POLITICAL PROTEST

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Keywords: Police liaison, dialogue policing, political protest

Abstract: This article focuses on the recent academic assertion that police attempts to engage in dialogue before and during protest events (ostensibly to facilitate the participants' preferred means of political expression) are perhaps more realistically concerned with collecting useful intelligence about demonstrators' likely motives and activities, and preparing advance justification for possible police interventions. A case study is presented of the work carried out by a 15-person South Yorkshire Police 'Police Liaison Team' (PLT) in relation to the 'anti-Lib Dem' political protest occurring in the major English city of Sheffield in March 2011. Using a combination of participant observation and interviews with police and demonstrators, the study highlights compelling similarities between the tactical approach and underlying objectives of the PLT and those subscribed to by public order specialists in the Metropolitan Police Service in the early 1990s. In common with their 'Met' counterparts, the PLT used carefully cultivated exchange relationships with protest organisers as means of gathering intelligence, securing compliance with police preferences for the routes of marches and establishing parameters of 'acceptable' behaviour. However, by using the relatively new tactic of immersing themselves in the crowd, PLT members were also able to maintain 'open' lines of communication with protesters and provide a stream of unerringly accurate 'dynamic risk assessments' to remote senior commanders. This tactic helped to ensure that there were few unsettling 'surprises' on both sides, that there were no unnecessary, indiscriminate or over-punitive police interventions, and that the police operation was ultimately regarded by protest organisers as having been exceptionally tolerant and 'facilitating'.

INTRODUCTION

A recent article by Baker (2013) considers the extent to which the growing use of 'dialogue policing' (with its accent on liaising and negotiating with demonstrators before and during political protests) represents a bona fide means of promoting the 'right' to protest, or actually constitutes little more than a disingenuous form of 'symbolic theatre' — a 'ritualistic sham'. The latter perspective is alluded to in Baker's article by the co-organiser of an Australian climate camp protest ('Switch off Hazelwood, Switch off Coal, Switch off Renewable') who likens negotiations with the police to a 'smoke and mirrors chess game', involving both sides vying for relevant information, and also establishing a moral position of 'we've spoken to you, you've spoken to us, we've played friendly. On the day, how much of what you've committed to will you stand by?' (quoted in ibid., pp. 94-95).

While such evidence leads Baker to conclude that 'ritualistic games' of this nature are undoubtedly replete with ulterior motives on all sides, he insists that they tend also to be mutually beneficial, not least by helping to legitimise and facilitate peaceful dissent while allowing the police to 'maintain control by conveying expectations for crowd behaviour and remaining in control of public space' (ibid., p. 100). All of this may well entail 'lingering suspicion on both sides', allied to police contingency planning ('a dual mode of policing') in cases where uncooperative groups of protesters spurn the invitation to negotiate (ibid., p. 100); but even in situations where it fails to become all-encompassing, dialogue remains a

vitally important mechanism insofar as it 'creates the context for a better understanding, a greater chance of negotiated outcomes and protester compliance, and enhanced predictability for the parties involved' (ibid.).

These views chime with those of UK academics who, like the present author, have generally approved of recent attempts by British police forces to help 'facilitate the right to protest' by adopting communication-based tactics and strategies, based on seminal Swedish Dialogue Policing approaches (Gorringe *et al.*, 2012; Gorringe and Rosie, 2013; Stott *et al.*, 2013; D. Waddington, 2013). Such methods are consistent with official recommendations appearing in the wake of the controversial policing of the 2009 G20 protest in central London (HMCIC, 2009a, 2009b). On that occasion, the Metropolitan Police Service (MPS) were heavily criticised for using over-zealous tactics which saw hundreds of protesters 'kettled' (contained and detained) for several hours, and an innocent bystander (Ian Tomlinson) die of injuries sustained during an unwarranted assault by a police officer which only reached public attention when a 'citizen journalist' disclosed relevant video footage to The Guardian newspaper (Greer and McGlaughlin, 2010; Rosie and Gorringe, 2009).

This strong commitment to using effective communication and dialogue also underpins the GODIAC project (e.g. GODIAC, 2013), a European Union-funded initiative involving case studies of protest policing in nine separate nations, whose recommendations for a common European approach to policing 'political manifestations' firmly endorse the four key 'principles of conflict reduction' identified by Reicher and his co-workers — namely: education (understanding the various 'social identities', values, beliefs and objectives of the different sections of the crowd); facilitation (striving to help protesters achieve their legitimate goals); communication (employing negotiation, prior to and during the event, with the intention of reaching agreements, and avoiding any misunderstandings or unpleasant surprises); and differentiation (resisting the inclination to treat all members of the crowd in uniform manner, irrespective of whether they are 'guilty' or 'innocent') (Reicher *et al.* 2007).

7What UK commentators in particular have not sufficiently emphasised is the degree to which this 'new' dialogue approach shares compelling similarities with the negotiation-oriented public order policing methods observed more than two decades ago by PAJ Waddington (1994) in his two-year study of the MPS. Waddington's basic revelation that senior MPS public order commanders were apt to use various forms of 'guile' and 'interactional ploys' in order to induce (or even outfox) protest organisers into staging their marches and demonstrations more in accordance with police interests and objectives than those of the protest participants is certainly of relevance to the issues raised by Baker. The following article seeks to addresses this important oversight by reopening discussion, first set out in D. Waddington (2013) and D. Waddington and McSeveny (2012), of the recent police operation implemented by South Yorkshire Police (SYP) in response to the anti-Lib Dem protest, staged in Sheffield city centre in March 2011.

The first section of the article not only outlines the underlying principles and objectives of the Dialogue Policing approach, but also alludes to some of the possible difficulties associated with its practical application. The second section then summarises the main findings from PAJ Waddington's important study of negotiation-based policing in the MPS. These initial sections will provide the context for a case study, spanning four further sections, of the composition, ethos, activities and 'effectiveness' of the Police Liaison Team employed by SYP at the anti-Lib Dem protest, of any problems the team encountered, and of its relations both with protesters and 'more conventional' public order Police Support Units (PSU). This case study will form the basis of a concluding section, focusing on the extent to which the type of methods implemented by SYP represent a novel, safer and more enlightened form of protest policing, and constitute a genuine and sincere attempt by the police to facilitate the 'right to protest'.

DIALOGUE POLICING: PRINCIPLES AND PROBLEMS

The Swedish Dialogue Policing approach has been comprehensively outlined by Holgersson and Knutsson (2011). According to these authors, it involves an overall commitment to: (i) ensuring the facilitation of the demonstrators' legitimate goals, via self-policing if possible; (ii) using a 'counterpart perspective' to anticipate

the likely reactions of sections of the crowd to possible police interventions; and (iii) employing sufficient tactical differentiation to tailor police activities to the diversity of crowd. Its overriding objective is to 'facilitate expressions of freedom of speech and the right to demonstrate' in the hope of minimising confrontation, injury and destruction of property.

The majority of a dialogue officer's work involves building up trusting relationships with organisers and protest groups, perhaps stretching over a period of several months, which can then serve as the basis for pre-event negotiation. Typically, such negotiation will involve determining agreed routes of marches and whether (and, if so, how close) they will be allowed to come in reach of sensitive buildings or locations. This process will inevitably result in compromise, or even give rise to partially or entirely novel sets of arrangements.

When on duty, dialogue officers operate in pairs. They are usually decked out in civilian clothes, but are distinguishable by yellow vests bearing the inscription 'Dialogue Police'.

During the protest per se, the dialogue officers strive to ensure that prior agreements are upheld, work to sustain two-way communication between the police and demonstrators, attempt to de-escalate potentially conflictual incidents, and transmit regular readings of the changing moods of the crowd:

'The aim of dialogue police officers is to be near critical places, enabling vital information, assessments, and feedback about problems and the police way of acting to be continuously passed on to the commanders. Police actions and interventions can also be explained to demonstrators. An important function is to try to influence a plan or ongoing activity by the police that may be perceived as provocative by the demonstrators'. (ibid., p. 204)

Holgersson and Knutsson (2011) concede that this inherent role dichotomy has resulted in dialogue police being looked upon as 'traitors' by their police colleagues and as 'devious intelligence gatherers' by protesters. Pressure exerted on them by commanders to simply gather intelligence and/or convey police directives to the crowd may conflict with their need to exercise discretion and avoid being seen as a police 'message boy'. Commanding officers sometimes accuse dialogue police of having become too sympathetic toward the demonstrators (having 'gone native'), and are apt to dismiss or overrule their observations and advice. Police of all ranks often feel frustrated by exhortations from dialogue officers to exercise more patience, restraint and compromise. Injunctions of this nature rob them of the customary satisfaction that comes from accomplishing things by force. To ask them to 'stand back and do nothing' in the presence of an 'unruly' crowd constitutes an insulting waste of their time and expertise, and involves a perceived dereliction of duty.

Wahlströhm (2007) points to similar attitudes among Swedish trainee public order commanders who resented the prospect of using communication as part of a process of give and take, rather than a means of insisting on outright public compliance. Certainly, Wahlströhm is far more explicit than Holgersson and Knuttsson in acknowledging the obvious tension existing between the Swedish police's commitment to dialogue with protesters and the 'purely instrumental dimension embedded in such interaction' (Wahlströhm 2007, p. 400). He is clearly agnostic in asserting that

'In sum, what is distinctive about the contemporary Swedish case is the (temporarily) high level of critical reflection among police regarding their interaction with protesters. Whether this will open up possibilities for genuinely more democratic forms of protest policing, or merely lead to nothing but more subtle forms of coercion, is still too early to say'. (ibid.)

NEGOTIATING PROTEST IN THE EARLY 1990S

Wahlströhm's agnosticism echoes scepticism expressed by British academics in relation to more the 'negotiated' style of public order management introduced in the wake of high-profile confrontations of the 1980s and early 1990s around such issues as pit closures, the introduction of new technology and the inception of the poll tax. These commentators identified the new police methods as constituting arguably more subtle ways ('the iron fist in the velvet glove') of containing or repressing political dissent and of restoring some much-needed legitimacy to the police (King and Brearley, 1996; D. Waddington, 1996, 1998). Ironically, evidence in favour of this view was contained in

empirical work undertaken by PAJ Waddington (1994, 1998), someone not customarily critical of the police. Waddington's two-year participant observation study of public order policing in the MPS demonstrated the means by which senior officers were able successfully to achieve their objectives by using pre-event negotiation to ensure that protesters march peacefully along the police's preferred route while causing a minimum of disruption and inconvenience to ongoing city life. In short, *'Negotiation was less a process of "give and take" and more that of the organiser giving and the police taking. The police were enormously successful at ensuring that protest took place on their terms'* (Waddington, 1994, p. 101).

Outcomes of this type were invariably secured via the police usage of a range of communicative 'ploys' in the build-up to the protest, such as displays of spurious friendship towards organisers, donating helpful guidance and advice, or extending apparently unconditional favours.

'Thus, negotiations are conducted with the amicability and good humor [sic] that would seem more appropriate to arranging a loan from a bank…Such amicability is not the product of genuine liking for or agreement with the organisers, the campaigns they represent, or their cause. It is a studied performance designed to dispel any tension, hostility or antagonism that the organiser might harbor [sic]. *Once negotiation begins, the police stance is one of proffering help and advice — "How can we help you?" — "help you," that is, to "do it our way." Many organisers are inexperienced and so the police "organise it for them." They recommend routes along which to march, provide the telephone numbers of officials in other organisations that need to be contacted, and suggest how difficulties might be resolved'.* (Waddington, 1998: 120-1)

The police know that contact and benevolence of this nature implicitly commits the organisers both to upholding an exchange relationship and assuming a position of mutual responsibility for potential problems that might occur (Waddington, 1994, p. 84). Police and organisers thus have a shared interest in the outcome of the demonstration — hence, the greater propensity for relevant information and intelligence to be reciprocated, especially in relation to groups or individuals deemed likely to be 'troublemakers' (ibid.). This arguably cynical side to the police involvement is underlined by Waddington's further disclosure that,

'(A)lthough the police might have genuine affection for some organisers, the appearance of friendliness was often a studied performance. Almost unfailingly, organisers' veracity and competence were subjected to withering scrutiny the moment they left the negotiating meeting. On some occasions, police officers, who a few minutes earlier were friendly to the point of being unctuous, denigrated the organisers' personal qualities… Indeed, all organisers tended to be regarded with suspicion'. (Waddington, 1994, p. 87)

Other pre-event measures are undertaken to offset the risk of any individual or teams of officers engaging in 'ill-considered' actions likely to spark off unwanted confrontation. This is typically achieved by: (a) determining that only the most capable and trusted public order commanders get assigned to the event; (b) engaging in pre-event 'strategy meetings' in which all tactical contingencies are discussed'; and (c) ensuring that all junior ranks are thoroughly briefed in terms of the operational goals and ethos. Police interaction with organisers and other protesters on the day of the event will also exude ostentatious bonhomie; riot police (though heavily tooled up and at-the-ready if needed) will be kept well out of sight of the demonstrators and senior officers will jump at any opportunity to brief civilian stewards and their marshals in terms of the collaborative relationship the police are hoping will prevail.

It is by exercising such means that the MPS routinely accomplished 'nonconfrontational control' over protest demonstrations, based on the compliance of the organisers (Waddington, 1998, p. 123). PAJ Waddington is adamant that police public order commanders pride themselves on their professional commitment to 'recognising the unquestioned right' of all citizens to protest (ibid., p. 129). Waddington further contends that

'Police officers recoil from the suggestion that they are sometimes deceitful, but deception is a routine feature of social exchange. Their friendliness towards organisers was often 'spurious' but no more so than that displayed by a salesman to a customer'. (Waddington, 1994, p. 102)

He nonetheless acknowledges that, somewhere amidst this process of ensuring that demonstrations are conducted largely on police terms, the interests of the protesters are correspondingly compromised: 'Protest is [thus] emasculated

and induced to conform to the avoidance of trouble. In police argot, protest organisers are 'had over' [in other words, intentionally duped]' (ibid., p. 198).

RESEARCH METHODS AND OBJECTIVES

The remainder of this article is now devoted to evaluating the extent to which SYP's decision to employ a police liaison approach (based on principles of dialogue policing) actually reflects a sincere and significant shift towards a more enlightened and facilitating contemporary style of public order policing, or may be more justifiably regarded as a merely a modern, more subtle manifestation of the type of cynical police methods being exercised some twenty years ago.

The relevant data on which the following discussion is based derive from an ethnographic study in which the author and ten volunteer academic colleagues acted as participant observers, while a full-time research assistant engaged in retrospective and contemporaneous tracking of police Twitter messages and other social media channels of relevance to the protest (e.g. Facebook, Indymedia and the local Sheffield Forum). Eleven in-depth interviews were also carried out with police personnel (the Gold, Assistant Gold and Silver Commanders; a Silver negotiator/coordinator; two Public Order Bronze Commanders; the Bronze, two sub-Bronzes and a police constable forming part of the 'Police Liaison Team'; and a Social Media Officer) and three protest organisers — the Chair of the Sheffield Anti-Cuts Alliance (SACA, see below), a SACA Steering Committee member, and the President of Sheffield Hallam University's Students' Union (SU).

THE SHEFFIELD 'ANTI-LIB DEM' RALLY

The Sheffield anti-Lib Dem protest of March 2011 was called and organised by a coalition of local trade union groups and political activists calling itself the Sheffield Anti-Cuts Alliance (SACA). Following the formation one year earlier of a Coalition Government between the Conservative and Liberal Democratic parties, Nick Clegg (the newly appointed Deputy Prime Minister, but also Lib Dem leader and MP for Sheffield Hallam) had nominated Sheffield City Hall as the venue for his party's Annual Spring Conference in what was regarded, at the time, as a benevolent gesture to his 'home town'. Since then, however, the Lib Dems and their leader had become locally unpopular, having co-sanctioned with the Conservatives a raft of controversial policies (e.g. sweeping public sector spending cuts and the raising of university tuition fees) which appeared to contradict their pre-election promises. This apparent 'betrayal' of the electorate went down especially badly in Sheffield, which is the home of two major universities (Sheffield Hallam and the University of Sheffield) and is disproportionately reliant on public sector employment in comparison to most other major cities (D. Waddington, 2013).

The prospect of Mr Clegg and his party receiving a rowdy local reception had a major bearing on the strategies and tactics underlying SYP's Operation Obelisk, though other factors were undoubtedly also influential. According to the Gold Commander, the recent 'Adapting to Protest' reports (HMCIC, 2009a, 2009b) had underlined the legal imperatives under the European Convention on Human Rights to uphold (and, indeed, facilitate) the right to protest, as well as ensure the safety of the Lib Dem delegates and the security of the venue. Due consideration also had to be given to making sure that city centre shops, cafes, hotels and restaurants were sufficiently unaffected by the protest to benefit from the influx of conference attendees, and that the city's image as a 'safe' and 'friendly' tourist or conference centre would hopefully be enhanced.

To SYP's great relief and satisfaction, the two days of protest were virtually trouble-free. A relatively small crowd of 800 protesters gathering on the afternoon of Friday, 11 March, in anticipation of the arrival of Lib Dem delegates, posed no real problems for the police. Then, on the following morning, a larger crowd of 2 000 - 3000 people (which subsequently grew in size to around 5 000) set off on a two-mile march through the city before finally assembling on Barker's Pool, a pedestrian concourse directly in front of the City Hall. The only noteworthy incidents occurred when 30 members of UK Uncut (a grass-roots movement employing direct action to highlight alternatives to the British government's policy

of reducing public spending) were ejected from a handful of stores and the branch of a well-known High Street bank, and when a 24-year-old man ignited a firework flare and scaled a police protective barrier in what resulted in the only arrest of the entire event.

It is indisputable that the presence of this barrier, which was integral to a part-metal, part-concrete 'fence', encircling the City Hall venue, was fundamental to the success of the police operation, insofar as it helped limit direct contact between police and protesters, while still enabling the latter to remain within sight and sound of the arriving Lib Dem delegates. Arguably of even more significance, however, were the activities of the 15-person Police Liaison Team (PLT), which engaged in pre-event discussion and negotiation with protest organisers, and then mingled with the crowds on the two days of the event with the intentions of facilitating protest and promoting a 'no surprises approach' to the policing of the demonstration.

THE POLICE LIAISON TEAM: ETHOS AND OBJECTIVES

Previous publications (e.g. D. Waddington, 2011, 2013) have emphasised that SYP's decision to adopt a deliberately 'facilitating' police liaison approach to their handling of the anti-Lib Dem protest reflected an enduring force commitment to restoring public trust and confidence in the wake of the their controversial roles in the 1984-5 miners' strike and the 1989 Hillsborough stadium disaster (see esp. D. Waddington [2011] for a fuller discussion of these cases). Interviewees also referred to the progressive and liberal-minded attitudes of their more senior colleagues as another determinant of this novel strategic direction. Particular emphasis was placed on the fact that SYP's Chief Constable currently occupied the position of ACPO (Association of Chief Police Officers) Lead on public order, and had recently signed off a document committing all British forces to a more communication-oriented approach (ACPO/ACPO/NPIA, 2010).

'I can't speak about other areas, but I do think that, in this force we are very alive to and receptive to these types of ideas and relatively forward-thinking…and I do think that we're extremely keen to embrace all of this stuff. I also think that [The Silver Commander's] openness to looking at new ideas was also really encouraging from an operational and planning point of view'. (Interview, Public Order Bronze)

One main objective of the police operation was to provide the Silver Commander with what he termed an 'information picture' of the likely size and composition of the crowd, of which constituent sections or individuals were liable to prove cooperative or not, and of what policing measures were therefore necessary to balance the right to protest with the corresponding need to maintain public order. A second important goal was to cultivate a 'no surprises' approach whereby the intentions and activities of all parties were as well communicated, predictable and mutually endorsed a possible. The final, arguably overriding, police objective was to enhance their capacity to make sensible, well-informed tactical interventions:

'The third bit for me was that I wanted the capability to build a dynamic risk assessment to assist actual decision-making — about the potential impact of police tactics, really, so we could have that discussion around 'What's the best approach, here, to deal with that element of the crowd, *in your view* from the vantage point of being down amongst the crowd?' (Interview, Silver Commander)

To accomplish these objectives, the Silver Commander set up a 15-person Police Liaison Team (PLT), to be centrally coordinated on the day of the event by a remote 'Silver Command' team consisting of himself and an assistant Negotiator Co-ordinator, a female colleague of equal rank. This pair worked in close conjunction with a five-person Social Media Team (SMT), led by a female inspector, whose function was to monitor and respond to relevant messages appearing on Twitter, Facebook and the Sheffield Forum blog, and to transmit informative and reassuring messages to protesters and members of the wider general public.

While immediate overall authority over the PLT was assigned to a Bronze commander at Chief Inspector level (the 'PLT Bronze'), during the protest proper the team was divided up into equal sub-groups of five. The first of these consisted of four lower-ranking officers (sergeants or police constables) under the direct supervision of the PLT Bronze, and the remaining two of similar groups of junior officers which each reported to

a 'sub-Bronze' commander of Inspector level. In addition to each having experience of public order leadership, the PLT Bronze, two sub-Bronzes and Negotiator Co-ordinator were all highly trained 'crisis negotiators'.

The lower ranks of the PLT were made up of hand-picked individuals who were already highly regarded (e.g. due to their work on Safer Neighbourhood Teams) for their communication skills and capacity to engage with the general public: 'The type of individuals who, they already knew, were not quick on the draw, and who could handle people with some patience while keeping up a pleasant smile' (Interview, PLT Sub-bronze). Steps were taken to ensure that the public was able to see the PLT as visibly and qualitatively 'different' from the other police present:

'In the old days of public order, the police were the forbidding black line, but now people see fluorescent jackets and it's 'Look out, here come the police!' So, we deliberately went for something very different. We went for blue tabards with 'Liaison Officer' on them, which deliberately kept us very separate from the other officers'. (Interview, PLT Sub-bronze)

This general commitment to a softer, communications-based approach to protest policing was exemplified by the attitudes of two strategically important commanding officers, the PLT Bronze and the Public Order Bronze commander with overall responsibility for deploying PSUs at the actual protest venue. The former had followed Silver's recommendation by attending a one-day professional development course at Liverpool University, where participants were addressed by a specialist in Swedish Dialogue Policing methods and a principal legal adviser to the HMCIC 'Adapting to Protest' inquiry:

'To be honest, one of the things that stick in my mind is that there was a Chief Superintendent from somewhere or other who asked a question along the lines of: "Aren't we bending over backwards for the protest groups?" And [the legal adviser] gave him a great answer that will always stick in my mind. She said to him, "Your job is to uphold the law, and the Human Rights Act is the law. That's your job and you can't pick and choose which bits of the law you like." And I must say that I came away and built our briefings and tactics around that statement'. (Interview, PLT Bronze)

His Bronze public order counterpart explained in interview how it was the political conviction resulting from a family background of trade union support and the insight provided by subsequent university education which enabled him also to 'buy into' this softer policing style. Previously, he reckoned, the 'British model of policing' had been unfairly designed to serve the rich, and he therefore welcomed the progression to a more universal appreciation of people's rights: *'These rights are there for all of us to enjoy and, in the past, I don't think we've been sufficiently conscious of that. So, yes, I do buy into it'.*

PRE-EVENT LIAISON

During pre-event planning for Operation Obelisk, the Silver Commander stated a preference for the march to follow a clearly prescribed route, which (for safety reasons) would involve protesters departing from tradition by not bearing down on the City Hall via Devonshire Street, and taking a more circuitous route via the lower end of town. Pre-event liaison with organisers was therefore geared to using standard sets of negotiating skills a la the Metropolitan police commanders observed by PAJ Waddington twenty years earlier. Such repertoires would be used, not only to gain the demonstrators' compliance with the preferred route, but also to optimise police intelligence and thereby ensure that there would be 'no surprises' from any party's perspective on the day.

'We have these things called "bunches of fives" in negotiator terms, which are basically reasons to do something. If you're negotiating with someone over the phone or face-to-face, it's always good practice to have these bunches of fives: five reasons not to kill yourself; five reasons to go this way down the street; five reasons to let hostages go, and so on. We also have something else called PPAs — "Positive Police Actions" — where it's a kind of reciprocity thing, really: "This is what we've done for you. What can you do for us?" So, we were looking round in terms of, 'What can we bring from negotiating, from crisis and hostage intervention, into dealing with people who aren't overtly hostile, but who are not anticipating police in their midst. It was a case of: "How can we sell what we want to happen on that day, rather than enforcing it?" So, we'd got rehearsed bunches of fives as to why they should take that route'. (Interview, PLT Sub-bronze)

The police modus operandi involved contacting key organisers, such as SACA personnel and the presidents of the Sheffield Hallam University and University of Sheffield student unions. The SACA representative was personally escorted round the proposed route of the march, and the perceived merits similarly explained (in bunches of five) to student union officers during visits by the trained negotiators:

'But that's undoubtedly where the skill and the craft of the liaison team came to the fore, because it was about them saying: "Well, actually, if we take you down Fitzwilliam Street, you go along Charter Row, down onto Pinstone Street, you're going past the seat of democracy in Sheffield, the Town Hall; you've got a longer march route, so you're going to get more people seeing and hearing what you're protesting about and guarantee prime locations for the media to be able to pick up and monitor what you're doing"'. (Interview, Negotiator Co-ordinator)

The 'guided tour' accorded to the SACA representative also provided an opportunity for police intelligence-gathering and for the two parties to learn of each other's intentions: 'All through the route, we were just chatting about the policing, what they expected of us, what we expected of them, and basically he was picking my brain for how many numbers we expected, and quite reasonable things such as what we expected might happen' (Interview, SACA Representative). The police also used existing communication channels between Safer Neighbourhood officers and the students' union to accumulate similar intelligence and insight:

'We agreed to this, and he came and asked us: one, what we had planned for the event; and two, whether we had any idea what other groups might be planning for it. I'm signed up to a lot of databases with various cuts movements and things, so we made a point of relaying to the police any information arising from emails, and that sort of thing, that we thought might be relevant. We have an open line with the police all year round and we always feel that we can talk to them in confidence, and vice-versa, so it was all about keeping that dialogue open with them'. (Interview, Sheffield Hallam University SU President)

Equivalent questions were asked of the University of Sheffield SU President, who was able to provide some helpful observations, based on the appearance of graffiti, leaflets and online communication, of the intentions of participating groups which had chosen not to liaise with the police. The content and tone of such discussions helped reassure the police that the students unions were out to avoid and, indeed, distance themselves from the type of violent protest that had been witnessed during the London demonstration:

'We certainly had groups who weren't that open in their communication and were quite covert in their ambitions, so there was always that element of the unknown. But overall, we felt pretty secure from meeting their representatives that we knew just how 80 per cent of the people wanted the protest to turn out…. The brief was to come up with a way to communicate more effectively with the protest groups… to show that, as a police service, we'd made a measured approach and been sort of proportionate. If people then chose not to listen to what we were asking them to do to work together with us in what we were trying to achieve, then we'd at least have some legitimacy for any more robust police action that might eventually prove necessary'. (Interview, Negotiator Co-ordinator)

As part of their 'no surprises' approach, PLT officers asked organisers whether any of the proposed police tactics made them feel uncomfortable or might risk worrying or aggravating their constituents. The police emphasised how they wanted to avoid kettling at all costs, but maintained that, should the need ever arise, liaison officers would immediately appear to set the innocent free. The PLT Bronze presented each organiser with his card and maintained regular contact in the days leading up to the protest. A further example of this strong 'personal touch' was his assurance to the Hallam union president that, 'If I ever found myself in a kettle, I could give him a ring and he'd personally come and let me out' (Interview, Sheffield Hallam University SU President).

The Hallam SU branch had recently received a statement by a group which threatened to smash up the union building because they had been refused permission to stage a conference there on the day of the protest. The moment the police became aware of this they assigned officers to guard the building. This underlying commitment to building rapport and establishing the basis of an exchange relationship was further evident in the PLT's undertaking to set up a sound system for one group of protesters which would otherwise have been banned from the protest.

'I've no doubt that, had they gone to the police line, the bobbies' response would have been: "My briefing is you can't bring that down here, so therefore the answer is no." Because they'd heard this approach, the Police Liaison Team, who was already identifiable as the resolvers of these sorts of issues, said, "Yes, we can do that for you. Some of the [PLT] will go down and we'll get that set up for you, no problem". So straight away you're starting to build up a relationship, and it starts to provide a principle for trading'. (Interview, Silver Commander)

On the day of the march, the PLT exchanged first names and phone numbers with any organisers and stewards they had previously had no contact with. Thereafter, both parties maintained an amicable working relationship whereby, according to the Chair of SACA, the police 'worked with us on the march and joked with us constantly'.

THE PLT IN PRACTICE

Police respondents maintain that this kind of preparatory work yielded extremely important dividends. One such benefit occurred on the first day of the protest when a Lib Dem delegate who was due to stand in the forthcoming election for Lord Mayor of London suddenly, and without warning, entered the growing crowd of protesters as they awaited the arrival of conference participants. Once there, he rather heatedly explained to the encircling crowd members why their political views were so misguided. According to the Silver Commander, the 'highly volatile situation' created by this unanticipated manoeuvre was rendered potentially more combustible by the unhelpful activities of one particular member of the crowd who was a 'known troublemaker':

'I can't name this guy, but we had a student leader, for example, who we know was desperate to get people motivated, but we neutered him: he was completely ineffective because of the PLT's intervention and the way they went to work. He just didn't get the support he needed'. (Interview, Silver Commander)

Silver conceded that, had he been forced to respond to this incident on the evidence of CCTV footage alone, he would not have hesitated from sending in a Police Support Unit (of up to 22 officers with specialist training in public order). However, the feedback he received from the PLT Bronze, who was positioned a mere two metres away from the actual incident, provided an altogether more accurate dynamic risk assessment on which to gauge his response:

'All of the time, I was sending messages on my radio to [The Negotiator Co-ordinator], saying "Tell Silver not to do anything. Tell Silver not to react and send any resources in because, in actual fact, this crowd is self-policing". As he was saying, "Can I be allowed the floor?" there were other protesters trying to shout him down, but there were others still who were insisting: "No, quiet! He's come into speak, so let him have his say". And I found it fascinating to watch, and it was the first time it struck me that we had ended up directly influencing police tactics'. (Interview, PLT Bronze)

Several similar instances arose on the second day of the protest. For example, a series of timely observations by the PLT team ensured that Silver Command rightly regarded such activities as youths repeatedly beating the perimeter fence with wooden placard handles or daubing graffiti on a statue (with chalk, rather than paint, as it had initially been assumed) as considerably more innocuous than they had seemed on first appearances. When the only arrest of the entire event was made, and PLT officers insisted that a pair of firework flares also be extinguished, Silver Command resisted the urge to deploy a PSU in favour of allowing his officers' relationship with the protesters to peacefully prevail:

'If you remember, they lit up the flare and that lad jumped over the barrier. It was the only arrest and, ironically, he brought it on himself by jumping over. If he'd just stayed where he were, flare or no flare, he'd have been fine. But then they lit the second one and [the PLT Bronze] went in, and there was a small minority that started chanting to 'kettle' us. In fact, they were some of the people who'd been telling me: "You stand for everything that I'm against". Even then, although I put my flame-proof gloves on, because I was thinking "I might have to grab that flare", there wasn't one moment when I felt threatened or really afraid for Scott, because I thought "We've got most of these people on our side"'. (Interview, Police Constable/PLT Member)

This heavy application of police patience and discretion was perhaps most starkly emphasised by their decision not to restrict the movements of members of UK Uncut — a strategy that apparently backfired in light of the damage inflicted on shops

and High Street banks. The Silver Commander regarded this as a small and ultimately necessary price to pay: 'I mean, it's regrettable that Top Shop was done but the trouble we've got now in terms of facilitating protest is that you can't have a system that's so restrictive from the off that it guarantees the protection of every single property in town'. Among the resulting plaudits was a tribute paid by the SACA representative, a very seasoned demonstrator who maintained that the policing of this event was 'completely different from' anything he had previously experienced, and represented, for example, 'an astonishing contrast with what happened at Bolton [in Lancashire]' where, he alleged, the police had been far too rough and over-zealous in their handling of anti-English Defence League protesters who had gathered to show their disapproval of an ongoing EDL rally.

It is equally indisputable, however, that the speed with which the police responded to the activities of UK Uncut protesters was a testament to the strength of the back-up they had ready and waiting to deal with this and, should the need have arisen, even more serious developments. As the Public Order Bronze explained, SYP had set up a 'forward holding point' on nearby Trippett Lane, enabling him, to 'get three PSUs at the drop of a hat'. Moreover, notwithstanding its undoubtedly sincere underlying commitment to facilitating protest, the work of the PLTs was seen, by senior commanders at least, as a tool for establishing and ensuring strict adherence to a set of ground rules ultimately determined by the police:

'Part of the whole idea about protest liaison is that it's actually at the heart of a "no surprises" policing approach, so that people were able to understand where those parameters were. In truth, if you'd have climbed over that second set of barriers, you'd have not gone any further! There was this phased approach from a very light initial contact, to quite a hard sort of policing tactic if that was required'. (Interview, Silver Commander)

EXPLORING TACTICAL AND PROFESSIONAL RELATIONSHIPS

Police respondents were unanimous in considering it necessary to preserve a clear distinction between the operational functions of the PLT and 'conventional' public order units. The latter officers were perfectly content to let their PLT counterparts do any 'engaging' with the public:

'Traditionally, there's always been that wariness that, if you start talking to protesters, they might take it as an invitation to get on your back with, "Don't you feel guilty standing there and suppressing our right to protest?"…Invariably, somebody would get pulled into a conversation and get quoted and have their photo put up on Indymedia…I think that, whilst most police officers are happy with the introduction of liaison teams, I think they're also content to leave the talking to them while they just stand back and say nothing'. (Interview, Public Order Bronze)

Another perceived benefit of the liaison process was that it greatly reduced the potential both for direct confrontation and any ensuing political controversy:

'The whole purpose of it for me is that, if I don't have to ask one of my officers to get their baton out and hit somebody with it, I'll sleep a lot better at night. Alright, we all have these off adrenaline rushes from time to time — we're only human — but you really don't want to be scrapping with anybody: (a) because one or both of you might get hurt, and (b) do a 'Tomlinson' where, one push, and the man goes down and doesn't get up. It doesn't bear thinking about, really'. (Interview, Public Order Bronze)

Respondents of all ranks were satisfied that the use of PLTs was destined to become a permanent part of what Silver Command termed the 'public order toolkit':

'It's the question of how far that toolkit extends that's really the challenge for me. Having seen both sides as a public order commander as well, there is a limit to how quickly you can get involved and there will always be groups who don't liaise, however much you try, so there will be times when that conventional policing will — probably rightly — come to the fore. For this to work, it's almost as if there's got to be a segregation in the minds of the protesters between the 'good' cops and the potentially 'bad''. (Interview, Negotiator Co-ordinator)

These senior officers unanimously maintained that, in situations where there is no Silver to direct them, overall decision-making responsibility should rest with the Public Order Bronze Commander, rather than his PLT counterpart:

'It's got to be his or her decision whether to let the Police Liaison Team go in or not, because he's the one with the ultimate responsibility for getting them out. It should always be his call. The other important point is that, whilst we managed this mainly with unprotected staff and the primary tactic of negotiation did work, the ability to move quickly from state of engagement to another with a higher level of force and wider capability is essential for the balancing of rights to be achieved'. (Interview, Public Order Bronze)

PLT members were acutely aware that rank-and-file colleagues in conventional public order PSUs had developed slightly cynical and resentful attitudes towards them as a result of their liaison work. One PLT Sub-bronze recalled how he 'actually got deadpanned' by junior colleagues who would have been more friendly and deferential on any other day. This reflected a common rank-and-file perception that the PLT had ceded far too much authority to the protesters and appeared to have forgotten their true allegiance in the process. The PLT conceded that there was an element of truth in this latter accusation:

'You almost get sucked in: it isn't true Stockholm Syndrome, but you do start to get pulled into another way of thinking. There comes a point when you look across the lines of fluorescents and do start thinking, "Well actually, these guys do look quite oppressive. Why are we doing that?"' (Interview, PLT Sub-bronze)

In the immediate wake of the protest, an ostensibly playful but pointedly meaningful form of 'ribbing' occurred whereby the PLT were variously derided by PSU colleagues as 'pink fluffies' or 'PCSOs' [part-time civilian Police Community Support Officers]. Similar forms of teasing were used to remind PLT members that the PSUs had been stood around all day doing 'real police work' while liaison officers were hob-nobbing with protesters and reaping all the glory. Such sentiments could not erase the sense of pride and satisfaction PLT members derived from having made such a singular and telling contribution:

'I thought it was something new and challenging, and refreshingly experimental. I thought we were doing something that was really worthwhile and had already received that endorsement from our senior ranks…Afterwards, the camaraderie among the team and desire to take it further was paramount, just as the desire to be re-utilised in that role was very, very strong'. (Interview, PLT Sub-bronze)

CONCLUSION

It is evident that SYP's deployment of police liaison officers as part of Operation Obelisk was extremely redolent of the strategic approach being used by the MPS to manage demonstrations occurring in London over twenty years ago. The modern, European emphasis on using various negotiating skills and communicative devices in order to develop rapport with protest organisers and set up an 'exchange relationship' therefore represents a continuation of methods employed in a bygone era. Moreover, the objectives of this approach remain essentially familiar, in that they are primarily designed to maximise intelligence (relating to the likely size, composition, intentions and willingness to cooperate of the crowd), set police parameters regarding what sort of behaviours will and will not be tolerated, establish the legitimacy of the police operation, and therefore provide advance justification for any potentially contentious police interventions.

What is undoubtedly novel about the introduction of PLTs is the way in which they are being used during demonstrations, both to ensure that police and protesters alike experience no unsettling or provocative 'surprises', and to provide remotely based command teams with accurate 'dynamic risk assessments' from which to avoid unnecessarily over-reactive or indiscriminating police interventions. The Sheffield case study is therefore consistent with related research on the MPS and Sussex Constabulary (Stott *et al.*, 2013) which shows how similar police liaison initiatives have contributed to more effective police decision-making and made it much easier for the police to defuse potential conflict.

Thus, on the one hand, there was a universal recognition among interview respondents of the immense instrumental value of liaison-based policing. The present case study further suggests that, certainly at the levels of Gold and Silver command, and among the various ranks of PLT officers, there was a correspondingly unified acceptance of and commitment to facilitating the

rights and goals of law-abiding protesters. Like these officers, the Public Order Bronze embraced the view that a communication-based 'dialogue' approach was best suited to this purpose. This was a view less wholeheartedly subscribed to by members of more 'conventional' public order police support units, who strongly criticised the 'over-appeasing' attitudes seemingly being extended to protesters, accused their PLT colleagues of implicit disloyalty, and objected to being asked to stand around while sections of the public were allowed to behave in what was perceived as an unlawful and/or unacceptable manner. The extent to which frustrations of this nature might have well been vented had the PSUs been called on to intervene was a possibility not tested in the present example.

There is no evidence that liaison policing has now become regarded as utopian — a panacea in itself. Even those respondents counting themselves among the foremost advocates of liaison policing would see such methods as merely complementary ('another part of the toolkit'), and by no means a substitute for, more conventional forms of public order policing. None of our respondents would object to the presence of adequately equipped riot-trained colleagues, available on stand-by. Nor would they contest the right of conventional public order commanders to assume ultimate authority in the context of political protests. Indeed, PLT officers accept that a large part of their function is to initially help determine, and subsequently keep reminding protesters of, the existence of 'lines in the sand' which may be used to legitimise and politically justify uncompromising police interventions.

There is some resonance here with PAJ Waddington's important observation that

'…styles of public order policing are contingent on the institutional context in which they take place. In liberal democracies, there is a preference for nonconfrontational methods and a trend towards institutionalisation because this is relatively trouble-free. The police are also competent in achieving their goals by nonconfrontational means. On the other hand, when the established social, political, and economic institutions are perceived to be under threat, institutional pressures will encourage more confrontational methods of public order policing, as happened in Britain during the miners' strike of 1984-85'. (1998, p. 139)

It has been argued both here and elsewhere (D. Waddington, 2011, 2013) that SYP's contemporary policing mission is underpinned by a commitment to purging lingering animosities originating from the miners' strike and Hillsborough stadium tragedy. The force's keen determination to facilitate the 'right' to protest has been reinforced in light of recent political influence associated with the 'Adapting to Protest' reports and enhanced accountability stemming from the growth of social media and citizen journalism. Such tolerance may even run, as in the present example, to allowing potentially recalcitrant groups like UK Uncut the temporary freedom to roam the streets 'unsupervised'. However, without wishing to doubt the earnestness of the officers involved, it appears likely that SYP's publicly-stated determination to facilitate the right to protest would be hard pressed to survive the occurrence of conflict as politically contentious and threatening to the state as 'another miners' strike'.

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FUNCTIONS AND IMPACT OF THE 'VIOLENCE AGAINST THE POLICE' DISCOURSE ON GERMAN POLICE CULTURE

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Keywords: Police officers as victims, force and violence, police violence and violence against the police, police strategies

Abstract: The background of the violence against the police debate is an estrangement between police and society. Furthermore the police have not enough professional knowledge on how to deal with people in exhausted conditions respectively in social and/or economic poverty apart from using force. Though, since they are not familiar with the sub-cultural rules of live and communication, it makes it difficult for them to handle the part of the population which is troubled. The second important effect of this development is that, in the shadow of the 'violence-against-police' debate, violent acts committed by police officers apparently seem to grow.

There are currently two different debates dealing with 'violence and the police' in Germany: the leading debate is put forward by the police themselves and is mostly present in the public discourse. It focuses exclusively on violence against the police and emphasises the role of police officers as victims. This debate is predominantly highlighted by the police unions. The other, much less noticed perspective, e.g. the Amnesty International campaign in 2010, is becoming increasingly critical towards police misconduct, especially in relation to the use of force and violence by the police.

From my point of view, the debate on 'violence and the police' is not really about violence. It is about the uncertainty regarding the interpretation of and knowledge about police action.

My general hypothesis, which I am going to look at here, deals with the background of the debate on violence. I believe that it is not about an increase in physical violence against the police, but about an estrangement between police and society; especially with regard to the difficulties of the police to work 'on the edges of society' (or, to say it more frankly, to control the 'lower classes'). Furthermore, a significant part of the discourse on violence originates from the fact that the police do not have enough professional knowledge on how to deal with people in socially disadvantaged conditions, respectively in social and/or economic poverty, apart from using force. As they are not familiar with the sub-cultural rules of life and communication, it makes it more and more difficult for them to handle the part of the population that is troubled. The second important effect of this development is that in the shadow of the 'violence against police' debate, violent acts committed by police officers seem to grow. At least the reports on excessive use of force by police officers, as well as the numbers of victims of police violence are rising. There is still a high ratio of dark figures in both areas. This means that we actually know nothing or at least only very little about the actual development of violence within the society. All we know is that violence against the state authorities is registered in official police crime statistics in increasing numbers and is reported to the public correspondingly.

1. SOME REMARKS CONCERNING THE DIFFERENCE BETWEEN VIOLENCE AND FORCE — OR — HOW TO LEARN THE USE OF COERCIVE POWER

The nomenclature of official police culture, that embodies policing role models (amongst others), does not mention the relationship between 'violence and force' in daily police-work. One consequence of banishing violence from the 'upper ranks' of the police is that many police officers perceive that a significant part of their daily professional reality is not being mentioned. They, the 'lower ranks', need to secure their professional identity elsewhere, e.g. through creating their very own cop culture.

Police education aims to avoid the use of physical power and 'force' as long as possible. This is what the major part of the training and education focuses on. On the other hand, recruits also need to develop a certain routine for inflicting injuries on somebody during training, i.e. practicing inflicting pain on people under certain circumstances without losing themselves in an emotional state of emergency (violent frenzy). However, the awareness of the complexity of such situations is only learned through direct experience when dealing with violent incidents and is hence not yet habituated by many young police officers when starting service. They need practical guidance through supervisors or experienced colleagues. The appropriate use of coercive power can be learnt by technical training; however, the actual experience of violence can only be found in real life situations. While police students learn on the one hand to use their coercive power very reluctantly, on the other, they perceive an increasing amount of violence being directed against them.

2. VIOLENCE OF THE OTHERS

An internal study on the prevalence of violence against officers of the Hamburg police in 2010 (and also in 2011) came to the conclusion that there is neither a quantitative nor a qualitative increase in violent incidents encountered in everyday police work. Taken as a whole, neither the severity, nor the amount of incidents has increased dramatically. It is only the surrounding conditions that have changed (e.g. it is mentioned that there is an increase in the use of mobile phone cameras which leads to police actions immediately being accessible via the Internet and hence resulting in a general feeling of insecurity by police officers).

Hence, even though an increase of violent incidents is not supported by statistics, it is an almost unchallenged public opinion that violence is on the rise. I believe that today's complaints regarding the increase in violence are the result of an estrangement between the police and civil society. This divergence is connected to a loss of mutual appreciation, respect and communication between the so-called 'problem-groups' and the police. The discourse on violence is merely a linguistic expression to call attention to the needs of police officers, but it has nothing to do with the actual experience of violence. I therefore also assume, that it is related to a policy that can roughly be summarised as an era of *smart policing,* starting in the late 1980s up to the very late 1990s (Behr 2006: 26-39). As different as these strategies may be, they all have in common that they are trying to improve the relationship between the police and the public *('Bürgerpolizei')*. This initiative reaches its climax with the reception and partial adoption of the Anglo-Saxon strategy of 'community policing' which has led to multiple community crime prevention schemes and the increasing number of women in the police.

Regarding the level of police culture, most national police forces and the formal federal border patrol are developing a new 'Police Philosophy' or 'Police Guidelines' *('Polizeiliches Leitbild')* (Behr 2008: 242-249).

A second major shift of police work can be found in the contact with victims. Approximately from the late 1980s onwards, the victim is no longer seen as soul-less piece of evidence used by the prosecution. Rather, victims are perceived as a subject with own interests, demanding police and judicial attention. Swiss criminologist Karl-Ludwig Kunz (2011: 361) already speaks of a trend leading towards a 'victim-oriented society' *('viktimäre Gesellschaft')* in which the victim or 'the loser' instead of the winner becomes the new object of reference. Police departments, which operate crime prevention and victim protection schemes, have been extended or established. The newly introduced German Victim Protection Act from 2001 has had an important impact on the

police law. Especially in cases of domestic violence the police no longer just generally monitor public security and order, but get actively involved in conflicts. For example, they protect victims by banishing the offender from the scene. So, in addition to observing public justice and peace, now there is also the thought of a police mandate for taking actual care of victims.

Amongst others, these three key elements influenced the police culture of the 1990s: firstly, the significant increase in the number of women in the police and new gender-related policing strategies, secondly, the guideline debate and thirdly, the strategy of caring for the victim (there may be more but I believe that these are the most modifying elements for the culture of policing).

Together, they have strongly changed the self-image of the police: the abandoning of the dominant repressive function (law enforcement) has changed the identity of young police officers. Today, they are being much better and earlier prepared for the fact that prevention can also mean taking care of people at a stage in which the police did not used to be responsible. Working with victims requires more empathy and social skills (communication, mediation, procedural and comprehensive thinking).

Thus, I conclude so far: the use of force within the 'official' police culture in the decade of the 1990s was replaced by the thought of 'caring' and 'social functions'. Of course, violence, as well as the use of force, was still present in the culture of police officers. But there was no dominant discourse about it.

On the other hand, there was a shift towards 'violence against the police' as the hegemonic topic within the police, especially within the police unions, which started about five to eight years ago. Since then, the predominant talk is not of the officer as a professional trouble-shooter taking pride in his profession and enjoying high social recognition, but rather of 'the officer, who is heavily insulted, spat on, beaten and threatened every day' (Diehl 2010).

Conflicting with the fact that there is an actual decrease in physical violence, other incidents like insults, contempt, ridicule, disobedience, naughty laughter, spitting, demonstratively walking away, shouting, bullying, bossing around or stalking, are all of a sudden mutating into violent acts. There is no question that all these offences have a severe impact on the victims, but this nevertheless leads to an inflationary use of the term 'violence'. Much more than in the past, certain behaviours are nowadays tagged as violent behaviours.

3. POLICE VIOLENCE IN THE LIGHT OF THE VICTIM DISCOURSE

As we could recently witness, the police unions are able to promote the topic of 'police as a victim of violence' even though the incident in question was really about 'police brutality'. This reversal in discourse is approaching very fast. After an obviously failed attempt of the police to settle an incident, a severely confused man was seriously injured by police officers. Yet, he was carrying a knife until the end of the incident. Bernhard Witthaut, then national chairman of the most important German police union 'Gewerkschaft der Polizei', defended the officers working in this situation. According to him, they had responded correctly: 'The officers couldn't have waited for a SWAT-Team. What if the man had bled to death in the meantime?' In fact, it was soon turned the other way around: 'It is not the police in Berlin that has a problem with violence but that violent attacks against police officers are rapidly increasing' (cited in Ahr & Kotynek 2012).

With regard to excessive use of force or police brutality by the police, the police unions a) don't comment at all; b) instinctively protect the officers by trivialising what happened or c) take advantage of the situation in order to disqualify the critics, pointing out that the police officers are the real victims. Since the officers become increasingly aware that they are backed up by their unions, they can act tougher than they used to. Thus, they develop a self-awareness that does not consist of a 'professional calmness' but of a 'defensive solidarity'.

4. MORE EVIDENCE ON POLICING IS NEEDED

So far, it is difficult to present empirical evidence for my assessment of the situation, as there is no extensive research on the topic in Germany to date. It depends on permissions of police authorities who seem to have little interest in putting the discourse on violence as promoted by the police unions into perspective. At least this is the signal I recently received from my own board of administration. They were not even able or willing to present data in order to refute the claim of a dramatic increase in violence. As you can see, we are currently facing a peculiar state of affairs. The police unions are practicing dramatised politics. Most of the media and the 'political' public remain silent and endure the dramatisation strategy without an attempt to throw light on the situation. This is, however, also the result of a lack of access to the operational fields of the police and the authorities. I am talking about a working alliance or at least a division of labour between the police authorities and the lobbyist groups (police unions). A profound evaluation gets lost and a social and public debate which could focus on violence against as well as violence committed by the police is inhibited. Research alone cannot ensure democratic policing; however, it is needed in order to develop policing strategies and to calm down the debate about violence committed by and against the police. I believe as scientists we are required to bring more reliable evidence into this field of action.

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POLICE COMPLAINTS PROCEDURES IN THE UNITED KINGDOM AND IRELAND: WHY ARE THE REFORMS NOT WORKING?

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Keywords: Complaints; Accountability; Independence; Ombudsman; Corruption

Abstract: An independent element in the investigation of complaints against police officers was first introduced in the United Kingdom in 1964. It first appeared in Ireland in 1986. Over the following years the independent element has been strengthened on several occasions in response in response to persistent concerns that it was not delivering effective accountability. In this paper I consider why the latest round of reforms is continuing to disappoint. Key factors would appear to be: continued reliance on internal police investigators and technical expertise; lack of rigour in investigations; regulatory capture; police obstructionism; and lack of resources. Further reforms are suggested.

INTRODUCTION

Organised police forces first appeared in the British and Irish islands in Dublin in 1786 (Walsh, 1998). It was 1964, however, before any concession was made to independent oversight of how complaints against the police were handled on a regular basis (Smith, 2005). Until then such complaints were a matter for the relevant chief of police, subject always to the possibility of a complainant pursuing a civil action through the courts.

Over the past 50 years all four jurisdictions (Republic of Ireland, Northern Ireland, England and Wales, and Scotland) have advanced towards the independent investigation of complaints, albeit in a piecemeal and, to some extent, cyclical manner (Smith, 2005). Typically the reforms in each jurisdiction have been driven by periodic crises of confidence in policing practices and/or the compensatory flip side of government proposals to expand police powers. Despite some significant jurisdictional differences in police structures, the reforms have all converged around a common model which, at least superficially, espouses the independent investigation of complaints. Yet the problem of public confidence in how complaints against the police are handled still persists in at least three of the four jurisdictions. In the fourth, Scotland, the reforms are too recent to make any definitive judgement on their efficacy.

In this paper I attempt to identify why independent investigation has not succeeded in rendering police officers accountable for corrupt and/or abusive conduct, and to offer some suggestions for the next cycle of reforms. By way of setting the context, I will begin with an outline of the historical landmarks in the development of independent investigation, the essential substance and shape of the current procedures and examples of the ongoing concerns.

DEVELOPMENT OF THE INDEPENDENT ELEMENT

For much of their existence, British and Irish police forces have jealously guarded their exclusive power to deal with criminal and disciplinary complaints against the conduct of their officers. The first chink into their domain was the very modest provision in the Police Act 1964 which imposed a duty on the independent Inspectorate of Constabulary (HMIC) and the democratically elected Police Authorities to keep themselves

informed of the manner in which Chief Constables in England and Wales and in Scotland handled complaints against their officers from members of the public ([1]). Similar, although not identical, provision was made for Northern Ireland in 1970 ([2]). While Chief Constables were subject to a statutory obligation to record and investigate individual complaints, the actual investigation and disposal remained under their control.

The next and most critical development occurred in the mid-1970s when an independent Police Complaints Board was established for England and Wales ([3]), followed one year later by a similar development in Northern Ireland ([4]). This was the first time in the history of policing in Britain and Ireland that provision was made for an independent element in the handling of individual complaints against the police. Staunch police resistance to the basic principle, however, ensured that the balance of power remained firmly in police hands. (Mark, 1979; Cohen, 1985; Humphry, 1979) The role of the independent Board was confined largely to ex post facto review of how an individual investigation was carried out by the police themselves. However, if it was unhappy with a police decision not to proceed with disciplinary charges in a case, it could direct the police chief in question to refer the case to a disciplinary tribunal which included Board members.

Not surprisingly, the Boards had little impact on the outcome of complaints or on the confidence of complainants or the public generally in the new procedure. (Lustgarten, 1986; Humphry, 1979; Cohen, 1985; Bennett, 1979) The Boards rarely directed a Chief Constable to refer cases to a tribunal, and the annual success rate for complaints averaged around five percent. While there will always be a proportion of false, exaggerated or inadmissible complaints, that still leaves a very large number of genuine complaints which did not succeed.

The next cycle of reforms was triggered in the 1980s. The Board in England and Wales was reformed and renamed the Police Complaints Authority ([5]). Similar changes were effected in Northern Ireland where the Board was renamed the Independent Commission for Police Complaints ([6]). The reforms reflected a further tentative step towards independent investigation. As well as conducting ex post facto reviews of how complaints were handled, they could now supervise the police investigation of some complaints, as well as direct the relevant police chief to prefer disciplinary charges in any appropriate case where it disagreed with his decision not to prefer such charges. The Republic of Ireland also entered the field at this point with the establishment of an independent Complaints Board and procedure similar to the remodelled versions in England and Wales and Northern Ireland ([7]). Indeed, it went further by including provision for the Board to: investigate without the need for a prior complaint; investigate systemic issues triggering complaints; and, most significantly, conduct its own investigations independently of the police in exceptional cases (Walsh, 1998).

Once again, the reforms disappointed. Even the ridiculously low success rates remained a feature in each of the three jurisdictions (Smith, 2005; Dickson, 1990; Committee on the Administration of Justice, 1993; Walsh, 2009). In the Republic of Ireland, the Complaints Board's unprecedented power to conduct wholly independent investigations was used only once in its lifetime which spanned the processing of over 22 000 complaints (Walsh, 2009). The single case involved the extensive use of police violence in dealing with a 'Reclaim the Streets' rally in Dublin on May Day 2002. The events were caught on camera and widely publicised through media broadcasts. The Board's unprecedented move to conduct an independent investigation was heavily prompted by the public outcry. The results, however, were deeply disappointing, as the progress of the investigation was impeded by a lack of cooperation from police officers on the ground during the protest. (GSCB, 2003, and Walsh, 2009).

([1]) Police Act 1964, s.50.

([2]) Police Act (Northern Ireland) 1970, s.12. There was provision for the establishment of an independent tribunal to determine a complaint in any individual case, but it was only ever used once (Walsh, 1983).

([3]) Police Act 1976.

([4]) Police (Northern Ireland) Order 1977.

([5]) Police and Criminal Evidence Act 1984, Part IX.

([6]) Police (Northern Ireland) Order 1987.

([7]) Garda Síochána (Complaints) Act 1986.

The latest advances in the direction of independent investigation were born largely out of the need to address the deep alienation from the police of one section of the divided community in Northern Ireland. In a penetrating and persuasive report commissioned by the Northern Ireland government in 1995, Maurice Hayes proposed the establishment of an Office of Police Ombudsman (OPONI) with radical powers of independent investigation (Hayes, 1997). In many substantial aspects the Hayes proposals were ahead of the curve. It was not until 2009 that the European Commissioner for Human Rights produced an opinion on human rights based best practice in the independent and effective determination of complaints against the police (Hammerburg, 2009). Based largely on the evolving jurisprudence of the European Court of Human Rights since the late 1990's, the opinion is heavily reflective of the principles underpinning the Hayes report.

The OPONI was provided for by the Police (Northern Ireland) Act 1998 and was established in 2000. Prompted partly by the ECtHR jurisprudence, England and Wales introduced reforms in the same direction in 2002 with a multi-member Independent Police Complaints Commission (IPCC) ([8]). A combination of the European Court's jurisprudence and a crisis of public confidence in the police and in the police complaints system, compelled the Republic of Ireland to provide for a similar multi-member Ombudsman Commission in the Garda Síochána Act 2005 (Conway, 2009; Walsh, 2004a; 2004b). It opened for business in 2007. Finally, Scotland came later to the independent investigation of complaints, outside of criminal allegations. To some extent this can be attributed to significant differences in criminal procedure between Scotland and the other jurisdictions. Outside of the role of the independent Procurator Fiscal in criminal matters, provision for an independent review mechanism was first made in Scotland in the Police, Public Order and Criminal Justice (Scotland) Act 2006. The Police Complaints Commissioner for Scotland, established pursuant to that Act, was renamed the Police Investigations and Review Commissioner (PIRC) in 2013, pursuant to the Police and Fire Reform (Scotland) Act 2012. The PIRC has independent powers of investigation in respect of certain serious complaints; similar in some respects to those of the other police complaints bodies.

THE LATEST REFORMS

The latest reforms differ in some detail across the four jurisdictions, but they are similar in most of the essential aspects. Broadly they all purport to offer the prospect of complaints being investigated entirely independently of the police. The Ombudsman in Northern Ireland, for example, is appointed by the Prime Minister following an open competition. He or she cannot be a former police officer, and the independence of the office is statutorily guaranteed. Similar arrangements apply to the members of the Commissions in the other jurisdictions, with the notable exception of the Republic of Ireland where the process lacks transparency. The members of the Garda Síochána Ombudsman Commission are appointed by the President on the nomination of the government and with the approval of the House of Parliament. In practice, however, the nominations are chosen secretly by the Minister for Justice, Equality and Defence (the same Minister with responsibility for policing) with no independent interviews or open competition. It is also worth noting that none of the appointments procedures are fully compliant with the best human rights based practice, as set out in the opinion of the European Human Rights Commissioner. This stipulates that the Ombudsman or Commission members should be appointed by, and accountable to, the relevant legislative assembly (Hammerburg, 2009).

Critically, the Ombudsman and Commissions recruit and train their own investigative staff. Equally important and unprecedented is the fact that they can exercise the same powers of arrest, detention, interrogation, entry, search and seizure etc. as police officers. In effect they are the equivalent of police officers whose function is confined to investigating the alleged infractions of conventional police officers. In those cases actually investigated by the independent investigators, the investigation reports are submitted directly to the Ombudsman or Commission which generally can decide whether to: refer the file on to the independent public prosecutor; recommend disciplinary charges to the relevant police chief; trigger a local or informal resolution procedure; or take no further action. The powers of the Scottish PIRC are more limited in these matters than those of the other bodies. It is also worth noting that the Ombudsman and Commissions have the power to initiate

([8]) Police Reform Act 2002, Part 2.

investigations into alleged incidents in certain circumstances, even where no formal complaint has been lodged. Equally, they can be authorised to investigate systemic issues that are generating complaints. On the other hand, their role does not extend beyond investigation and report, even with respect to individual complaints. In those cases where they uphold a complaint, it is a matter for the independent prosecutor to decide whether to prefer criminal charges, and/or for the chief of police to decide whether to prefer disciplinary charges. If criminal charges are preferred, they will be determined through the independent courts in the same manner as any other criminal charge. If disciplinary charges are preferred they are determined through the internal police disciplinary process. The Ombudsman or Commissions have no direct role in these matters or their outcome.

It should be noted that these powers of independent investigation, where applicable, are generally in addition to the role of the Commissions in reviewing, supervising and managing the investigation of complaints which are not handled in this manner.

Superficially, the current arrangements satisfy the ECHR standards, although there may be some doubt over the lack of independence in the final determination of criminal or disciplinary charges arising out of deaths or serious injuries. The opinion of the European Commissioner on Human Rights acknowledges that the established working relationship between the police and the independent public prosecutor may give rise to the appearance of bias in favour of the police in complaints cases. Accordingly, the opinion recommends an arrangement whereby the independent ombudsman/commission can prefer criminal charges (Hammerburg, 2009). Surprisingly, no mention is made in the opinion of the more obvious lack of independence in the decision whether to prefer disciplinary charges (which remains with the police). However, it does state that the independent prosecutor, police and/or ombudsman commission should give reasons for all decisions on criminal or disciplinary matters (Hammerburg, 2009). Each of the four jurisdictions remains particularly weak on this aspect.

ONGOING CONCERNS

In the historical context of police complaints procedures in Britain and Ireland, the latest reforms appear quite radical. In practice, however, they have continued to disappoint. The rate of successful complaints remains pitifully and unrealistically low. In the Republic of Ireland, less than 3 % of complaints result in a recommendation for some form of criminal or disciplinary action. In Northern Ireland, the figure is 5 %. In England and Wales, the figure is 12 %, while in Scotland it is 13 %. It should be noted that these figures only represent recommendations. The actual number of complaints that result in some form of criminal or disciplinary sanction is much lower. Not surprisingly, therefore, the capacity of the independent procedures to deliver confidence in the investigation of complaints has been the subject of recent and sustained criticism in at least three of the four jurisdictions. In some instances the criticisms are led by the independent bodies themselves.

In 2012, for example, the Home Affairs Committee (HAC) of the United Kingdom Parliament conducted hearings into the operation of the independent Commission in response to sustained expressions of public concern. In a highly critical report published in 2013, it concluded that the Commission 'is not yet capable of delivering the kind of powerful, objective scrutiny that is needed to inspire [public] confidence' that police powers will not be abused (HAC 2013, para. 4). Earlier, in 2008, over 100 lawyers with expertise in police complaints resigned from the IPCC's advisory body citing a range of criticisms of the IPCC, including bias in favour of the police (Davies, 2008). In the 10 years up to the death of Ian Tomlinson, an innocent newspaper vendor who died of a heart attack after being struck by a police officer at the scene of the 'G20 Summit protest' in London in 2009, there had been 400 deaths following police contact. The IPCC is obliged to investigate such cases (Economist, 2009). Nevertheless, not one of them has ever resulted in the conviction of a police officer for murder or manslaughter; including in the Ian Tomlinson case itself where the inquest jury returned a verdict of unlawful killing.

In the Republic of Ireland in 2013, frustration within the independent Ombudsman Commission, over its failure to investigate certain complaints expeditiously, boiled over in the form of a public row between it and senior

police management. The Commission took the unprecedented step of submitting a special report to the Minister arising out of its public interest investigation of Garda compliance with informant handling procedures (GSOC, 2013a). In it the Commission referred repeatedly to its dependence on Garda information and to the difficulties it has in accessing vital information for the effective discharge of its functions. It stated explicitly that 'this reflected a serious weakness in the independent investigation of complaints' (GSOC, 2013a, para. 10.3) and called into question 'the effectiveness of the Ombudsman Commission's oversight investigative function' (GSOC, 2013a, para. 10.4). The Commission returned to the same subject two months later, expressing similar concerns arising out of its investigation of the Garda's use of force in policing a student process (GSOC, 2013b).

Even the Police Ombudsman in Northern Ireland, generally considered to be the most advanced of the independent systems, has also been rocked by concerns from diverse quarters over its alleged lack of independence in practice. Its own chief executive resigned in 2011 citing frustration over its diminishing operational independence from the police. Ultimately this led to an inspection of the operational independence of the Ombudsman's Office from the police force by the Criminal Justice Inspection Northern Ireland, and the early retirement of the Ombudsman (CJINI, 2011). His successor was the Chief Inspector of the Criminal Justice Inspectorate at the time the inspection was carried out. The report found a lack of confidence within the Ombudsman's office and among key stakeholders over the flawed nature of the investigation process used in a number of major cases (CJINI, 2011).

STRUCTURAL WEAKNESSES

LACK OF INDEPENDENT PERSONNEL

A primary weakness affecting all of the procedures is that they are not as independent of the police as they purport to be. This is reflected at several levels. They all rely heavily on the recruitment of former and seconded police officers, often from the same police forces that they are investigating. In his research on the IPCC, OPONI and GSOC, Savage found that between one quarter and one third of investigators came from the force under investigation or another force (Savage, 2013a). The UK parliament's Home Affairs Committee identified this as one of the three main causes of distrust in the complaints system (HAC, 2013, para. 13). It strongly urged the IPCC to increase the level of its non-police investigative resources (HAC, 2013, ch.5). The IPCC is currently implementing a recruitment training programme to do that.

There is no doubt that former police officers bring valuable skills and experience not otherwise readily available to the complaints bodies on their establishment. Equally, however, they will bring baggage of a tendency to see events and issues through the eyes of the officer under investigation, rather than those of the complainant. Even were that not to be the case, they suffer from the inevitable risk of appearing to the complainant and the public of being biased in favour of the police. That is sufficient in itself to render reliance on former police officers as counter-productive. Reliance on former police officers is also contrary to best human rights practice (Hammerburg, 2009). It is disappointing, therefore, that the Commissions have not managed to do more to increase the proportion of their investigative staff who have no police or police related background.

CONTINUING RELIANCE ON POLICE INVESTIGATION

The lack of independence is even more marked in the operation of the complaints process. Incredibly, a very large number of complaints continue to be investigated by serving police officers in the same force as the officers who are the subject of complaint. With the exception of OPONI, the legislation establishing the Commissions leaves large categories of complaints to be investigated by the police themselves, at least in the first instance. Moreover, even where the Commissions are competent to investigate complaints directly, they (apart from OPONI) frequently rely on the police to conduct the investigations. In the Republic of Ireland, the GSOC referred back to the police for investigation more than twice as many complaints as it investigated itself. Under its legislation GSOC must investigate all complaints concerning death or serious injury and complaints that, if proved, would constitute criminal offence. Any other complaint can be left to be investigated by the police, subject always to the possibility of the GSOC taking it over. Due to resource constraints,

however, the GSOC are actually advocating amending legislation to enable it, refers the offence cases back to the Garda for investigation (GSOC, 2012, para.3.6). Interestingly, the Garda is stoutly resisting that proposal.

Similarly, in England and Wales the IPCC directly investigates less than 1 % of complaints (HAC, 2010). The remainder is referred back to the police for investigation, with options for the IPCC to supervise or manage the investigation and of the complainant to complain to the IPCC about the manner of the police investigation. That, however, cannot be described as an independent complaints system in any meaningful sense. The HAC was deeply critical of this operation. It was strongly of the view that:

'Most cases should be investigated independently by the Commission, instead of referred back to the original force on a complaints roundabout. "Supervised investigations" do not offer rigorous oversight of a police investigation, nor do they necessarily give the public a convincing assurance that the investigation will be conducted objectively. This kind of "oversight-lite" is no better than a placebo.' (HAC 2013, para.23)

Significantly, a relatively high number of complaints against the police investigation are upheld by the Commission (HAC, 2013, para.60.

RELIANCE ON POLICE RESOURCES

Even where complaints are investigated directly by the independent Commissions, it does not follow that the investigations are independent of the police. The reality on the grounds is that the independent investigators are often heavily dependent on police or police related expertise in the conduct of their investigations (Savage, 2013a; HAC, 2013). This is especially true in cases involving fatalities or serious injury to the person; the very cases in which the European Court of Human Rights has emphasised the importance of the investigation being conduct independently of the police (Hammerburg, 2009). The problem starts at the point where the incident is alleged to have occurred. The fact is that the Commissions do not have the personnel or the resources spread across the country to ensure that they get to the scene as quickly as police investigators. Almost invariably, therefore, they must rely on the police colleagues of the officers being investigated to secure the scene and preserve evidence. If the investigation requires the application of specialised skills such as traffic accident reconstruction, ballistics and even fingerprint analysis, the Commissions will almost invariably have to rely on the police to provide them as they will not normally have them in house. Similarly, for forensic and DNA analyses they normally have to rely on agencies that work closely with the police force in question. Even at a more basic level, as will be seen later in the context of regulatory capture, the independent investigators are usually dependant on the cooperation of the police for the supply of documentary, video, electronic, and/or oral evidence central to the investigation.

It would almost be perverse to describe investigations conducted in such circumstances as independent of the police. This is tacitly acknowledged by the report of the HAC inquiry which explicitly linked the IPCC's capacity to take control of a potential crime scene with the quality of its investigations:

'When the IPCC does investigate it often comes too late and takes too long. The trail is left to go cold. IPCC should be able to take immediate control of a potential crime scene during the crucial "golden hours" and early days of an investigation into deaths and serious injury involving police officers.' (HAC, 2013, para.24)

It went on to assert that the IPCC's involvement in death and serious injury cases was far too remote as it lacked access to independent specialists who could analyse a possible crime scene. This, in turn, meant that important cases were under investigated (HAC, 2013, para.33). Similarly, GSOC has explicitly and publicly linked its capacity to deliver its investigative function with access to the Garda PULSE and computerised information bases. (GSOC, 2013a, para.10.4) The PULSE system incorporates a central information database to which operational gardai input data on crime incidents etc. in the course of their duties. Garda have direct electronic access to it, and it is a vital resource in any investigation into a complaint or criminal matter. The Commission, however, has no independent access. It must depend on Garda cooperation to extract information from PULSE on a case by case basis. In a special report to the Minister in 2013, it tersely recommended, inter alia, that it should be given independent access immediately (GSOC, 2013a, rec.21)

LACK OF RIGOUR IN INVESTIGATIONS

Independent investigation does not always mean a rigorous investigation. In respect of serious criminal allegations, for example, it would appear that the police officer or officers concerned are not subjected to the same robust arrest, detention and interrogation methods that would apply typically to civilian counterparts. Instead the standard practice appears to be to take a statement from the officer, usually by appointment. One of the three causes of distrust in the complaints system identified by the HAC was that the police often do not interview officers after cases involving death and serious injury, although they would routinely do so for ordinary members of the public (HAC, 2013, para.13). In its interim report on the Hillsborough disaster, it found that police officers are rarely interviewed under caution in circumstances in which an ordinary member of the public would be (HAC, 2012). In its 2013 report, it stated:

'The issue of interviewing officers in cases involving death and serious injury is indicative of a culture of treating officers differently from members of the public. Where officers are not interviewed promptly under caution, this can lead to weaker evidence and loss of confidence in the process of investigating serious matters such as deaths in custody.' (HAC, 2013, para.85)

It went on to recommend, inter alia, that officers should be 'routinely interviewed under caution in the most serious cases, exactly as a member of the public would be.' (HAC, 2013, para.85)

Savage's research on the procedures in three of the jurisdictions also found evidence that the influence of former police investigators was undermining the rigour and independence of the procedure. They had a propensity to close investigations too quickly and to take a narrow criminal investigation approach, rather than a broader contextual approach which is open to the issues raised (Savage, 2013b). They were not inclined to challenge police narratives. One telling example cited in the research is where a former police officer investigator was happy to accept CCTV evidence provided by the police, while a fellow investigator from a non-police background wanted to check local businesses independently to see if there was video evidence that the police had not discovered or that they were concealing (Savage, 2013b). His fears may have been well founded as the GSOC has felt compelled recently to criticise the Garda publicly for impeding its investigations by suppressing relevant evidence and denying the existence of statements given by gardai who had taken part in the policing of a student protest that had generated numerous complaints (GSOC, 2013b). In its inquiry into IPCC investigations, the HAC also heard extensive criticisms of, inter alia: a failure by investigators to locate evidence; a propensity to accept police explanations for missing evidence; failure to analyse competing accounts, even with inconsistencies between officers' accounts or a compelling account from a complainant; a lack of investigative rigour; and delay (HAC, 2013, para.11).

REGULATORY CAPTURE

Regulatory capture is an established and common phenomenon in the relationship between a regulatory agency and the body or bodies being regulated (Ayre & Braithwaite, 1991). It can arise on at least two levels. Typically, it emerges and develops over time as the agency and body become more familiar with each other's methods and practices. As agency personnel engage exclusively with the work of the persons they are regulating, there is a tendency to acquire the perspectives and even the language of those persons. This is especially so where the persons being regulated are experienced and hardened professionals in a specialist field and the regulators are 'outsiders' who have not acquired that direct experience. In this environment, the persons being regulated are in a strong position not just to evade the efforts of the regulators to control them or call them to account, but also to steer those efforts in ways and directions that will serve their interests, usually at the expense of the regulatory objectives. At another level, the regulated body might 'capture' the regulator at the outset by shaping its form, function and powers and/or by negotiating how it will perform its function.

Arguably, the police complaints systems in Britain and Ireland have always been the subject of regulatory capture at both levels from their inception and right through the successive waves of reforms. Even today, with the fully 'independent' models there is evidence that their efficacy continues to be undermined by regulatory capture at both levels. This is reflected in a tendency for investigators to be unnecessarily deferential to the police. Savage

found that investigators tended to be 'over-cautious' in their dealing with the police in order to avoid giving offence (Savage, 2013a). So, for example, they were reluctant to seize officers' notebooks. Similarly, in criminal cases, police suspects are rarely arrested, detained and interrogated under caution in custody. The first arrest by the GSOC did not occur until December 2012, more than five years after it commenced operations. Typically, an investigator will simply take a statement by appointment from the officer or officers and check it against the complainant's statement and other independent evidence. Inconsistencies are not normally pursued through robust questioning. Documentary or material evidence supplied by the police is usually accepted at face value, even to the extent that investigators do not check independently if that is the sum total of evidence available. Savage also found evidence of 'independent' investigators 'going native', as reflected in their tendency to adopt police terminology and mindsets (Savage, 2013b).

The regulatory capture is institutionalised through the contents of Protocols agreed between the independent Commissions and the police. Typically, they will regulate matters such as how and the extent to which Commission investigators can get access to police records, information, intelligence and stations. They will also address arrangements for interviewing police officers. In theory they are aimed at facilitating smooth cooperation between the police and the Commissions in investigations. In practice, they tend to blunt the independent powers of the Commissions and cede excessive control over investigations to the police (Savage, 2013a); sometimes to the detriment of effective investigation.

Instead of enhancing the smoothness and efficacy of investigations, the Protocols agreed between the Commissions and the police can actually prove counterproductive. The GSOC, for example, has voiced concerns about the capacity of the Protocols to blunt the independence of its oversight role. In a 2013 report on an investigation into the police handling of an informant, it complained candidly that '.. under the present Protocols, [it] is wholly reliant upon assurances from the [police] that the evidence and information they have supplied represents the totality of such information held. This leaves scope to question the completeness and independence of oversight.' (GSOC, 2013a para. 10.2).

POLICE OBSTRUCTIONISM

Police obstructionism is also proving an enduring obstacle to the capacity of the independent Commissions to deliver effective investigations. Once again there is a link with the Protocols. In 2013, for example, the GSOC took the highly unusual step of going public in its criticisms of police delay in supplying relevant information concerning their policing of a student protest that had generated multiple complaints (GSOC, 2013b). Instead of exercising its own powers to seize the information directly, the Commission complied with the Protocols and requested its production from the police. The Protocols specify a time limit of 30 days for compliance. In the event it took 224 days and numerous requests before the police supplied any documents, and 634 days for the Commission to get a copy of the parallel police investigation file on the protest.

In some situations the police actually supply false or misleading information. In the student protest investigation, for example, the police claimed falsely that there were no statements from officers who used batons on the day (GSOC, 2013b). Similarly, police management attempted to conceal the availability of video evidence taken by police officers (GSOC, 2013b).

SHORTAGE OF RESOURCES

Underlying some of these problems is a shortage of resources available to the independent Commissions. The UK parliamentary committee, for example, pointed out that the resources available to the independent Commission for investigations are dwarfed by the comparable resources available to the police (HAC, 2013, para.33). Inevitably, this leaves the Commissions excessively dependant on the police to advance their investigations, and even to carry out the investigations. The Commission itself told the inquiry that it does not currently have sufficient resources to enable it to meet its statutory responsibility or the public's growing expectations of its role (HAC, 2013, para.30).

REFORMS

When these features of the 'independent' procedures are viewed in the light of the outcome of complaints, it is apparent that the latest reforms are not working. Indeed it might even be questioned whether truly independent investigation of complaints against the police is a realistic prospect. Before settling for such a negative conclusion, however, it might be worth considering another cycle of reforms aimed at closing the gap between the appearance and the substance of independent investigation. At least for the more serious, non-service type complaints, the Commissions must be given the powers and resources to conduct investigations as independently of the police as is practicably possible. At the very least, that will require: the recruitment and training of more independent investigators; the phasing out of former police officers; the employment and training of personnel with the necessary range of specialist skills; powers to investigate all complaints independently; the renegotiation of the protocols; and the adoption of an institutional policy favouring direct use of coercive powers when police cooperation is not immediately forthcoming.

Ultimately, it will never be possible, or even desirable, to divorce the police entirely from the investigation of complaints against themselves. So, for example, there is a need for close cooperation between the Commissions and the police in the handling of service type complaints in a swift and non-bureaucratic manner that strikes a reasonable balance between the interests of police, public and complainants. It is unlikely, however, that that will be possible without public confidence in the manner in which the more serious complaints are handled.

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AMNESTY INTERNATIONAL AND THE POLICE — BETWEEN WATCHDOG AND CONSTRUCTIVE DIALOGUE

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Keywords: Amnesty International, human rights compliance of police, constructive dialogue

Abstract: The article provides an overview over the evolution of the relationship and dialogue between Amnesty International and police agencies. Amnesty International — being an international human rights organisation whose endeavour is primarily to end violations of human rights — finds itself easily and almost naturally at an opposing side to law enforcement officials. However, departing from a rather antagonistic relationship at the very beginning there is now much more constructive dialogue taking place in many countries of the world.

This evolution is due to two aspects:

1. An increased recognition within police agencies that compliance with and protection of human rights is not an impediment to, but an integral part of good policing.

2. An iproved understanding of the challenges and difficulties of the policing work within Amnesty International, recognising also the role of the police as a protector of human rights, and not just looking at the police as a potential violator of human rights.

As a result, today, constructive dialogue takes place and can take different formats such as bilateral talks, workshops, conferences etc. Difficulties and challenges, however, remain when subjects are sensitive (e.g. ethnic profiling, identification tags for police officers) or where Amnesty International is asked to assume responsibilities of the police (substituting in training activities or giving advice for operational choices) — which it cannot and will not do. Still, experience shows that constructive dialogue towards better respect and protection of human rights is possible between Amnesty International and the police and this article illustrates this with some concrete examples.

Amnesty International was created to mobilise civil society against human rights abuses by State authorities. Its mission statement (Amnesty International, n.d.) is as follows:

'Amnesty International is a global movement of more than 3 million supporters, members and activists in over 150 countries and territories who campaign to end grave abuses of human rights. Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards. 'We are independent of any government, political ideology, economic interest or religion, and are funded mainly by our membership and public donations.'

This statement and self-understanding of Amnesty International explains to a large extent what has shaped the relationship between law enforcement agencies and Amnesty International over a long period of time.

AN ANTAGONISTIC RELATIONSHIP

Human rights protect the individual against abuse of power by the State and its representatives. An organisation that speaks out against violations of human rights — thus by nature acts committed (or omitted) by State agents — finds itself therefore easily in an antagonistic relationship with the State. This is in particular the case with regards to those who have specific powers that can easily be abused, such as the powers invested in law enforcement agencies to arrest, to detain, to use force and firearms, and to carry out searches and seizure.

Furthermore, the endeavour to work for the respect of human rights of all persons, including those who have committed breaches of the law (or are suspected thereof) easily leads to a perception among police that Amnesty International would seek to 'defend criminals' or people who otherwise disturb public order in the course of demonstrations.

Starting from that point of view the relationship is 'naturally' antagonistic. Amnesty International's view of the police will first of all look at where the police violate or otherwise do not respect human rights — and will criticise them. The focus is thus on the 'dark side' of policing. With this specific focus, police perceives AI to be biased, and not understanding the role and the challenges of police. This was aggravated by the fact that police in many countries of the world considered (and in some countries still considers) human rights as an impediment to 'good' and efficient policing. This antagonistic relationship easily leads to a 'dialogue of the deaf' where neither side is listening to the other side.

ONLY HUMAN RIGHTS COMPLIANT POLICING IS GOOD POLICING

Fortunately, over the years the relationship has evolved. Universally, respect for and protection of human rights became more and more recognised as the overarching element and principle of policing. The 1979 UN Code of Conduct for Law Enforcement Officials and the 1990 UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials are significant steps in that regard. These international standards highlight the active role police should play in upholding and protecting human rights, and today it is recognised that only human rights compliant policing can be considered 'good' and efficient policing.

Recognising this important role of the police as protectors of human rights, Amnesty International realised more and more the need to engage in a constructive dialogue with law enforcement officials on how best to ensure human rights compliance in police work.

THE POLICE AND HUMAN RIGHTS PROGRAMME OF THE DUTCH SECTION OF AMNESTY INTERNATIONAL

An illustration of this evolution on both sides is the creation of the Police and Human Rights Programme at the Dutch section of Amnesty International ([1]). It started with an initiative of a group of Dutch police officers, who were members of Amnesty International and who wanted to organise themselves with a view to contributing to change and better human rights compliance of the police in the Netherlands. They did so through the creation of an informal police network. Their discussions and reflections very much nurtured the thinking process of the Dutch Section of Amnesty International about the police and triggered the decision to get more competence and expertise on policing in order to change the focus from the classical 'blame game' to constructive dialogue. This led to the creation of the Police and Human Rights Programme, whose main task is to advise Amnesty International staff members and other human rights activists on police work, improve the understanding of the role and operational challenges of the police, including the high risk of police to become victims themselves and the need to give due consideration to the rights of police officers. The book 'Understanding Policing' (Osse, 2006) today is a particularly important

([1]) See the website of the Programme: http://www.amnesty.nl/policeandhumanrights.

tool in that regard as it seeks to foster among human rights activists a better understanding for the difficult, complex and often even dangerous character of the police work.

CONSTRUCTIVE DIALOGUE

In addition, in many countries police have realised that they cannot escape public scrutiny. If they try to do so the public will not trust them and will be hostile toward them. However, police are highly dependent on trust of all parts of the population and their willingness to cooperate with the police; in the end distrust and hostility are counterproductive to good and efficient policing. Thus police have to make the best out of it and use public scrutiny to gain the trust of the population and as a means of self-evaluation. Openness to public scrutiny then also provides room for a more constructive dialogue with human rights organisations such as Amnesty International.

Today, constructive dialogue is taking place in many countries; this can be in public round tables where specific issues are discussed, or in bilateral talks that are publicly known, but whose content may sometimes remain confidential depending on the agreements made. Amnesty International also often organises public events, demonstrations etc. where it is necessary to engage in dialogue with the police in order to balance interests of public order and safety with the right to peaceful assembly and protest. An example how this took place successfully ([2]) demonstrates how apparently opposing interests, i.e. legitimate security concerns in relation to a high level State visit (Russian President Vladimir Putin's visit to Amsterdam in April 2013) on the one hand and the right to freedom of expression on the other — can be successfully reconciled. Open and trustful discussions about the feasible and the unfeasible led to a modus operandi where it was possible for Amnesty International to express its human rights concerns and that this reached the addressee of the message, while at the same time not jeopardising security with demonstrators not getting too close to the State visit.

REMAINING CHALLENGES

With all these improvements in mutual respect and understanding, problems still persist.

SENSITIVE SUBJECTS: ETHNIC PROFILING

Some subjects are particularly sensitive and difficult to address in a constructive dialogue. Ethnic profiling is such an example. While Amnesty International fully accepts profiling as a legitimate and necessary policing technique; it is opposed to profiling if the underlying assumptions are exclusively based on ethnicity, race or other parameters of visual appearance. Amnesty International considers such an approach as per se discriminatory. It is sometimes quite surprising how passionately many police officers react in that regard. They seem to perceive this as an accusation of racism.

However, the intention of Amnesty International when criticising ethnic profiling is rather to create an understanding of the impact of this approach on those who are repeatedly affected by stop and search practices exclusively motivated by criteria of appearance. Furthermore, Amnesty International strongly believes that this technique is also inefficient and counterproductive. The affected groups start to feel harassed and discriminated against as potential criminals and they will lose trust and confidence in the police. There is thus a risk of alienating an entire group, and police run the risk of depriving themselves of an important source of information when members of these groups are no longer willing to talk to the police. Too often, stop and search activities based on optical parameters without additional objective criteria will also bind resources for relatively unsuccessful activities, while more sophisticated, focused and tested objective criteria might lead to greater efficiency (higher 'hit rates') with less input of resources ([3]); this would also contrast the problematic consequence of a self-fulfilling prophecy, in which police will receive 'evidence' of their own assumptions of the 'criminal character' of a specific group compared to other people who will be considered less involved in criminal activity, only by the fact that they are not stopped, and consequently never identified as suspects. And finally, where policing parameters

([2]) Available on Youtube: http://www.youtube.com/watch?v=xH3BNo85Ixo.

([3]) See for instance examples presented in Open Society Justice Initiative (2012).

are so relatively simple, those individuals and groups with criminal intentions can easily take measures to avoid such criteria.

Amnesty International would like to have a constructive discussion with police on that subject, but in many situations the sensitivity of the subject still prevents this from happening.

SENSITIVE SUBJECTS: POLICE ACCOUNTABILITY AND IDENTIFICATION OF POLICE OFFICERS

A subject of similar sensitivity is Amnesty International's call in many countries to ascertain that police officers can be identified — either through name tags or number tags — including in the context of public assemblies. Here again, it seems that this request is perceived by many police officers as a personal accusation that treats them as potential 'criminals' and puts their personal security at risk, while Amnesty International considers this as an indispensable measure of transparency and public scrutiny.

GETTING TO CHANGE

Achieving and measuring effective change is sometimes another difficulty: even though a dialogue may be very open and trustful and human rights related problems are identified and acknowledged by the police themselves, this does not necessarily lead to effective change in the way policing is done — or — at least it is very difficult to get to know the precise improvement measures taken by the police. This, however, is essential to judge whether the dialogue is indeed as open, trustful and constructive as it may be described by those involved.

KEEPING THE DISTANCE

An important limitation to constructive dialogue also deserves to be mentioned: Amnesty International cannot assume responsibilities of the police; operational choices of how to do policing in a given context are the exclusive responsibility of the police. Thus, while it will always be possible to comment on the human rights consequences of specific policing approaches, Amnesty International cannot and will not discharge the police of their duty to make the appropriate operational choices and of the obligation to assume full responsibility for these choices.

A similar consideration applies for training and human rights education of police officers. Too often, Amnesty International receives requests from law enforcement agencies to provide for large scale human rights education of police officers. However, in the first place, it is the responsibility of the police institutions themselves to ensure that all members of the agency know and understand human rights and are able to carry out their work in compliance with human rights. But even more importantly, it is Amnesty International's strong belief that human rights education as a standalone activity is not conducive to better respect of and for human rights. It must be embedded in an overall culture of human rights respect within the institution, as demonstrated through human rights compliant policies and procedures as well the indispensable measures to enforce them, leaving no space for impunity in relation to violations of human rights.

And finally, even where constructive dialogue takes place, it must always be clear from the onset that Amnesty International cannot and will not give up its watchdog function. When things go wrong, Amnesty International will still speak out and call for all necessary corrective measures in relation to human rights violations, including bringing those to justice who have committed serious human rights violations. Constructive dialogue cannot and will not go as far as putting Amnesty International's independence and impartiality at risk.

CONCLUSION

As a conclusion, constructive dialogue between Amnesty International and the police:

- is possible;
- requires that both sides understand and respect each other's function;
- remains difficult on certain subjects; and
- will not and may not affect Amnesty International's watchdog function when it comes to human rights violations.

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POLICING ROMA COMMUNITIES IN SLOVENIA: AN EVALUATION OF THE COMMUNITY POLICING APPROACH

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Keywords: police, Roma, Slovenia, police training, community policing

Abstract: Policing multicultural communities presents challenges for contemporary policing. Historically and currently, the interactions between police and multicultural communities are often strained due to language barriers, cultural misperceptions on both sides, fear of outside authority figures on the part of marginalised groups etc.

The Roma population, Europe's largest minority, is a target of persistent persecution from each and every power in history and even in the present times, not only in countries that lack democratic tradition, but also in countries which consider themselves cradles of democracy. The first record of the Roma people in Slovenia goes back to the 14th century. Statistics show that approximately 3 200 Roma people live in Slovenia, but the actual number varies between 11 000 and 12 000. In Slovenia, the Roma community is a minority community recognised by the Constitution as a special community or minority with particular ethnic and cultural characteristics (its own language, culture and history). The constitutional provision was realised by the adoption of the Roma Community in the Republic of Slovenia Act (2007). Slovenia is among those European countries that include Roma in the management of public affairs at the local level (as Roma councillors). The relation between the police and Roma communities is crucial in many ways. Roma are often the target of racially motivated discrimination and violence. Being one of the most exposed pieces of the state apparatus, the police are implicated in Roma issue. Locally, they deal with security issues involving Roma people being lawbreakers as well as victims on a daily basis. As in other countries, in Slovenia too, police have adopted community policing philosophies and practices. It is important to prepare and train those public servants who have regular contact with members of the Roma community. In this context, training of police officers focuses on understanding and overcoming discrimination, prejudice and stereotypes. In 2003 in the Policy Academy started the project 'Policing in a multi-ethnic community'. The objectives of such training courses were to make police officers aware of their own prejudices, to introduce them Roma culture and traditions, (to understand the importance of a comprehensive approach, to evaluate ways of managing security events and to understand the importance of dialogue. The aim of the project was also to inform inhabitants of certain Roma settlements about legislative provisions concerning typical offences in certain areas and thus non-criminal incidents, causing discomfort to the neighbouring population. In the past years, more than 1950 police officers have participated in this training. Roma councillors and other representatives of the Roma population also participate actively in such training events. The results are manifold: fewer offences, fewer occasions when policemen were unable to carry out relevant procedures, more offences and crimes reported by Roma themselves, and joint management (within individual competencies) of complex security events that might, were they not resolved in a timely manner, become serious crimes.

INTRODUCTION — ROMA COMMUNITIES IN SLOVENIA

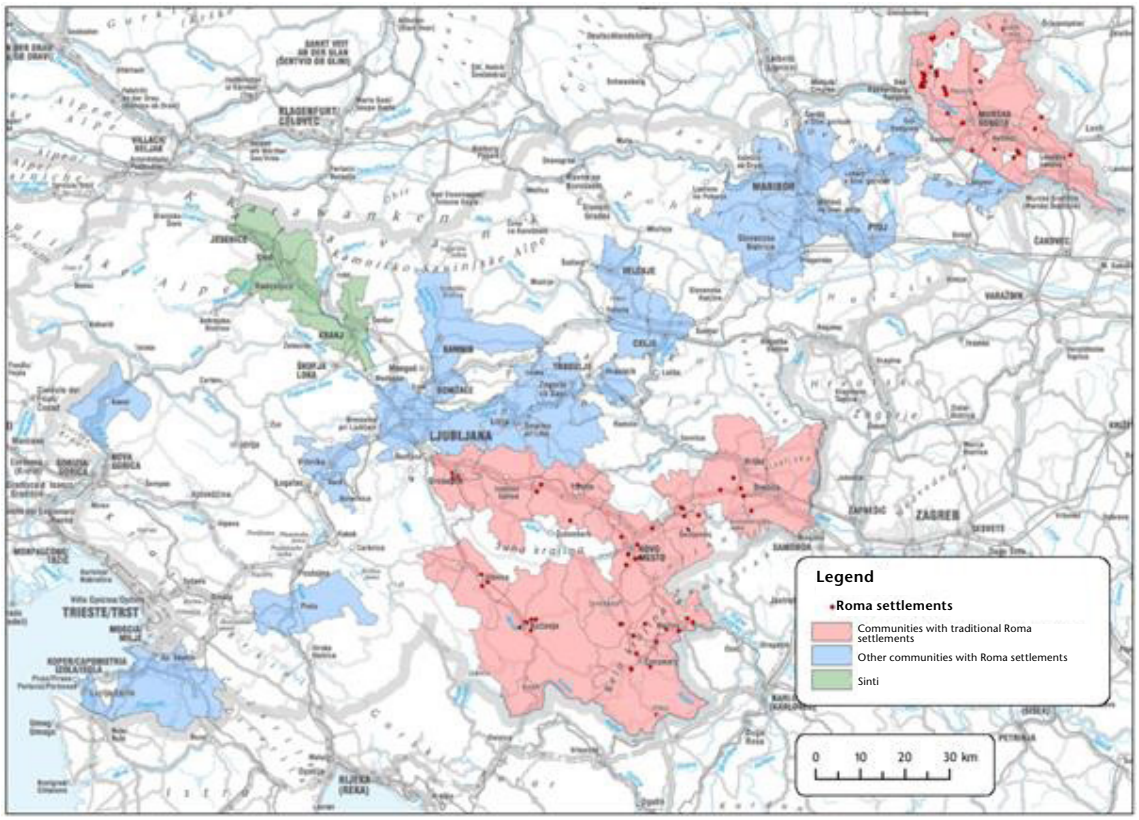
Policing in diverse, multicultural communities presents challenges for contemporary policing. Historically and currently, the interactions between police and multicultural communities are often tense due to language barriers, cultural misperceptions on both sides, fear of outside authority figures on the part of marginalised groups etc. This is the case also with the Roma, Europe's largest minority. Roma were and are a target of persistent persecution from each and every power in history and even in the present times, not only in countries that lack democratic tradition, but also in countries which consider themselves cradles of democracy. Brearley (2001) excellently summarises the position of Roma in Europe in recent centuries:

'Roma/Gypsies, nomads newly arrived in Europe in the 1400s, endured expulsions, forcible removal of children, servitude in galleys or mines, death sentences for being Gypsy, and absolute slavery in the Balkans from the 16th century onward. Persecution stemmed from the highest authorities in State and Church. Following the murder of 200 000 to 500 000 Roma in the Holocaust, persecution persists, especially in Central and Eastern Europe where Roma form up to 10 % of the population (Bulgaria, Slovakia, Romania). Discriminated against under communism, their plight has dramatically worsened since 1989. Endemic problems (low life expectancy, high illiteracy, dire poverty, poor housing) are now heightened by massive, disproportionate unemployment. Unprecedented persecution has been unleashed by new state nationalism and easing of censorship. Roma are the new scapegoat for post-Communist society's ills. The media commonly stigmatise Roma.' (Lobnikar, Hozjan, Šuklje & Banutai, 2013).

The Roma population originally comes from India. They started leaving India in 1192 (Djurić & Horvat Muc, 2010). Their nomadic lifestyle brought them through Afghanistan and Iran, to Turkey, Greece and toward Central Europe, while another part of the Roma population went through Egypt all the way to Spain (Horvat Muc, 2011; Novak, 2012a). The first record of the Roma people in Slovenia goes back to the 14th century. The fact that the official number of Roma living in Slovenia is different than the actual number is one of the many challenges of current Roma issues. Statistics show that approximately 3 200 Roma people live in Slovenia. But the actual number varies between 11 000 and 12 000 (Banutai, Strobl, Haberfeld & Duque, 2011). These discrepancies occur due to many different factors, one of which is the disarray of the Roma settlements. Few settlements are legalised and houses are often not numbered; therefore, many Roma people can share a household with other Roma families.

There are four groups within the Roma population in Slovenia (Štrukelj, 2004): the Roma community in the Dolenjska region, Maribor, Gorenjska region, and Prekmurje region. Roma primarily live in one of the 130 settlements in the country, one-third of which are illegal by virtue of resting on private or municipal land. The Roma community in the Dolenjska region came from Bosnia and Herzegovina and Croatia. By occupation they were mainly horse breeders and blacksmiths (Štrukelj, 2004). This group of the Roma community is probably the least integrated into the majority population. Thus general security issues as well as differences and disagreements exist between the Roma and the larger community. The Roma community in Maribor came from Kosovo and the Republic of Macedonia and their religious orientation is Muslim. By occupation they were mainly tradesmen in different areas and they are very adaptable and competitive (Novak, 2012a). They are almost completely integrated into the population — the reason being that they did not have a chance to move together and create a so called 'ghetto' as the Roma in the Dolenjska and Prekmurje regions did (Novak, 2012a) — local authorities in Maribor always wanted them to live within city limits. The Roma in Gorenjska region — also called Sinti — came from the North, the territory of the former Habsburg monarchy. They are completely integrated into the population and do not live in closed societies and settlements (Novak, 2012a).

The Roma population in Prekmurje arrived from Hungary and Austria. By occupation they were mainly musicians and farmers and were also very keen horsemen (Štrukelj, 2004; Horvat Muc, 2011). They speak a different Romani dialect than the Roma people in Dolenjska and Maribor (sometimes these groups do not even understand each other).



Picture 1: Roma community diversity in Slovenia ([15]) ***Source: Geodetic institute of Slovenia***

LEGAL STATUS OF ROMA IN SLOVENIA

In Slovenia, the Roma community is a minority community recognised by the Constitution. It does not have the status of a national minority, but is a minority community specially mentioned in the Constitution and granted special protection by the law. It is recognised as a special community or minority with particular ethnic and cultural characteristics (its own language, culture and history) that may be preserved in accordance with constitutional provisions, taking into consideration the needs that the community itself expressly puts forward. The Constitutional Court of the Republic of Slovenia considers the Roma as a special Romani ethnic community living in Slovenia, while the Slovenian Constitution ([2]) employs the expression 'Romani community'. The legal basis for regulating their status is Article 65 of the Constitution, which specifies that the status and special rights of the Roma community living in Slovenia are governed by the law. This constitutional provision was realised by the adoption of the Roma Community in the Republic of Slovenia Act (2007). The protection of the Roma community is also provided for in other laws. Aside from legislation, care for the realisation of special rights of the Roma community and the improvement of its status is incorporated in numerous programmes, strategies and resolutions in different social areas (e.g. National Programme of Measures for Roma of the Government of the Republic of Slovenia for the period 2010–2015).

As mentioned, on 30 March 2007, the Slovenian National Assembly adopted the

([1]) The map is part of the Thematic Atlas of Roma settlements in Slovenia, which was constructed in the project aimed at increasing social and cultural capital in environments with Roma communities. The operation was partially funded by the European Union through the European Social Fund and the Ministry of Education and Sports under the Operational Programme Human Resources Development 2007-2013.

([2]) Official Gazette of the RS, Nos. 33I/1991-I, 42/97, 66/00, 24/03, 69/04, 69/04, 69/04, 68/06.

Roma Community in the Republic of Slovenia Act (2007; hereinafter: ZRomS-1), which came into force on 28 April 2007. ZRomS-1 regulates the competences of national authorities and authorities of self-governing local communities concerning the implementation of special rights of the Roma community, the organisation of the Roma community at national and local levels, and funds for financing these activities. The Act provides that the Government, in cooperation with the self-governing local communities and the Roma Community Council of the Republic of Slovenia, shall adopt a programme of measures. This programme of measures shall include relevant regulations, the obligations and tasks to be carried out by competent ministries, other national authorities, and authorities of self-governing local communities. With ZRomS-1, Slovenia is committed to ensure special rights of the Roma community in the fields of education, culture, employment, territorial management and environmental protection, health and social care, information and co-decision in public matters that concern members of the Roma community, implementing regulations and regulations adopted by self-managed local communities, as well as special programmes and measures adopted by national authorities and organs of self-managed local communities.

Slovenia is among those European countries that include Roma in the management of public affairs at the local level. In the 20 municipalities where they have been present throughout history, members of the Roma community enjoy, in addition to the general right to vote, a special right to elect a representative to the municipal council (in 20 out of all 212 municipalities in Slovenia), to be exercised in local elections. In compliance with the legislation in force on the protection of personal data, ministries and other government bodies may not keep special records of persons based on national or ethnic affiliation, so the only demographics available are those gathered in official censuses under the auspices of the Statistical Office of the Republic of Slovenia. As the last official census in Slovenia was carried out back in 2002, the statistical data are somewhat out-dated. Due to this, we can expect some new municipalities with Roma council representatives to appear in the future (e.g. Škocjan, Brežice, Maribor).

PUBLIC OPINION ON ROMA

The best description of an average Slovenian's attitude about Roma in Slovenia came recently from Tanja Fajon, European Parliament MP from Slovenia. She introduced her essay on the issue with a statement:

'We used to call Roma people 'Gypsies', but to my knowledge as a teenager they were nomads or were living in little ghettos; they had their own traditional culture and we did not have any close encounters with them, except that we had a great Roma singer, Oto Pesner, who conquered our hearts and the world stage. Therefore, I believed that 'gypsies' had a great sense for music' (Fajon, 2011).

However, as in any other place, there are many prejudices and stereotypes among the majority population about the Roma. They became even stronger in recent times of economic crisis with beliefs among non-Roma population that unemployed Roma have a better income than others who have to work hard to make a decent living. The media often add fuel to the fire; they portray Roma as being deviant and a threat to the majority population, they represent the cultural differences in a negative way, make generalisations and perpetuate stereotypes about the Roma population (Erjavec, Hrvatin & Kelbl, 2000).

Roma people are also aware of the negative prejudices of the majority population. That is what is driving assimilation — the process in which a great number of the Roma people are taking the first and last names of the non-Roma people who live in the same area. A survey in Slovenia (Šuklje & Banutai, 2012) showed that many Roma change their surname due to the stigmatisation of local community, making it difficult to find the accurate statistical data on this ethnic minority. In the Prekmurje region there are scarcely any changes, as opposed to the Dolenjska region where these name changes are very common (Novak, 2012a). Reasons for these circumstances can be found in the actual state and conditions of the Roma population and its relationship to the non-Roma population. According to overall estimations, the situation is much worse in the Dolenjska and Posavska regions than in the Prekmurje region.

The general public often wonders why there are such differences between status, relationship to the majority, and behaviour of the Roma in different Slovenian regions, for example in the Prekmurje vs. Dolenjska regions (Šuklje & Banutai, 2012). Novak (personal interview, 20. 4. 2012) explains that the main reason for such difference is that most Roma from the Prekmurje region own the land and farms they live on, Roma in the Dolenjska region, on the other hand, are in most cases still not rightful owners of the land they live on. Novak adds that the situation depends on local politics and local inhabitants' will to deal with these shifts. Of course we should not forget the historical background of the area. People living by the Mura River have become accustomed to the constant shifting of rulers and authorities, which was accompanied by mass migrations. The main reasons for the differences between various 'Roma groups' are the (in)ability to legally own property, interests of local community, politics and the functioning of the government. Other reasons relate to the attitude of the majority — acceptance of fellow inhabitants that are different and higher tolerance thresholds (Šuklje & Banutai, 2012).

Fajon (2011) suggests that activities that empower Roma communities produce results, stressing the example of city of Murska Sobota, the administrative centre of Pomurje region, where the Roma are better integrated into society then elsewhere. Murska Sobota had the first ever Roma representative in a Slovene city council and has a Commission for Roma questions to deal with their actual problems. Several programmes have been put in place providing social and pedagogical assistance to families, supporting integration into society, and organising sport and cultural activities. The Pušča settlement nearby the Murska Sobota is the best example of cooperation and co-habitation of Roma and non-Roma communities in Europe today (Fajon, 2011: 114). In Fajon's view, the small village is important for Slovenia and for the European Union in that it demonstrates that the cooperation and integration of Roma into society is possible and models the way to accomplish it. In Pušča there is a kindergarten, Roma have their own fire brigade and they are involved in many associations that promote their interests. They also plan to open a music school for Roma and non-Roma kids.

POLICING THE ROMA COMMUNITIES IN SLOVENIA

The relation between the police and Roma communities is crucial in many ways. As we have seen, Roma are often the target of racially motivated discrimination and violence. They need to be able to fully rely on the police for protection against, and the full investigation of, hate-motivated crimes. At the same time, the police face the challenge of effectively policing Roma and Sinti communities that often view such efforts with suspicion and mistrust, due to a long history of abuse and discrimination at the hands of various state authorities (OSCE, 2010). Being one of the most exposed pieces of the state apparatus, the police are implicated in the previously mentioned Roma issue. Locally, they deal with security issues involving Roma people being lawbreakers as well as victims on a daily basis. Unofficial estimates suggest that patterns of law violation vary according to ethnic category in some parts of Slovenia (Strobl, Haberfeld, Banutai & Duque, 2012). The role of police in security issues related to the Roma population can be limited to the tasks that are regulated by law. On the other hand, it can be understood more broadly as providing versatile help to other organisations and partnerships among Roma people and the local community (Ogulin, Brodarič, Ribič & Gorenak, 2005).

As in other countries, in Slovenia police have adopted community policing philosophies and practices. The key figure of community policing within the framework of the Slovenian police is the community policing officer (hereinafter: CPO) (Police, 2012). Police officers with long-standing experience and communication abilities are usually appointed for CPOs. The official web page of the Slovenian police (Police, 2012) includes the names of all 317 CPOs in Slovenia as well as basic information about the tasks of CPOs, instructions on when to call for a CPO and an appeal to help create favourable security conditions (Lobnikar & Meško, 2010). CPOs' tasks are defined in Police rules, Strategy for community-oriented policing, Guidelines for prevention work and Measures for the improvement of community-oriented policing (Meško & Lobnikar, 2005; Virtič & Lobnikar, 2004) and the late one form 2013 Community Policing (Police, 2013). Community policing is a subject covered during basic police training at the Police Academy and later at CPO trainings. CPOs as well as heads of police

stations participates in these trainings. Novak emphasised that it is important to prepare and train those public servants who have regular contact with members of the Roma community. A fine example of good practice is the police training for work in a multicultural community (Novak, 2012a, 2012b).

TRAINING PROGRAMME ON POLICING IN A MULTI-ETHNIC COMMUNITY

In 2003 the Policy Academy began the project 'Policing in a multi-ethnic community', an intensive training programme for staff from police directorates of Ljubljana, Krško, Novo mesto, Maribor and Murska Sobota. Training focused on issues linked to working with Roma. The objectives of such training courses were (a) to make policemen aware of their own prejudices against a certain group or individual and the negative impact such prejudices have on their professionalism, (b) to introduce them to Roma culture and traditions, (c) to understand the importance of a comprehensive approach, (d) to evaluate ways of managing security events, and (e) to understand the importance of dialogue (Novak, 2012b). Then the programmeme was upgraded, aiming to bring the police and the Roma community together. So the joint-training programme was designed. The programme involves the coming together of police with local and national Roma leaders, aiming to address the public safety and policing needs of the Roma minority in the country (ibidem).

Objectives of this programme include educating officers on human rights and working with ethnic differences in order to better cooperate with local Roma populations through educating them about police powers and responding to their needs. The programme also aims to train officers in learning the basics of the Roma language. Participation of non-governmental organisations and Roma community leaders is an integral part of the training, as well as a decentralised approach which aims to directly introduce the police to the local Roma communities they will work with in the future. The training dialogues' goals are to help police officers understand the globalised environment in which they operate, the importance of being aware of their own image and personality, the societal effects of negative ethnic stereotypes, the precepts of human rights, and the importance of using dialogue to resolve conflicts. Officers then learn the means of implementing police practices in light of these dimensions (Strobl, Banutai, Duque & Haberfeld, 2013; Novak, 2012b).

Before the training begins, the trainers from the Police Academy in Ljubljana connect with police supervisors and community police officers in the local police stations where the training will occur. The purpose of reaching out is to obtain information as to the criminal offences that some members of the Roma community are believed to be engaged in, the degree that community police have routine contact with Roma not in connection with a specific investigation or inquiry, and the policies and procedures the local police have in place to handle complaints filed by Roma inhabitants. In addition, the trainers contact a local Roma leader to ask for their participation and any other members of their community who may be interested. The trainers explain the nature of the programme, the importance of Roma participation, and the benefits that a developing a relationship with the police might have for them, for example, giving them personal contacts in the event their community needs police assistance. Once the participating police and Roma leaders have been organised, the parties come together in dialogue to plan the 2-day training seminar (up to 16 hours) which will include rank-and-file officers, and additional members of the Roma community in some cases (Strobl, Banutai, Duque & Haberfeld, 2013).

When evaluating the seminar, Strobl and colleagues (2013: 9-10) described the training details. The training of the police officers, who are selected based on the extent to which they have routine contact with Roma, takes place in a conference room at a police station.

The first day the police training occurs without the Roma participants. The police officers wear plain clothes and sit in a circle. Fifteen to twenty officers are trained at a time in order to foster a cohesive unit of those trained and aware of Roma-related issues. The group is intended to be heterogeneous with reference to their years of employment. After a brief introduction, the trainer introduces a self-reflective exercise in which the police describe and analyse their own individual social and economic position within Slovenian society. Participants are then given a lecture on the United Nations' and European

Declarations of Human Rights and Slovenian documents related to the protection of minorities in the country, and a module on the importance of non-violent conflict resolution skills. In this module, participants describe a perceived dilemma about policing in relation to the Roma minority, followed by a separation of those things which can be dealt with but the police and those which cannot, according to Slovenian law. For example, the problem of Roma driving without a licence, would be a situation that the police would be empowered by law to handle directly. However, infrastructural problems, such as a settlement which lacks proper sanitation, could be assisted by the police, but not without the cooperation of other government agencies. During the first day of training, there is also a role-playing exercise in which the police officers pretend to be a member of the Roma minority and the trainers act as Slovenian police so that the police officers can experience the limitations the Roma may have in getting in contact with the Slovenian police (Strobl *et al.*, 2013).

The Roma participants are brought into the training on the second day. Because the training is joint in nature, Roma leaders, whether from the Roma Union of Slovenia (for more see www.zveza-roma.si) or the Forum of Roma Councillors (for more see www.romsvet.si), are brought into this stage of the seminar in order to initiate cooperation between the local police and Roma in a direct way. On this day, another role-playing occurs during which two teams debate each other over a local issue, with one team representing the Slovenian majority and the other representing the Roma community. The actual make-up of the groups is heterogeneous as to whether they are police and Roma, but the groups are instructed to represent one or the other community. Then, the police officers learn basic communication in a local Romani dialect from members of that community directly. The Roma leaders, along with the one self-identified female Roma police officer in the national force, provide basic language training, usually in a dialect that is spoken widely in the Dolenjska region. The two groups together also discuss Roma culture and what police can expect when visiting a Roma settlement or home. A PowerPoint presentation has been jointly developed by participants which explains such Roma customs as how Roma read individuals' auras when they meet them and what it means in their culture, the customs related to the birth of a new child, and information about and examples of music and dance traditions. In turn, the police explain their legal powers to the Roma participants and give them a sense of what to expect from a police encounter, how to get assistance from the police at a local station, contact information for the community policing officers who cover their particular geographic areas, and other helpful information (Strobl *et al.*, 2013: 10). In the past years, more than 1 950 police officers have participated in this training (Novak, 2012a; 2012b).

One of the follow-up steps of the above training courses was an introductory course in the Roma language (40 lessons) and a project to inform inhabitants of certain Roma settlements about legislative provisions concerning typical offences in certain areas and thus non-criminal incidents, causing discomfort to the neighbouring population. A total of 47 policemen voluntarily participated in a course in Romani, the Roma dialect spoken in Dolenjska, carried out jointly by the Police and the Roma Union of Slovenia. Training courses are on-going and have become a continuous form of work. (Novak, 2012a; 2012b; Strobl *et al.*, 2013).

EVALUATION OF THE TRAINING

As already mentioned, Strobl, Banutai, Duque and Haberfeld evaluated this programme in 2013. Members from Roma communities believe the programme fostered progress in reducing community tension. One Roma informant explained that he had for the first time ever felt morally comfortable with helping the police apprehend a violent member of his community because he believed that the police could now be trusted to handle him fairly and according to the law. The researchers reported that three Roma leaders explained that of all governmental agencies and officials, the police were the most fair and respectful in dealing with them (Strobl *et al.*, 2013: 18). Overall, although some specific skills such as language, communication techniques, and cultural sensitivity were imparted to police through the training, the biggest boon, according to Strobl and colleagues, to policing that the training offered was the relationship-building between the police and the Roma community. Examples have emerged that some Roma leaders who participated in the programme have engaged in mediation-like activity with the police in order to respond to a variety of community tensions,

from disputes over housing to intra-ethnic rivalry (ibidem). To summarise, the results of described training are manifold: fewer offences, fewer occasions when policemen were unable to carry out relevant procedures, more offences and crimes reported by Roma themselves, and joint management (within individual competencies) of complex security events that might, were they not resolved in a timely manner, become serious crimes (Novak, 2012b).

DISCUSSION

In 2013, Lobnikar, Hozjan, Šuklje and Banutai (2013) conducted a survey on community policing implementation in a municipality of Lendava. Lendava was one of the places where described multi-ethnic training was conducted. The aim of the survey was to analyse the quality of police work in a multi-ethnic community in the municipality of Lendava (municipality is located in the north-eastern part of Slovenia near Murska Sobota). Policing responsibilities in Lendava are delegated to police officers from Lendava Police Station Lendava differs from other towns in Murska Sobota region in that Lendava is a more diverse multicultural environment with four autochthonous communities: Slovenes, Hungarians, Roma and Croats. This presents an even greater challenge for day to day policing and local governance. Authors hypothesised that if community policing programmes, including the described programme on policing in multi-ethnic environment, are effective, they should be perceived as such also by the Roma community in Lendava. In the analysis (Lobnikar *et al.,* 2013), researchers started from substantively interdependent areas associated with the community policing paradigm: (a) quality of contact between the police and local residents, (b) the perception of the level of crime and disorder, (c) fear of victimisation, and (d) level of community cohesion.

These factors are connected. The level of crime and disorder, as perceived by the population, has a direct and strong impact on the quality of life in a community. Contacts between the police and local residents are important as well. What the local residents think of the police has a direct impact on the possibility of a partner relationship between the police and the community and can influence the willingness of the population to act in conformity with the law. Fear of victimisation weakens community cohesion, which consequently loosens and annuls informal mechanisms of social control. One of the main premises of community policing is that informal control mechanisms, and not police, assure order in the neighbourhood/community. If community cohesion is weak, the community as such cannot act as a control agent. Therefore, if we seriously want to study the possibility of community policing, we also have to focus some attention on community cohesion (McKee, 2001).

Data was collected among the citizens of the municipality of Lendava and members of the Roma population living in the area of the municipality (in the Roma settlement in Dolga vas and in the Lendava area). The statistical analysis included 212 citizens of the municipality of Lendava, of which 51 were members of the Roma population. The results (for more see Lobnikar, Hozjan, Šuklje and Banutai, 2013) show that there are hardly any considerable differences between the local Roma and non-Roma community regarding the perception of police work in the community. In the case of the Roma community, this is a good result — the gap between the Roma community and the majority is narrowing in all areas traditionally associated with community policing: attitudes toward police, fear of being victimised, and the perception of crime and disorder. The result is important for local police organisation in particular, but in it we can also find a more generalised lesson. With planning, effort, and time, and appropriate training, policing Roma communities gives the anticipated results. In Pomurje (the north-eastern part of Slovenia) at least, police training on the Roma issue coupled with empowering projects introduced by local governments bring the Roma community out of societal margins. This lesson could be used in other parts of Slovenia, especially in the Dolenjska region, where police are facing larger problems with policing Roma communities. The lesson is simple: the police cannot do the work by themselves; support by local authorities and especially by the Roma communities, is of utmost importance.

One of the finding of the survey in Lendava was also that the Roma community is not as integrated into the local community as non-Roma residents are. Sure, this discrepancy virtually cannot be directly influenced by the police as an institution, but it has an influence on the quality of the police work. We should know that one of the basic premises of community

policing is that informal control mechanisms, and not the police, guarantee order in the community. If community cohesion is weak, the community as such cannot implement control mechanisms. Therefore, if we want to study the possibility of implementing community policing seriously, some attention must also be devoted to strengthening community cohesion. This is above all a task for local authorities.

Conditions for efficient policing in the Roma communities are multifaceted. First, the state is responsible for the legal protection of Roma communities. Under this protection, the basic conditions for the preservation of the particular ethnic and cultural characteristics of Europe's largest minority on the one hand, and sufficient integration into society on the other, are created. Second, the local level involvement of Roma municipality councillors in decision-making processes provides a good connection between a relatively closed community and the larger community in which they live. If we include projects for the empowerment of the Roma community carried out by local authorities, we are getting closer to success. All this is a necessary precondition for the training of police officers to work in a multicultural environment to be effective. As we see in the case of Slovenia (Strobl *et al.* 2013) and the Municipality of Lendava (Lobnikar *et al.* 2013), such training gives results. This compels us to echo the opinion of Tanja Fajon (2011:114) that in all of this can be found an example for Europe — an example of good cooperation and co-habitation of Roma and non-Roma communities.

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UNDERSTANDING TRUST IN POLICE AND LEGITIMACY IN CENTRAL EASTERN EUROPE — THE LAW STUDENT SURVEY

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Keywords: police, criminal justice, legitimacy, trust, Central and Eastern Europe

Abstract: Based on past studies and cognitions about legitimacy and with it related concepts the paper presents the law students' perceptions of police authority and trust in policing in the eight countries of Central and Eastern Europe (Slovenia, Croatia, Bosnia and Herzegovina, Serbia, FYROM, Romania, Poland and Russia) analysing the data from a web-survey conducted in autumn 2012 and spring 2013. The findings imply that the law students in general question their willingness to comply with laws and cooperate with the police. Regression analysis shows that police authority and procedural justice are related to trust in the police in all countries and police effectiveness in Slovenia, Russia, Romania, Poland, Bosnia & Herzegovina and Croatia. Authors conclude that the police should primarily strive to improve their effectiveness, authority and procedural justice to improve trust and legitimacy of policing in the respected countries.

TRUST AND LEGITIMACY OF POLICE AND POLICING

We believe that legal and legitimate policing are the bases of democratic policing, and legality without legitimacy and legitimacy without legality can lead to a variety of problems. In this paper, we presented legitimacy and related concepts (i.e. trust in police, procedural justice, distributive justice, willingness to cooperate, police authority and police effectiveness). Inter alia, we conducted a survey of law students with the Faculty of Criminal Justice and Security research team and partners in autumn 2012, and spring 2013. Law students were selected due to the nature of their studies (legal orientation), and a statement that they would also like to work in law enforcement or a criminal justice agency after graduation.

EARLY STUDIES ON TRUST AND LEGITIMACY OF POLICE AND POLICING

Beetham (1993: 488) distinguished three criteria that contribute to the legitimacy (of the powerful): 1) power which is acquired and exercised according to established rules; 2) rules which are justifiable by reference to shared beliefs; and 3) existence of appropriate actions expressive of consent on the part of those qualified to give it ([1]).

([1]) Beetham (1993: 488) made several analyses of the suggested components and ascertain that the third criteria may be dependent upon the second and explained this finding: '...that only makes the process of legitimation complex, rather than circular. And I was careful to distinguish very different ways in which the different criteria might fail to be met. Thus a legitimacy deficit (the second criterion) might occur because the rules no longer satisfied their justifying principles (institutional sclerosis), or because support for these principles had weakened (cultural change) or had never sufficiently existed (cultural insufficiency), or because different groups within a society disagreed fundamentally about them (societal division)'.

Tyler (1997) attempts to answer the question ''Why people view group authorities as legitimate and voluntarily defer to them?'' In doing so, he contrasted two theories about legitimacy: 1) resource-based theories (instrumental models), and 2) identification based theories (relational model) ([2]). Tyler (1990) is convinced that legitimacy is very important in these relations because the feeling of perceived obligation as part of legitimacy leads to voluntary deference behaviour. If the authorities wish to be effective in maintaining order, they must be able to influence the behaviour of group members (Tyler and Lind, 1992), whereby people as members of groups often internalise their feelings of obligation to obey group rules and group leader's decisions (Tyler, 1997: 323). If people within organised groups believe that authorities and rules are legitimate, they will voluntarily accept and obey them. Research confirms the existence of relational (Tyler, 1997: 323) and instrumental components to legitimacy ([3]).

Tyler and colleagues (Tyler, 1990; 2006; Lind and Tyler, 1988; Sunshine and Tyler, 2003) established that respectful treatment, neutral procedures and trustworthiness of the authorities in the criminal justice process are the most integral factors of procedural justice. Furthermore, trust in police positively relates with legitimacy and legal compliance (Goodman-Delahunty, 2010; Tyler, 2006; Reisig, Bratton, and Gertz, 2007).

RECENT STUDIES ON TRUST IN POLICE AND LEGITIMACY

Jackson and Bradford (2010: 1) argue that the legitimacy of the police is one of the crucial conditions for justifiable use of state power, whereby legitimacy represents the foundation of police authority (Tyler, 2006). As new approaches to policing focused on police legitimacy, public compliance with the law, acceptance of police authority, and cooperation with the police in responding to crime, began to develop, Tyler (2011) emphasised their value, especially the connection between trust and legitimacy. He acknowledges that professionalisation of police forces influenced the growth of the quality of policing, but public support for the police, known as 'trust and confidence' in the police, also must be taken into consideration, especially those factors that shape public views about police legitimacy:

'If public trust and confidence in the police are not linked to objective performance, the nature of trust and confidence needs to be addressed as a distinct question in and of itself. The issue is: "What is the basis of perceived police legitimacy?" Understanding how public views about police legitimacy form and change can provide us with a new framework through which to evaluate policing policies and practices.' (Tyler, 2011: 255)

Legitimacy can be described as a central concept in procedural justice theory (Hough, Jackson, Bradford, Myhill, and Quinton, 2010: 204), and is a composition of different elements (i.e. rules, appropriate beliefs, relevant actions, etc.). When discussing legitimacy and compliance with the law, procedural justice theories emphasise different, rather specific, relationships between the following subjects:

- 'the treatment people receive at the hand of the police and justice officials;
- 'the resultant trust that people have in institutions of justice;
- 'the legitimacy people confer, as a consequence of this trust, on institutions of justice;
- 'the authority that these institutions can then command when they are regarded as legitimate;
- 'people's consequent preparedness to obey the police, comply with the law, and cooperate with justice' (Hough, Jackson, Bradford, Myhill, and Quinton, 2010: 204).

Police and criminal courts carry out different important functions in society. Jackson *et al.* (2011) emphasise that 'citizens, "outsource" deterrence and justice functions to these institutions, and in return expect them to be fair, impartial, efficient and effective' (pp. 3-4). In addition, based on Beetham's (1993) definition of legitimate

([2]) For more see Tyler (1997), Tyler and Fagan (2008).

([3]) Authorities draw an important part of their legitimacy from their social relationship with group members.

authority, the authors divide it to three elements: 1) legality, 2) shared values, and 3) consent and used this concept in their survey (Jackson *et al.,* 2011) in 20 countries to study contacts with the police, trust in police and legitimacy of justice institutions. In the case of contact with the police, results show that personal contacts with police officers is a key predictor of people's trust judgements, where significant variation in the proportion experiencing a police-initiated contact was detected across the 20 countries. In Finland, for example, people reported the highest rates of police-initiated contact and, in Bulgaria the lowest. Respondents were asked to evaluate their contact(s) with the police, and the results show that Israelis, Russians and Hungarians were least satisfied, while people in Sweden, Norway, Finland, Denmark and Belgium were most satisfied. The authors conclude that there is no necessary connection between the number of the contacts people have with the police and levels of satisfaction with the police. For example, Sweden and Finland have high rates of contact and high levels of satisfaction; while in Switzerland a high level of contact but a lower level of satisfaction is observed (Jackson *et al.*, 2011: 4-5). In regards to *trust in police,* trust was studied from three perspectives: 1) trust in police compliance; 2) trust in police procedural fairness; and 3) trust in police distributive fairness. Results show that opinions of the procedural fairness of the police vary widely across Europe. Those in Israel, the Russian Federation and Bulgaria have the most negative opinions about the way that the police treat people, while people in Denmark, Finland, Norway and Spain have the most positive opinions. Furthermore, people least trust the police in Russia, Israel, Bulgaria, Portugal and Poland (Jackson *et al.*, 2011: 5). P*erceived legitimacy of justice systems*, was divided to three dimensions: 1) obligation to obey the police; 2) moral alignment with the police; and 3) perceptions of the legality of the police. The findings suggest that 'countries with a relatively strong sense that the police share a common moral framework with its people also tend to have a populace who feel a relatively strong duty to obey police directives' (Jackson *et al.*, 2011: 7). For example, in Hungary and the Czech Republic, people reported relatively low levels of moral alignment but higher levels of obligation. Views about the probity of the police and courts are similar within the countries. Comparison between the countries show that public perceptions of corruption in the criminal justice system is low in Scandinavian and Northern European countries, but much higher in ex-communist countries (Jackson *et al.*, 2011: 7-8).

In the same study, Jackson *et al.* (2011: 8) concluded that people in the Nordic countries report the highest levels of trust in their police and courts and believe that their institutions are legitimate holders of power and authority. On the contrary, citizens in Eastern and sometimes in Southern European countries report lower level of trust of authorities.

Tyler (2011: 258) believes that the manner and quality of a police officer's performance and attitude towards the people in legal procedures has an important impact on public opinion and feelings about the police. For this reason, the police have to implement policies that encourage an approach to communities in which public views are central, thus focussing on the way that people evaluate the police and police actions. Tyler (2011: 263) is certain that these public views shape how people behave in reaction to the police.

Police are powerfully linked to the law, therefore their unfairness 'undermines people's sense that the law defines appropriate behaviour' (Jackson, Bradford, Hough, Myhill, Quinton, and Tyler, 2012: 1062). Police abuse of power and wielding their authority in unfair ways can negatively affect a person's sense of obligation to obey authority (i.e. police) directives, and as stressed by Hough, Jackson, Myhill, and Quinton (2010), to people's perception of 'moral authority and therefore the moral right of the law to dictate appropriate behaviour.' Such behaviour on the part of the police or other authorities, breaking generally accepted social norms, can generate powerful cynicism, justified with the well-known saying: 'if the police can behave however they please, and ignore the rules, so can I.' On the other hand, if police perform their authority via fair procedures, they influence the sense of normative commitment to the police and enhance compliance with the law (Jackson *et al.*, 2012: 1063).

Legitimacy has, from the procedural justice aspect, been defined as 'the belief that authorities do their job well and are entitled to be obeyed'; what means that 'people feel that they ought to defer to legitimate decisions and rules, and follow them voluntarily out of obligation rather than out of fear of punishment or anticipation of reward' (Murphy, Tyler and Curtis, 2009: 2).

Tyler (2012: 356) defines justice as 'a shared vision, socially created, which facilitates the ability of human beings to address the many complexities of coordinated social life'. In addition, justice is understood as the ability to develop and utilise justice-based rules and systems of authority. Tyler (2012: 356) emphasises that justice is nothing less than the 'engine that enables cooperation' that is often crucial when people need to resolve conflicts. Thereby, justice actually facilitates resolving conflicts with the provision of a set of rules that are interpreted and accepted by the immediate parties to a dispute because they perceive them to be fair.

In general, people fulfil the need to create shared principles of justice and then they use them as a tool for cooperation and to solve conflicts. Tyler (2012) is convinced that 'these forms of justice encourage the resolution of interpersonal conflicts, support the legitimation of authorities, and facilitate the viability of institutions' (p. 373).

YOUNG PEOPLE, TRUST AND LEGITIMACY OF POLICING

Young people's attitudes towards legal institutions (e.g., police, courts) are similar to their attitudes towards other social institutions (e.g., schools, social centres) suggesting an 'anti-authority syndrome' orientation during adolescence (Clark and Wenninger, 1964: 488). Easton and Dennis (1969) emphasised that behaviour, formed in adolescence, can have a lasting influence on adults' judgements of police. In addition, young people usually form their beliefs according to direct experiences (Nelsen, Eisenberg, and Carroll, 1982). From the perspective of the relationship between youth and police, this means that 'treatment received from police in direct contact or encounters with police officers, rather than more global attitudes formed about policing in abstract, or policing as an institution' (Hinds, 2009: 12). Cunneen and White (1994), Loader (1996), and Hinds (2009) stress that contacts between young people and the police are anything but rare, because as noted by White (1994), police officers are often the only agents of the criminal justice system in daily contact with young people. Moreover, young people are extensive users of public spaces and thereby often the subjects of involuntary and generally negatively experienced contacts with police (Cunneen and White, 1995; Loader, 1996; White, 1994; Hinds, 2009).

Reisig, Tankebe, and Meško (2013) studied procedural justice, police legitimacy and public cooperation with the police among young adults in Ljubljana and Maribor in Slovenia. Tyler's process-based model of policing was tested using regression analysis, and the results revealed a strong correlation between police legitimacy, especially police effectiveness, and public cooperation with the police. Furthermore, the authors found that trust in the police (i.e. fair and just interpersonal treatment by police) is also a significant factor influencing the process of the youth's cooperation with the police. Finally, the study revealed that police legitimacy is not invariant across different forms of cooperation. The authors conclude that 'in dealing with crime the police can rely more on area residents if they cultivate legitimacy by exercising their authority in a fair and just fashion'.

Chow (2012: 508-509) believes that police legitimacy represents a 'vital component of the relationship between a police service and the community' as he examined previous studies and literature on attitudes of young people towards the criminal justice institutions and found that:

- younger people have more negative attitudes towards the police compared to older groups of people;
- contextual factors and individual characteristics influence on perception of police by young people;
- majority of past studies revealed that minorities (e.g., black youngsters) hold less favourable views of the police compared to other groups;
- young females in general have positive attitudes toward the police;
- in past studies the significance of fear of crime and neighbourhood characteristics were ignored (results are indicating that more negative attitudes toward the police were held by individuals who had exhibited higher levels of fear of crime and who had experienced criminal victimisations); and
- the quality of the contacts young people have had with the police is correlated with the attitudes towards the police.

METHODS AND RESULTS

For the purpose of this paper, we selected eight Central and Eastern European countries (Slovenia, Croatia, Bosnia and Herzegovina, Serbia, F.Y.R.O.M, Romania, Poland and Russia) and conducted a web-survey in the respondents' native language. The administration of the survey was organised by criminal law lecturers at Faculties of Law in all eight countries, and explores several issues related to the legitimacy of policing in young democracies in Central and Eastern Europe (post-communist countries). We used a survey previously used by Reisig, Tankebe, and Meško (2012), which was preliminarily tested and utilised on a sample of young adults in Slovenia in 2011. The survey was translated into the native languages of the studied countries, and the survey scales were preliminarily tested on samples of 50 students in each country. National research partners also presented the survey to students and discussed every item in the survey regarding their meaning and possible differences in the denotative and connotative meaning of the survey statements. After preliminary tests, the survey was published on the web and the students were given a certain period of time in which to complete the survey online. We also insured Internet access for all students in Faculties of Law in the respective countries. The survey was accessible only to law students who received a web address and a specific code provided by their criminal law lecturer.

Using a convenience sample of law students (n=1 848) from Slovenia, Croatia, Bosnia and Herzegovina, Serbia, F.Y.R.O.M, Romania, Poland and Russia, a web survey was administered in the native languages of respondents in autumn 2012 and spring 2013. Law students were selected due to the nature of their studies (legal orientation) and the assumption that they are planning to be future professionals in law enforcement or criminal justice agencies. For the purpose of this paper, we conducted analyses on a subsample of law students 18–25 years of age (n=1 689), consisting of male (n=514) and female respondents (n=1 175).

The collected data were analysed using factor analysis, one-way analysis of variance and regression analysis. We compared trust in police and perceived legitimacy on policing and police in the respective countries, and presented only significant variables in the regression analysis tables.

Table 1: Factor analysis

Factors		N	M	SD
Legitimacy [a]	(KMO = 0.718; α = 0.729)	1689	2.29	0.572
Trust in Police [a]	(KMO = 0.904; α = 0.874)	1689	2.31	0.611
Cooperation [b]	(KMO = 0.787; α = 0.752)	1689	3.19	0.635
Police Authority [a]	(KMO = 0.738; α = 0.819)	1689	2.04	0.592
Procedural Justice [a]	(KMO = 0.942; α = 0.906)	1689	2.24	0.546
Distributive Justice [a]	(KMO = 0.734; α = 0.712)	1689	2.18	0.565
Police Effectiveness [a]	(KMO = 0.847; α = 0.817)	1689	2.35	0.531

1 — Strongly disagree … 4 — Strongly agree, b. 1 — Never … 4 — Frequently;
KMO = Kaiser-Meyer-Olkin Test of sampling adequacy; α = ***Cronbach alpha (reliability)***

Factor analysis shows that the selected factors meet a minimum criterion for further analysis. Mean values show that all results imply lower values in legitimacy, trust, police authority, procedural justice, distributive justice and police effectiveness. The only factor which has a higher mean value is willingness to cooperate with the police (3.19); all other means are lower that 2.35 on a four point-scale. For the purpose of this paper, a comparison of trust in police and perceived legitimacy of police and policing are compared in the studied countries (Table 2).

Table 2: Trust in police and perceived legitimacy — One-way analysis of variance

	Trust in police		Legitimacy of policing	
	M	SD	M	SD
Slovenia	**2.62 (highest)**	0.62	**2.52 (highest)**	0.54
Russia	**2.04 (lowest)**	0.51	**2.18**	0.47
Romania	**2.24**	0.52	**2.20**	0.48
Poland	**2.51**	0.60	**2.38**	0.56
F.Y.R.O.M	**2.21**	0.58	**2.31**	0.69
Serbia	**2.12**	0.59	**2.17 (lowest)**	0.53
B&H	**2.14**	0.58	**2.17 (lowest)**	0.54
Croatia	**2.22**	0.67	**2.28**	0.50
P	**0.000**		**0.000**	
F	**26.218**		**9.905**	

1 = Strongly disagree, 4 = Strongly agree

All mean values are below 2.62 which means that trust and perceived legitimacy of policing are quite low, and statistical differences are significant for both variables. Nevertheless, trust is highest in Slovenia despite the fact that the data were collected in times of socio-economic crisis, and public protests against the government and those politicians perceived as corrupt. The results for legitimacy also imply the highest perceived legitimacy in the region.

In the following section, results of regression analysis for a dependent variable trust in police are presented because we wanted to learn what

Table 3: Trust in police — regression analysis

	Betas							
	Slovenia	Russia	Romania	Poland	F.Y.R.O.M	Serbia	B&H	Croatia
Cooperation	0.03	0.06	0.05	0.01	-0.04	0.10*	-0.03	0.03
Police Authority	0.32**	0.26**	0.28**	0.26**	0.24**	0.24**	0.30**	0.25**
Procedural Justice	0.27**	0.32**	0.33**	0.42**	0.38**	0.62**	0.39**	0.58**
Distributive Justice	0.17*	0.05	0.02	0.08*	0.1**	0.01	0.01	0.02
Police Effectiveness	0.22**	0.27**	0.29**	0.20**	0.03	0.06	0.23**	0.17*
R^2 adj.	0.72	0.66	0.64	0.70	0.53	0.81	0.63	0.83

Non-signi ficant factors are not presented in the table. VIF multicollinearity coefficients ([4]) are lower than 2.5 for all independent variables. Levels of significance: ** p < 0.01; * p < 0.05

([4]) Multicollinearity is a statistical phenomenon in which two or more predictor variables in a multiple regression model are highly correlated. In this case levels of multicollinearity are low which means that we have 'clear variables'.

Table 4: Perception of police legitimacy — regression analysis

	Betas							
	Slovenia	**Russia**	**Romania**	**Poland**	**F.Y.R.O.M**	**Serbia**	**B&H**	**Croatia**
Police Authority	0.03	0.39**	0.24**	0.26**	0.12	0.19*	0.38**	0.31*
Procedural Justice	0.20	-0.05	0.30**	0.26**	0.17*	0.57**	0.32**	0.36*
Distributive Justice	0.07	-0.05	-0.06	0.07	0.22**	-0.12	-0.10	0.06
Police Effectiveness	0.31**	0.36**	0.25**	0.21**	-0.03	0.07	0.18	0.04
R^2 adj.	0.32	0.35	0.43	0.49	0.25	0.54	0.44	0.46

Non-significant factors are not presented in the table. VIF multicollinearity coefficients are lower than 2.5 for all independent variables.

independent variables correlate with the dependent variable in a sense of prediction. We included only significant variables (factors) (see Table 3).

Regression analysis shows that *police authority and procedural justice* are related to trust in police in all countries, and police effectiveness in Slovenia, Russia, Romania, Poland, Bosnia and Herzegovina and Croatia. Willingness to cooperate with the police was found significant only in Serbia. Distributive justice is significantly related to trust in police in Slovenia, Poland and F.Y.R.O.M. In addition to regression analysis of trust in police variable we wanted to learn which other variables are associated with perception on police legitimacy (see Table 4).

Regression analysis shows that in regards to police legitimacy, police authority is a significant predictor of police legitimacy in Russia, Romania, Poland, Serbia, Bosnia and Herzegovina, and Croatia. Procedural justice is a significant predictor in Romania, Poland, F.Y.R.O.M, Serbia, Bosnia and Herzegovina, and Croatia. The strongest predictor of police legitimacy in Serbia is procedural justice (0.57). Police effectiveness is a significant predictor in Slovenia, Russia, Romania and Poland, while distributive justice is significant in F.Y.R.O.M only. The strongest predictor of police legitimacy in Russia is police effectiveness (0.36).

DISCUSSION

It is necessary to point out that the results are generalisable for the law student population in the studied countries but not to a general population. The results do give an insight about perceptions of policing and trust in policing in the present time by potential future professionals in the justice system in the studied countries, be it police officers, prosecutors, judges, prison officers or advocates of crime suspects.

The seven factors which were included in further analyses (one-way anova and regression analysis) are legitimacy, trust in police, willingness to cooperate with the police, police authority, procedural justice, distributive justice, and police effectiveness. Mean values show that all results imply lower values in legitimacy, trust, police authority, procedural justice, distributive justice, and police effectiveness. The only factor that has a higher mean value (3.19 on a four-point scale) is willingness to cooperate with the police, which is a promising one and the police should reconsider their communication strategies with young people.

One-way anova results show that trust and perceived legitimacy of policing are not high in all the studied countries and that the police still have many challenges as statistically significant differences in the comparison of all countries were found out. Nevertheless, the results imply a significance of the development towards democratic policing and the impact

of a membership in the European Union (e.g. unification and harmonisation of police legislation and practices), especially in Slovenia and Poland with the highest means regarding trust in police and legitimacy.

In addition, trust is highest in Slovenia despite the fact that the data were collected in times of socioeconomic crisis and public protests against the government and corrupt politicians, and the lowest in Russia. The results for legitimacy also imply the highest perceived legitimacy in Slovenian and the lowest in Serbia and Bosnia and Herzegovina.

Regression analysis shows that police authority and procedural justice are related to trust in the police in all countries and police effectiveness in Slovenia, Russia, Romania, Poland, Bosnia and Herzegovina, and Croatia. To draw a tentative conclusion, the police should strive to improve their authority and increase procedural justice, especially their interactions with the public generally and with vulnerable social groups. In addition, police authority should also be improved, but not only by presentation of police statistical data but with successful convictions of criminals on the one hand and prevention of illegal acts on the other. Community policing, especially policing by consent, could improve legitimacy, as shared values are a prerequisite for successful work with communities which do not share (or share a small amount of) values with the majority of population. We know that all these factors have also some political connotation because the police are an extended arm of the state.

Unlike in the other studied countries, due to the economic crisis, the end of 2012 was characterised by the public protests against corrupt politics and politicians in the capital city Ljubljana and several other larger towns across Slovenia. This fact has to be taken into consideration in understanding the results of our survey, especially in regard to Slovenia. Another survey on trust in the police before and after the demonstrations shows that people who participated in the protests believed that the police exceeded their powers and report the decrease in trust in the police while others trusted the police even more than before (Simončič, 2013). Nevertheless, the results of our survey show that trust and legitimacy are the highest in Slovenia in all of the studied countries (see Table 2) presumably due to the fact that community policing has been quite developed over the years (Meško, Fields, Lobnikar, and Sotlar, 2013) and the police were also affected by the austerity measures (a significant reduction of a public budget for the police, reduction in staffing, early retirements due to the austerity legislation) and increased activities of the police union in fighting for the labour rights of the police. The Slovenian public opinion poll conducted in 2010 reveals citizen satisfaction with police work and attitudes in general. Two-thirds of respondents expressed their satisfaction with police attitudes towards residents and reported respectful behaviour of police officers in police procedures. Moreover, two-thirds of respondents believe that police officers are honest and unbiased (Kurdija, Malnar, Uhan, Hafner Fink, and Štebe, 2012).

Tyler and Fagan (2008) proved that legitimacy influences citizens' cooperation with the police. Results showed that legitimacy is linked to police authority and procedural justice; whereby positive personal experience in police procedure increases the legitimacy. Bearing this in mind, the police can influence their legitimacy by paying attention to their behaviour towards the people. Bradford, Jackson and Hough (2013: 563) found out about the same with placing measures of trust and legitimacy at the centre of policy assessments of police actions and behaviours. In Slovenia, Jere (2013: 159) studied citizens' attitudes toward the police provision of safety/security and found that citizens will only cooperate with the police when they are able to justify and legitimise the common goal in the context of their own values, norms and goals. To conclude, to increase trust in the police, perception of police legitimacy, politicians should also take a moment to reconsider their role in a democratic society. We believe that there can never be too much integrity, honesty, fairness in dealing with clientele of criminal justice system, be it in police proceedings or in any other formal social control activity.

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TRUST IN THE GERMAN POLICE

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Keywords: Ethnic minorities, European Social Survey, police, rule adherence, procedural justice, trust

Abstract: The relative levels of trust in the police are explored, using data from the fifth round of the European Social Survey (ESS) which covered mainly 28 European countries. In this article, the position of Germany is examined within the international context. German trust in the police, for both German natives and ethnic minorities, for those 15 and over is high in comparison to other European countries. The article also tests if it is the fair treatment of citizens by the police, or the high value placed on rule adherence and conformity, that is driving the German citizen's trust. It shows that the German police is trusted due to their perceived fairness, effectiveness and shared moral values, rather than on value placed on conformity to authority.

INTRODUCTION

The 1960s through to the 1980s was a challenging period for the German police, as they were faced with the tasks of managing public disorders, riots, left-wing extremist terrorism, and environmental demonstrations, their handling of which tainted their positive image (Cao 2001: 170). In 1995, Amnesty International published a report damaging for the German police concerning their use of excessive force in restraining or arresting citizens, and the ill treatment of detainees in police custody (Amnesty International 1995). The report also argued that the ill treatment appeared to be racially motivated, many of those targeted being foreign nationals including refugees, asylum seekers and people from ethnic minority backgrounds (Ibid.).

More recent studies of the German police, mainly focusing on adolescents, however, depict a 'bürgernahe (citizen friendly)' security force. In a comparative study between German and French adolescents, the preliminary analysis showed that the degree of positive experience with, and perception of, the police was much higher in Germany than in France (Oberwittler & Roché 2013). Whilst in France African and Turkish migrants have particularly low opinions of the police in comparison to native French adolescents, the German data show very little or no difference between the amount of contact, the quality of contact, and general perceptions of the police between Turkish migrants and native Germans adolescents (Ibid.) Other studies of German adolescents also paint a similar picture with small or no ethnic difference in the levels of trust in the police (e.g. Heitmeyer et al., 2010; Baier *et al.*, 2010). Studies exploring the everyday relationship between migrants and the police such as Hüttermann's qualitative analysis (2000) and Gesemann's (2003) survey showed that while migrants tend to be less accepting of the police in comparison to native Germans, the police also manage to establish informal styles of interaction with migrants, thus being accepted 'on the street' within the community.

In a project titled 'Police in conflict with ethnic minorities and social marginalised groups',

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it showed that Russian Germans who are segregated in Germany have low trust in the police because they import their mistrust from their country of origin (Strasser & Zdun, 2006). In the same project, many young Turkish men living in three problematic city quarters expressed mistrust in the police because of the random stop-and-search, and other negative encounters with the German police (Celikbas & Zdun, 2008). Nevertheless the authors of these studies conclude that overall, the majority of the foreign population trusts the police (Schweer & Strasser, 2008). In a recent study of western German juveniles and adults, trust in the police was analysed from 1984 to 2011 by using nationwide surveys to enable a longitudinal analysis (Reuband, 2012).The study showed that the police enjoyed an extraordinary high reputation among the population that was quite stable over time with a modest rise (Ibid.). The most remarkable finding was the change of the socio-structural determinants of trust in the police in the course of time: in the past, younger and better educated people tended to have reservations against the police; however, the recent data shows the level of trust is overall higher and shared across various socio-structures (Ibid.).

The aforementioned change in attitudes towards the police in Germany is partly explained by changes in values and life conditions (Reuband, 2012). The development to post-materialism which characterises younger people fell over and has proceeded at the expense of autonomous values and in favour of conformist values (Ibid.). Under the conditions of this change Reuband presumes that state institutions gained more trust of sub-groups that are particularly affected by this change. Additionally, the connection between post-materialistic values and the evaluation of the police and other state institutions seems to dissolve. This suggests that the evaluation of the police is becoming less dependent on people's value orientation, but more and more on direct experience with the police or perceived performance of the institutions (Ibid.).

Perhaps the efforts made during the 1980s and 1990s to modernise the German police, such as the integration of women and ethnic minorities into the police force, may also have contributed to the more recent high levels of trust reported in the above studies. For example, the proportion of female police officers has risen from approximately 3 % in 1986 to 43 % in 2009 in the North Rhine-Westphalia police (Frevel & Kuschewski, 2009: 66). As for immigrants in the police force, the German Ministry of Interior took the official position that 'employment in the police service of candidates from immigrant families is the right path to controlling specific forms of crime particularly by young non-integrated members of the foreign population and to reach more normality in this population group' (German Ministry of Interior 1993 cited in Frevel & Kuschewski, 2009: 66). While the aim was to incorporate those with Turkish or ex-Yugoslavian migration backgrounds, in reality, it was difficult to recruit a substantial number of such officers that satisfied the entry-level conditions, such as minimum levels of education, to enter the police force (Ibid.)

Procedural Justice theory, tested and confirmed in the UK and the US, argues that public perceptions of the fairness of the police is a critically important factor in shaping public cooperation with the police and compliance with the law. Indeed perceptions of police fairness turn out to be better predictors of cooperation and compliance, as opposed to public perceptions of their effectiveness (eg Hough *et al.*, 2013a, 2013b; Jackson *et al.*, 2012; Tyler *et al.*, 2007; Tyler, 2011). In this sense, for the police to be seen as fair and respectful by the ethnic minorities may be particularly important. A sense of isolation or exclusion that they may already be facing due to their minority status may significantly increase if the police treats them unfairly or make them feel that they have been approached due to their negative group stereotype. The negative experience, either direct or vicarious, may decrease their willingness to turn to the police when they become a victim of crime and make them much less likely to cooperate with the police (e.g. Tyler, 2005; Kubrin & Weitzer, 2003).

While fair and respectful treatment may also be the reason for the high levels of trust in the German police reported above, Cao (2001) offers an alternative theory in explaining the nature of public trust in the German police. Using data from the 1990 World Values Survey, he confirmed that confidence in the German police was overall positive (though lower than the US), but proposed that levels of trust may simply be an expression of the German value of Rechtsstaat (the law-centred state) — 'the culture that emphasises legalism, or close

adherence to rules' rather than actually 'liking the police' (Cao, 2001: 170). He argued that:

'Germans are basically Hobbesian in their approach to government. Their fear is that questioning the legitimacy of a particular government action questions the legitimacy of the entire governmental structure and can lead back to the "state of nature"', described by Hobbes, 'in which no government exists. In other words, any order is better than disorder. That is why Germans respect the police.' (Cao, 2001: 179)

In this article we first explore relative levels of trust in the police, and examine the position of Germany within the international, mainly European, context. Secondly, we focus on the German data, which includes not only adolescents but also adults, and compare the level of contact with, and trust in, the police for ethnic minorities and German natives. We will also test if it is the fair treatment of citizens by the police, or the high value placed on rule adherence and conformity, that is driving the German citizen's trust.

DATA

This article uses data from the fifth round of the European Social Survey (ESS). In this round, the ESS covered 28 countries with a rotating module on trust in the police and the courts. The sample used in the ESS is a random probability sample, with a minimum target response rate of 70 %. Germany was one of the participating countries of the fifth round of the ESS, funded by *Deutsche Forschungsgemeinschaft.* The German sample covered those aged 15 and over, and used stratified two-stage probability design separately for East and West Germany ([3]).

TRUST IN THE POLICE: GERMANY'S POSITION WITHIN EUROPE

The ESS data paints a positive rating of the German police relative to other European countries (Figure 1). Germany ranked sixth out of 28 countries on a scale of zero to ten. Ten being

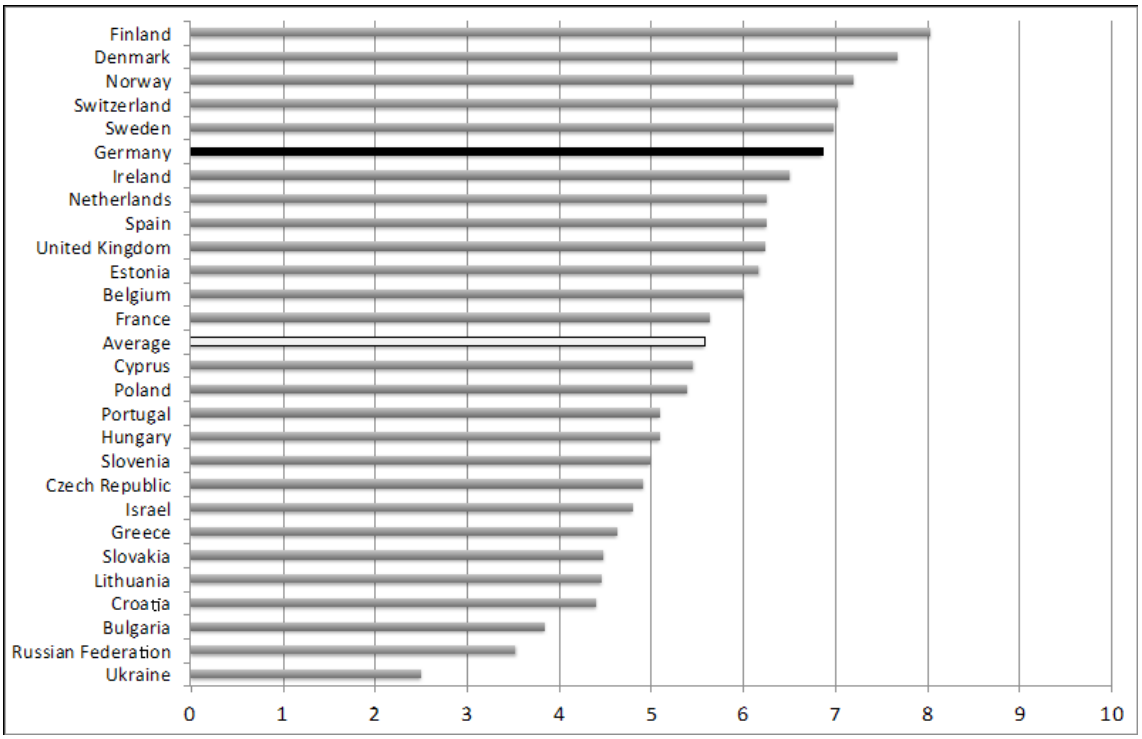


Figure 1: The level of trust in the police (0-10; 0: 'no trust at all' — 10: 'complete trust')

([3]) For more information concerning the methodology of the German data, go to the European Social Survey Website: http://www.europeansocialsurvey.org/essdoc/doc.html?ddi=2.3.1.4&year=2010&land=276.

([4]) While the native German group were slightly more positive about the police, the difference was not statistically significant.

the highest level of trust, Germany scored 6.9. It was preceded mostly by Scandinavian countries, Finland (8.0), Denmark (7.7), and Norway (7.2), and scored very close to Sweden (7.0) and Switzerland (7.0). The gap between the most trusting country and the least trusting country was quite large, with Finland scoring 8.0 and Ukraine scoring 2.5. Countries that scored below the overall average (5.6), shown in a white bar in Figure 1, tended to be Eastern European.

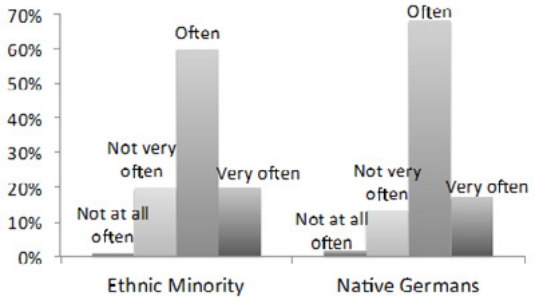
COMPARISON: ETHNIC MINORITY VS NATIVE GERMANS

The ESS asked several questions on ethnicity and citizenship, including the interviewees' parent's native country of origin. One of which contained a self-reported assessment of whether the respondents 'belong to a minority ethnic group in Germany'. We used this variable to compare those who considered themselves as an 'ethnic minority' and those who did not, referred to as 'German natives' in this article.

First, we looked at the trust in the police question used in Figure 1 which ranged from 'no trust at all (zero)' to 'complete trust (ten)', and compared the overall level of trust between the two groups. This comparison showed that there was almost no difference between both groups: ethnic minority group scored 6.8 and the German natives scored 6.9. The lack of difference between the two groups was further confirmed when we examined particular aspects of public perception of the police. We compared the questions about public perception of fair treatment by the police ('How often do police treat people in [Germany] with respect?) and public perception of 'moral alignment' (Jackson *et al.* 2013) with the police ('Police stand up for values that are important to people like me'). Figure 2 shows the distribution of these questions by ethnic group. Again, we see very similar distributions of opinions ([4]). Both the ethnic minority group and the native German group considered the German police 'often' treat people with respect, and that they also largely 'agree' that the police share the important values with them (Figure 2).

The similar positive evaluation of the police continues when we turn to police contact, rather than perception, and the level of satisfaction concerning that contact. In the ethnic minority

'How often do police treat people in Germany with respect?'



'Police stand up for values that are important to people like me.'

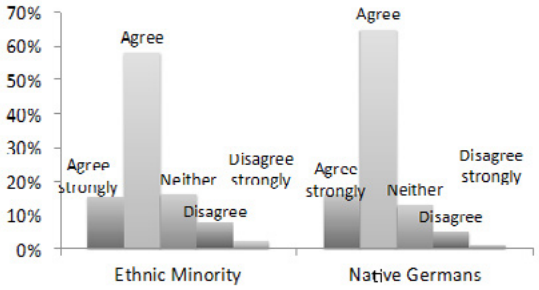


Figure 2: Fairness and moral alignment: comparison

group, 38 % had been 'approached, stopped or contacted by police in the last two years' while native Germans also reported the same frequency of police-initiated contact (37 %). It is only when we start looking into the level of satisfaction concerning the police-initiated contact that we see a difference in experience (Figure 3). Of those who were contacted by the police, 40 % of the ethnic minority group was dissatisfied in comparison to 22 % native Germans. That said in both groups the majority of those contacted were satisfied though native Germans reported a higher satisfaction rate.

In sum, the analyses conducted on the ESS echo earlier findings on German adolescents such as Oberwittler & Roché, 2013; Heitmeyer *et al.*, 2010, and Baier *et al.*, 2010, showing similar levels of contact, trust and satisfaction between ethnic minority and native Germans. However, it should be noted that while overall findings show that a high share of German and non-German young people trust the police (Weidacher, 2000), there are differences between and within migrant

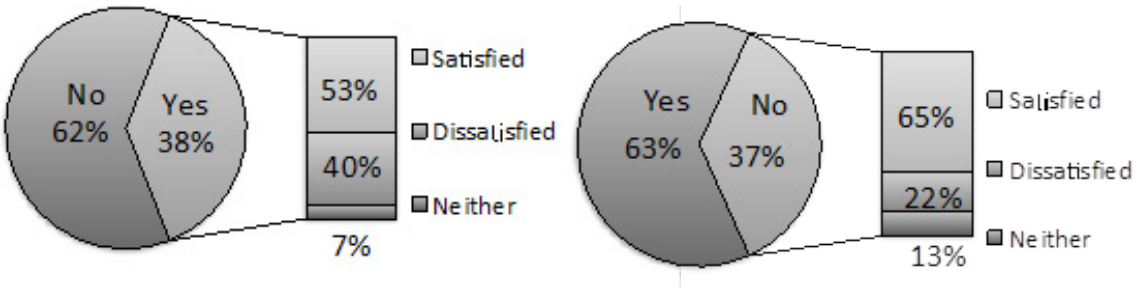


Figure 3: Police contact and satisfaction with police among ethnic Germans and ethnic minorities in Germany

groups. For example, eastern German and Turkish migrants have less trust in the police than Greek and Italian migrants as well as western German youths (Gesemann, 2003). Low levels of trust were also expressed by segregated Russian Germans (Zdun, 2008). The German Centre for Studies on Turkey states that Turkish migrants aged 30 and below have the least trust in the police whereas senior citisens emanating from the first generation of Turkish immigrants are more sympathetic to the police (Der Spiegel 30/2006). Research on perceptions of, and attitudes towards, the police of socially disadvantaged population groups illustrate that low levels of trust in the police corresponds with direct negative experiences rather than with the general image of the police held within that ethnic community (Oberwittler& Lukas, 2010).

WHAT DETERMINES TRUST?

In this section, we examine what explains trust in the German police. The analysis focuses on the predictive power of ethnic status, evaluations of the police, including their fairness, and the level of importance placed on rule adherence. For this, multiple linear regression was used to predict trust. The dependent variable is trust in the police measured from zero to ten (ten being high trust) as used above. The independent variables were divided into three blocks: conformity, evaluations of the police, and demographics. All variables used in the analysis were tested for multicollinearity.

'CONFORMITY' BLOCK

- Schwartz human value scales ([5]) — 'important to do what is told and follow rules' 1-6 (1:'not like me')
- Schwartz human value scales — 'important to behave properly'
- Duty to obey the police scale, 0-30 (0: 'no duty') created from three variables: 'duty to back decisions made by police, even if disagree', 'duty to do what the police say, even when you don't understand', and 'duty to do what the police say, even if treated badly' ([6]).

'EVALUATION OF THE POLICE' BLOCK

- Perceived fairness of the police scale, 0-10 (0: 'low fairness) created from three variables 'how often do the police treat people in German with respect', 'how often do police make fair, impartial decisions', and 'how often do the police explain their decisions and actions when asked' ([7]).
- Perceived effectiveness of the police scale, 0-20 (0: 'low effectiveness') created from two variables 'how successful the police are at preventing crimes in Germany', and 'how successful the police are at catching house burglars in Germany' ([8]) ([9]).

([5]) Schwartz human value scale consists of ten human values (power, achievement, hedonism, stimulation, self-direction, universalism, benevolence, tradition, conformity, and security) which are included in the core questions of the ESS. For more detail, see: http://www.europeansocialsurvey.org/docs/methodology/core_ess_questionnaire/ESS_core_questionnaire_human_values.pdf .

([6]) Cronbach's Alpha for the three variables was.86.

([7]) Cronbach's Alpha for the three variables was.62.

- Perceived moral alignment with the police scale, 1-9 (1: 'low moral alignment') created from two variables 'police have the same sense of right and wrong as me' and 'police stand up for values that are important to people like me' ([10]).

DEMOGRAPHICS BLOCK

- Age
- Gender
- Education
- Being an ethnic minority ('belonging to an ethnic minority group').

The result of this analysis is displayed in Table 1. Firstly, all three blocks contributed in explaining trust in the police; however, by far, the 'evaluation of the police' block was the most powerful in explaining trust in the police, as can be seen when comparing the R2 change. This means that the ESS does not provide support for Cao's (2001) hypothesis that the importance placed on rule adherence is the main driving factor for the high levels of trust in the German police. In other words, support for the police flows from evaluations of the police, rather than from a generalised sense that state institutions ought to be obeyed.

Secondly, we look at individual variables and scales used within blocks. In the 'conformity' block, the two personality variables measuring conformity were not statistically significant, while the felt duty to obey the police was a statistically significant predictor. In the 'evaluation of the police' block, all scales were statistically significant. From the procedural justice literature examined above, we expected perceived fairness and moral alignment to be significant. What makes the German data distinctive, however, is that perceived effectiveness of the police is an equally strong predictor.

Lastly, as already illustrated in the previous section, being from an ethnic minority group was not a statistically significant predictor in explaining trust in the police. Similarly, gender and education were also not significant. The only significant predictor within the demographics block was age, with younger people having higher trust in the police.

Dependent variable: Trust in the Police

	b	SE *B*	β	*p*	R_2 Change	Tolerance	VIF
(Constant)	.067	.499		p=.89			
Conformity					**.08 (p<.001)**		
Duty to obey the police	**.034**	**.006**	**.103**	**p<.001**		.83	1.21
Importance: Rule adherence	-.05	.031	-.032	p=.11		.77	1.3
Importance: Behave properly	.017	.034	.009	p=.63		.79	1.27
Evaluation of the police					**.21 (p<.001)**		
Effectiveness	**.143**	**.012**	**.222**	**p<.001**		.82	1.23
Fairness	**.29**	**.03**	**.193**	**p<.001**		.78	1.29
Moral alignment	**.426**	**.033**	**.259**	**p<.001**		.74	1.35
Demographics					**.01 (p=.01)**		
Age	**-.007**	**.002**	**-.058**	**p=.002**		.90	1.12
Gender	.015	.078	.003	p=.84		.99	1.01
Ethnic minority	.115	.199	.01	p=.56		.98	1.02
Education	.017	.012	.026	p=.15		.95	1.06

R_2 =.30

Table 1: Predicting German citizens' trust in the police

([8]) Cronbach's Alpha for the three variables was.69.

([9]) These three variables originally intended to measure 'police legitimacy' have been used as a proxy to measure German respondents' importance placed to rule adherence as these variables all provide scenarios' where the respondent is in disagreement with the police but feel the duty to obey and cooperate with the police.

([10]) Cronbach's Alpha for the three variables was.76.

CONCLUSION

Three findings emerged from this article. Firstly, German trust in the police is high relative to other European countries. Secondly, being a member of an ethnic minority group is not a significant predictor of levels of trust in the police. Native Germans and those from an ethnic minority group have virtually no difference in the level of police-initiated contact, or in their perceptions of police fairness and moral alignment with the police. Thirdly, the German respondents trusted the police because they considered the police to be fair, effective, and to be in line with their own values. A generalised value placed on rule adherence was not a significant factor in explaining trust in the police.

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WHY TRUST IN THE POLICE VARIES BETWEEN EUROPEAN COUNTRIES

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Keywords: trust in the police, welfare state, social capital, quality if government

Abstract: Trust in the police varies a lot across European countries. In this paper it is asked, why is that, what are the reasons for those big differences between European countries.

Research literature approaches people's trust in the police mainly from the perspectives of efficiency and fairness of police activities. In other words, variation in trust is analysed in terms of the function of efficiency, justness or fairness in policing. However, the country-level differences cannot be deduced from the individual level findings: societies are different as societies, not just as a composition of different individuals and their experiences. In this presentation, which is based on the data of the European Social Survey and some other sources in 16 European countries, three potential country-level explanations for the country-level variation of the trust in the police are given. Multilevel models are not included. It seems that the high level of trust in the police is in connection with 1) high welfare spending, 2) high quality of governance and 3) high level of social capital.

1. INTRODUCTION

In democratic societies, the citizens must be able to trust the police, because the police have been granted extensive authority to control, monitor or even directly punish citizens for undesirable behaviour. Citizens must be able to trust that the police use this authority in accordance with the democratically enacted laws and decrees. On the other hand, citizens simply expect police to provide results: the police must ensure the safety of the citizens by preventing crime, solving suspected crimes, and promoting general safety and order in other ways. In fact, these are the two points of view used in studying the trust of citizens in the police: instrumental and procedural. The instrumental approach studies trust from the point of view of the effectiveness and impact of the activities of the police, and the procedural approach uses the point of view of the methods used by the police. Citizens expect the police to act efficiently, but also equitably and in an ethically acceptable manner (see e.g. Tyler & Huo, 2002).

The trust of the citizens in the police can therefore be considered important for democracy and civil rights. In addition, the trust is thought to improve the cooperation between the citizens and the authorities. Police activity cannot be efficient without the support of the citizens. Trust increases law-abiding behaviour and promotes the exposure of crimes and their resolution (Sunshine & Tyler, 2003; Jackson & Bradford, 2009).

How much do the citizens trust the police, then? We have data from several international surveys, which we can use to make fairly reliable observations. One of the best European projects is the European Social Survey, which has been conducted since 2002 and is repeated regularly every other year. Almost all countries currently in the EU have participated in the survey, as well as several other European countries. The survey material is mainly collected via interviews during personal visits. From its inception, the survey has also included a question on the trust

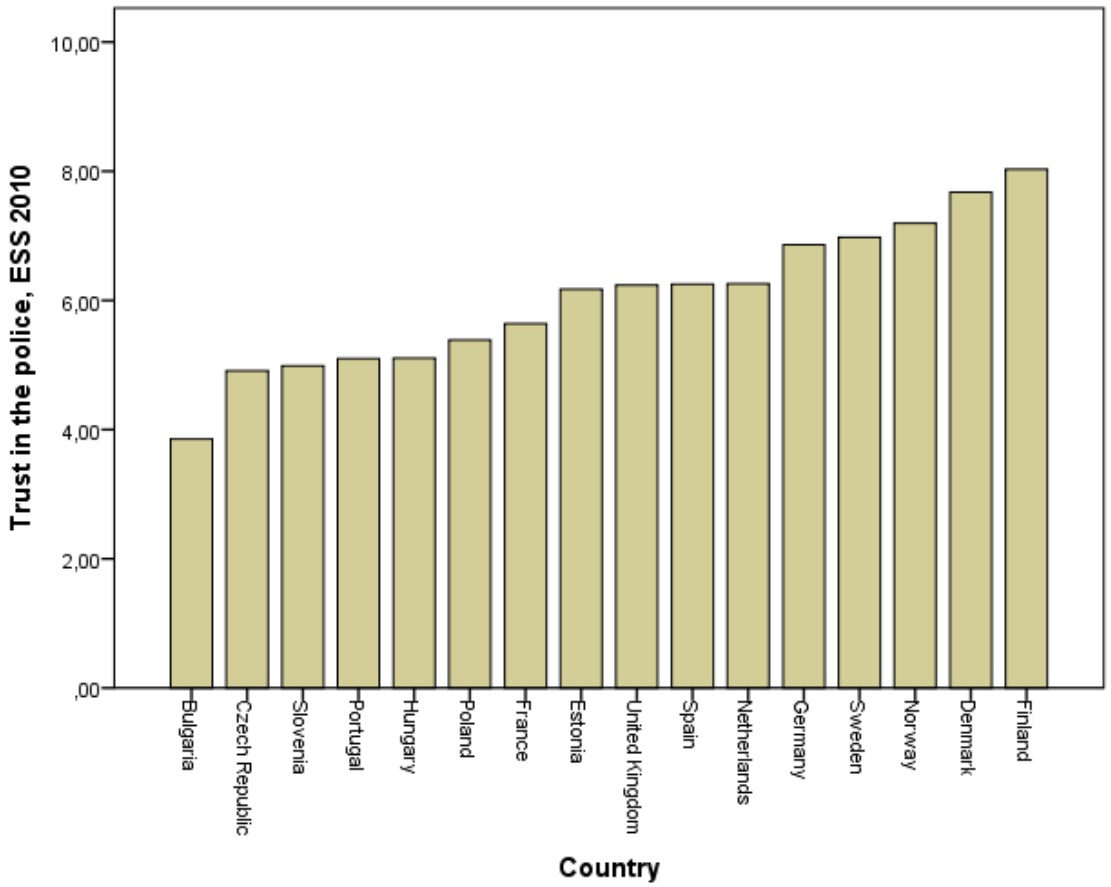

Figure 1. Trust in the police in 16 European countries. Mean scores of the question: 'Using this card, please tell me on a score of 0 b- 10 how much you personally trust each of institutions I read out. 0 means you do not trust an institution at all, and 10 means you have complete trust'. Source: European Social Survey.

placed by the respondents on certain institutions, such as the police. Figure 1 shows the results of the year 2010 for 16 countries.

As we can see, trust in the police varies significantly between the different European countries. The police are clearly trusted the most in the Nordic countries and Germany, and the least in certain Eastern European countries. The indicator used has an integer scale with a range of 1–10. Since the country-specific averages of this kind of an indicator vary from less than four to eight, the differences can truly be considered great. In addition, it seems that these country-specific differences are fairly stable, if we observe the results of previous ESS-studies, for example.

Naturally this presents the question of what really causes these significant country-specific differences in trust. Is the police in Northern Europe both more efficient and treating the citizens better than their colleagues in the Eastern Europe or certain countries in Southern or Central Europe? It is not possible to draw such a simplistic conclusion, for several reasons.

Firstly, the empirical studies that have been conducted so far to bolster instrumental and procedural explanations have been mainly conducted in the United States and the United Kingdom (e.g. Sunshine & Tyler, 2003; Jackson & Bradford, 2009). However, there are already some published studies from Continental Europe, and the study activities in this field seem to be increasing (see e.g. Hough, Jackson & Bradford, 2013; Van Damme, Pauwels & Svensson, 2013; Kääriäinen, 2008).

Secondly, most of the surveys referred to above measure more the images and expectations of the respondents rather than their real and personal experiences with the activities of the police. Most of those who responded to the questionnaire surveys have no personal experiences with the

activities of the police, or their experiences are only superficial.

Thirdly, we must remember that if we want to explain the differences in trust on a country level, we must include both individual- and country-level explanatory variables in our explanatory model. In other words, if we had European data consisting of individuals with experience with the activities of the police, we could observe on the level of an individual whether the quality of the experiences would explain the differences in trust. If we also wanted to look for reasons for the differences in trust between the countries, we would have to add independent country-specific explanatory variables into our explanatory model. If no such variables could be found, we could conclude that the differences in the country-level trust would be due to individual experiences with the activities of the police or other individual-level courses.

In this paper I bring forward some potential independent country-level explanatory variables for the differences in trust in the police. Multilevel models are not included; instead, there is only a reference to a previously published study by the author, where some of the same factors that are studied now were included in the model (Kääriäinen, 2007). This study is limited to 16 European countries on the basis of data availability.

2. INVESTMENTS IN POLICE OR IN WELFARE?

We should start by examining how much European societies invest in police services on one hand and in welfare services on the other hand, and the relationship between these factors. The attached figures are based on the information published by Eurostat on public expenditures in relation to the gross domestic product (GDP). The statistics use the so-called COFOG classification, where police services and social protection are separate classes (see Eurostat 2013).

Figure 2 shows investments in police services and social protection for certain European countries. When examining the figure, we see a fairly strong negative correlation between these variables: it seems like a strong social policy and a strong policy of control do not usually appear in the same societies. Or from the reverse point of view: police resources are the strongest in societies where the investment in social protection is lower than average. However, it should be noted that the connection is not completely linear. For example, a lot of resources are invested in police services in the UK, Spain and Portugal, while the level of social protection is at a good European average. On the other hand, in countries such as Latvia and Lithuania, both police services and

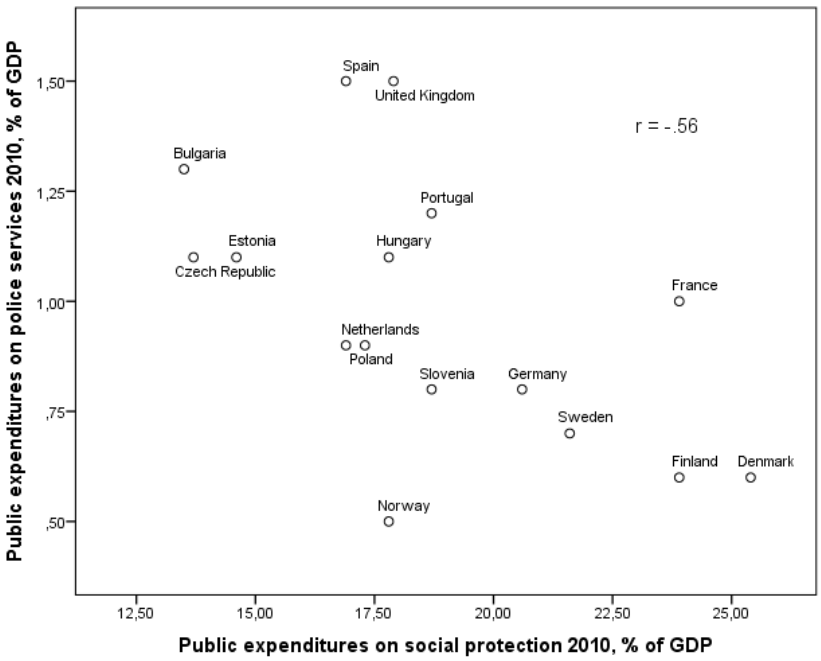

Figure 2. Public expenditures on police services and social protection in 16 European countries 2010. Source: Eurostat.

social protection are clearly under the average level.

In European societies, the role of the state in levelling the differences in the population's welfare has been constructed in different ways throughout history. The most common division between welfare states is the Esping-Andersen (1990) division, where welfare states are divided into three types based on how much they decrease the dependence of welfare from the market (decommodification) and how much they affect the level of stratification.

In liberal welfare states, the greatest trust is placed in the ability of the market, individuals, and families to produce and share welfare, and the state's duties are as minimal as possible: social policy consists mainly of test based poverty policy. The model includes heavy emphasis on work and individual survival and the meaning of family. Typical countries featuring the liberal model are USA and the United Kingdom. As the second type, Esping-Andersen mentions corporatist welfare states, where the role of the state is more extensive than in countries with a liberal regime, but which try to maintain the existing professional and class status, and which are based strongly on a traditional gender system where the man is the provider for the family. A typical country in this group is Germany, as are many other countries in Central Europe. The third type of welfare state in the Esping-Andersen classification is the social democratic regime. In countries of this type, which includes all of the Nordic countries, the effort to decrease the dependence of welfare from the market is the most active. At the same time, there is an attempt to decrease social stratification by promoting the 'equality of opportunity.' The universal social rights of the citizens are a central tool, and their realisation is supported by social transfers for everyone, as well as public services.

The Esping-Andersen model has been developed further later and it has been expanded to also include the Mediterranean countries, for example (e.g. Ferrera, 1996), and post-socialist countries (Manning, 2004; Fenger, 2007). Studies in the effects of regimes on the division of welfare also continue to be active (see e.g. Kammer, Niehues & Peichl, 2012).

It seems that there is an interesting link with the penal policy practised and what has been described above: the most punitive penal policies have been practised in the post-socialist countries, the Mediterranean countries, and the countries with a liberal regime, and the least punitive in the social democratic Nordic countries and Japan (Sato & Hough, 2013; Lappi-Seppälä, 2011; Cavadino & Dignan, 2006). This is likely due to the fact that the methods used to solve social issues or problems depend on the welfare policy practised. If social problems are considered to be linked primarily with crime and disturbances, the police and other security authorities have plenty of resources. On the other hand, if the goal is to actively prevent social problems with an active welfare policy, fewer resources are needed by the police, the judicial system, and prisons, and there are fewer expectations placed on these institutions by the people. This is also indicated by the attitudes of the people in countries with strong welfare being generally less punitive than elsewhere (see e.g. Van Kesteren, 2009)

The global economy and neoliberal economic policy have severely questioned the principles of the welfare state in the last few years in Europe, as well as the whole world. On the other hand, studies still show that a welfare state continues to be able to even out the differences in the welfare of people effectively (see e.g. Kammer, Niehues & Peichl, 2013).

3. THE POLICE'S RESOURCES AND TRUST

How do the public investments in the welfare of the people then affect the citizens' trust in the police?

Based on Figure 3, we can observe that the connection between investments in welfare and trust seems fairly strong: the more public expenses the societies invest in social protection, the more the citizens trust the police. The country-level correlation between these factors is .66. On the other hand, from Figure 4 we see that the more of their GDP the societies invest in police resources, the less the citizens trust the police! The country-level correlation with the data for 2010 is -.59. An even stronger negative correlation can be found, if we measure the police resources simply based on the number of police officers per citizen; in

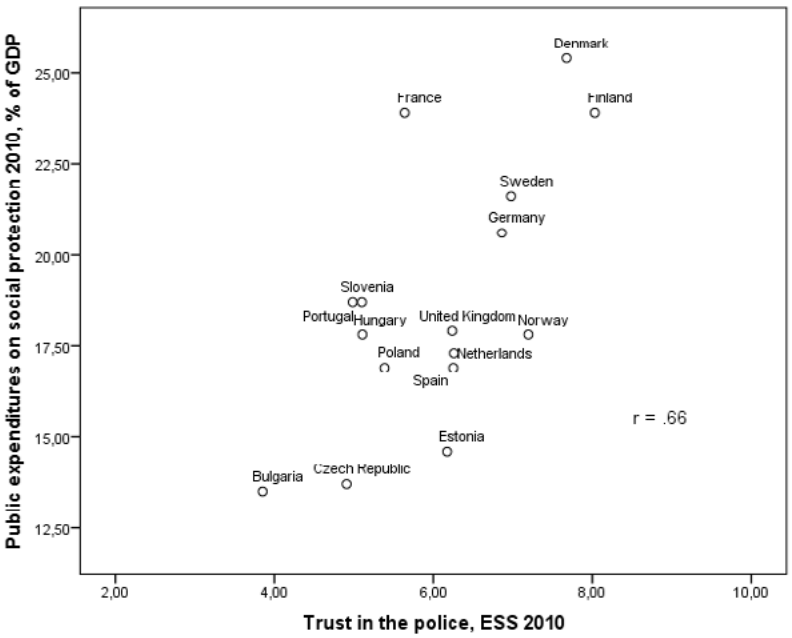

Figure 3. Public expenditures on social protection and trust in the police in 16 European countries 2010.
Sources: Eurostat and European Social Survey.

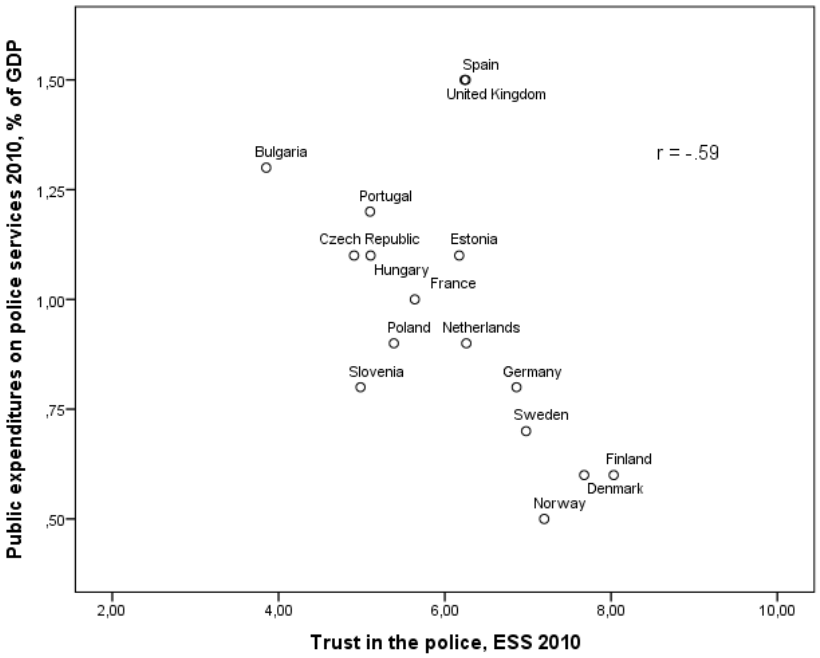

Figure 4. Public expenditures on police services and trust in the police in 16 European countries 2010.
Sources: Eurostat and European Social Survey.

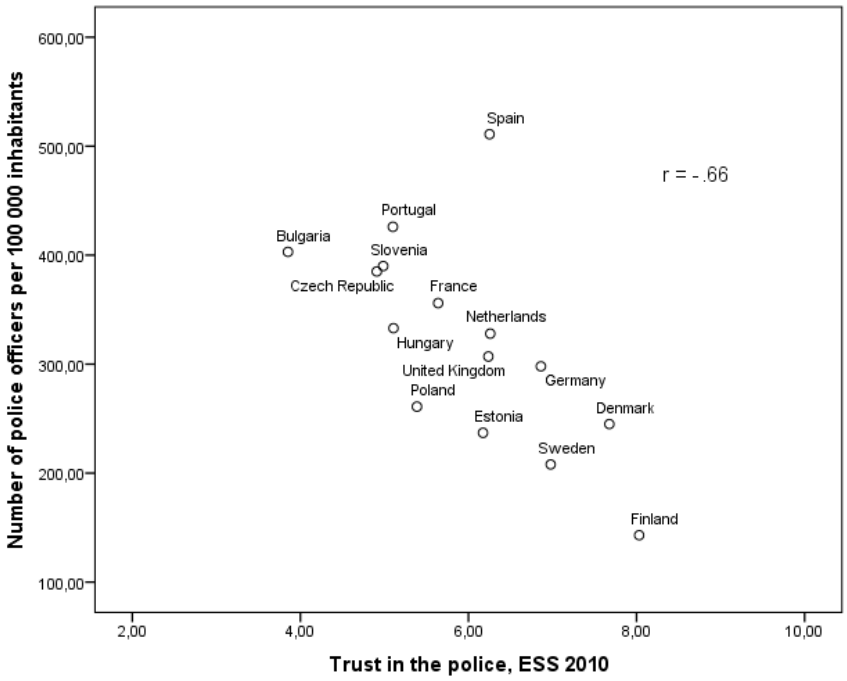

Figure 5. Number of police officers per capita and trust in the police in 16 European countries 2010.
Sources: European Sourcebook of Criminal Justice and European Social Survey.

that case, the country-level correlation is -.66 (Figure 5). Therefore, the more police officers per inhabitant, the less the citizens trust them.

4. QUALITY OF GOVERNANCE

A central factor generating trust in public administration is its ability to treat citizens fairly and justly. This means equal treatment of citizens regardless of their social status, ethnic background, age, gender or any other background factor (Rothstein & Teorell, 2008).

Corruption can be considered a sign of the administration's inability to treat citizens equally and impartially, and it can be seen as an important indicator of the general quality of administration (Holmberg *et al.*, 2009). As we can see from Figure 6, the corruption of the administration seems to have a fairly strong connection with the trust in police on a country level; the correlation coefficient is as high as .91. Here the Corruption Perception Index 2010 of Transparency International is used as an indicator for corruption. The scale of the indicator is constructed so that a high value indicates a low level of corruption.

5. SOCIAL CAPITAL

Trust in police means that we trust in the formal aspects of social control. On the other hand, we must keep in mind that the aspects of informal social control are at least equally important.

If we have social capital, this means that we are members of several social networks, and that we have learned to trust the people around us. We trust not only those whom we know personally, we trust people in general. This is referred to as generalised trust (see Nannestad 2008; Paxton 2007). Social capital can therefore be seen as a resource for an individual, offering both unofficial social support and unofficial social control for the members of the community. Trust promotes interaction, which in turn increases trust. (See e.g. Putnam 2001 and Field 2004) Studies have also shown that the official social support offered by the society and the unofficial support from the immediate community do not exclude each other; on the contrary, they complement and support each other. Social capital has been found to be the strongest in countries with the most support for the welfare of the people thanks to the public welfare policy (Oorschot and Van Arts, 2005; Kääriäinen & Lehtonen 2006)

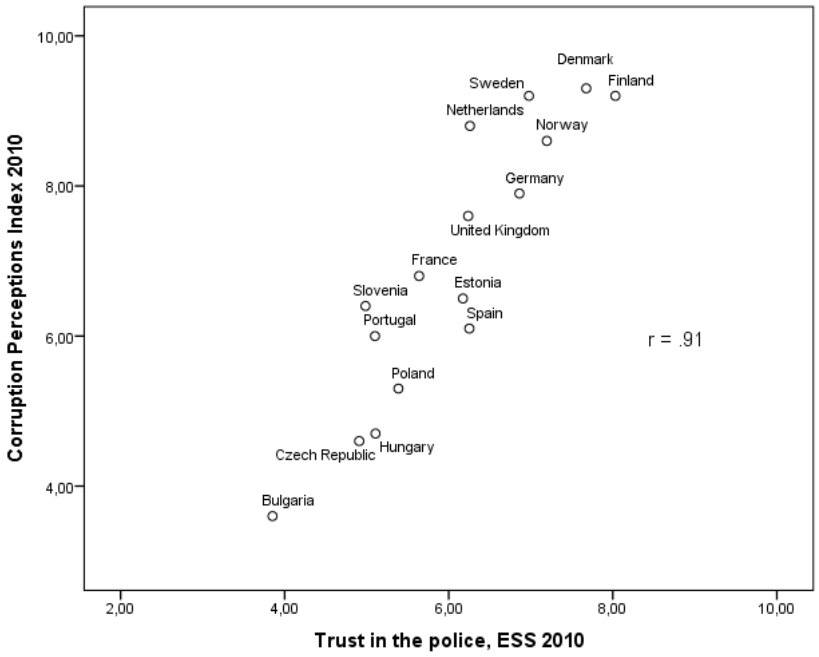

Figure 6. Corruption and trust in the police in 16 European countries 2010.
Sources: Transparency International, Corruption Perceptions Index and European Social Survey.

This means that we can assume that there is less need for formal support and control in societies with a lot of social capital than in countries with little social capital. In countries with strong social capital, the people probably expect less from the police than in countries with weaker social capital, and they also resort to unofficial support and control. On the other hand, in societies with less social interaction and trust people are forced to use the formal aspects of control and there are greater expectations on issues such as the police's ability to act.

As we see in Figure 7, the country-specific correlation between social capital (measured as generalised trust) and trust in the police

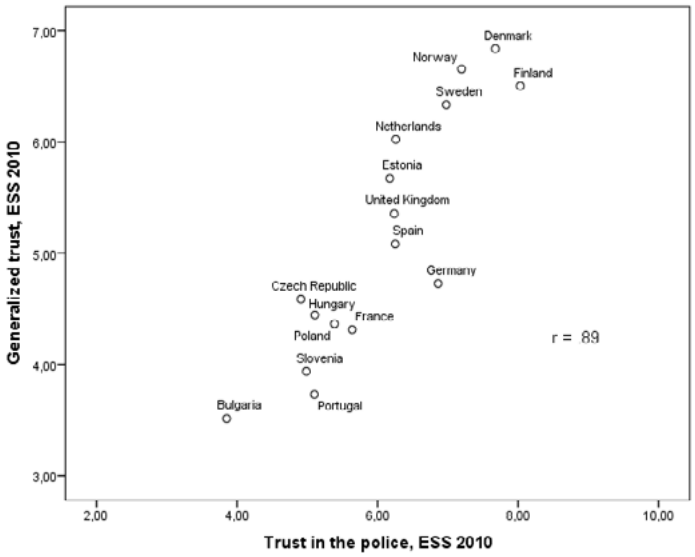

Figure 7. Generalised trust and trust in the police in 16 European countries 2010.
Source: European Social Survey.

is significantly high at .89. People trust the police particularly in countries where they also trust their fellow citizens, and where they have opportunities for receiving unofficial support and control from their immediate community. It clearly seems that it is easy to trust the police if you can trust your fellow citizens.

There is already a fair amount of research-based information on the trust of the citizens in the police. But only rarely has anyone looked at the other side of the coin: do the police trust the citizens? A large portion of the literature on the so-called police culture includes observations of the police having a cynical attitude towards the citizens. Cynicism would seem to be connected to the police as a profession, and to the special characteristics of the police organisation as an institution generating social control (Skolnick 1966). However, the few empirical studies have been conducted as local studies, mainly in large cities in North America or Britain (see Van Maanen 2005 and Loftus 2009). It is difficult to find comparative studies from elsewhere in Europe.

In our own study (Kääriäinen & Siren, 2012), where we used cumulative ESS data, we observed that the trust of people working as police officers in their fellow citizens depended strongly on the overall trust capital in the society (see Figure 8). The country-specific correlation on the generalised trust of those working as police officers and the rest of the respondents was .90. In societies with strong trust, people doing police work also trust their fellow citizens. Respectively, cynicism among the police is found particularly in areas where people have a suspicious attitude towards their fellow citizens in general. Therefore, it seems that social capital generates trust between the authorities and the citizens and vice versa.

6. CONCLUSIONS

The conclusion is that we must explain country-specific variations in the trust in police by society-level factors. European societies remain quite different, and the role and status of the police in the societies is also different. Here, the main object of study was police resources in relation to the GDP and how those resources are related to the welfare policy practised. Based on even a short study such as this, there is a suspicion that the welfare policy practised may be significant for the expectations placed on the police by the people, and how important they see the role of the police as a guarantee for safety in their lives.

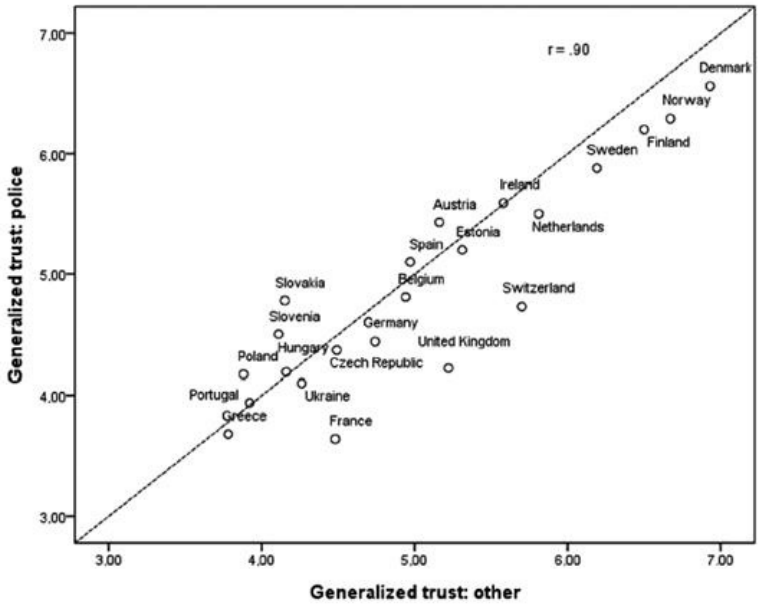

Figure 8. Generalised trust score for police officers vs. other respondents in 22 European countries. Estimated marginal means from LM by country.
Source: Kääriäinen & Siren 2012.

Perhaps it is easy to trust the police if you hardly ever need the police services and if you live in a safe society, where social conflicts are solved long before the police are needed. Or if you can trust your fellow citizens and if you are surrounded by communities that provide unofficial support and control. Or, if you are generally used to trusting in public services, their equality and ability to serve.

In other words, when we ask why citizens trust the police, a reference to the police's own activities may not be a sufficient answer. As far as I can tell, we do not have strong evidence for the police being the most effective or the most professionally skilled where it gains the most trust. The observations I have presented above rather indicate that way how the society as a whole operates to guarantee a life with safety and human dignity for its citizens is very significant.

Of course, we must remember how difficult it is to draw conclusions based on simple correlations on the aggregate level. This means that more comparative and national research is absolutely necessary for solving these issues. In any case, I hope that the examples on country-level variation in the trust in police I have presented are useful for further study.

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POLICE USE OF SOCIAL MEDIA TO SUPPORT COMMUNITY ENGAGEMENT — ITS RISE IN POLICE PRACTICE IN THE UK

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Keywords: Police, social media, engagement

Abstract: This essay looks at the adoption by the United Kingdom Police Forces of social media (i.e. Facebook and Twitter) as part of their engagement strategies. It highlights the policy drivers that have informed this work. It indicates areas for future research.

There are many dimensions concerning police use of social media — some commentators identify three main areas: engagement, intelligence and enforcement (Bartlett et al, 2013). This essay focuses on police use of social media with regard to engagement, defined by Myhill as 'the process of enabling the participation of citizens and communities in policing at their chosen level, ranging from providing information and reassurance to empowering them to identify and implement solutions to local problems and influence strategic priorities and decisions.' (Myhill, 2006: iv). While the other two areas ´intelligence and enforcement' will be mentioned in passing. The primary focus here is how the police use social media as part of their engagement with their communities.

In his book, *A New Study of Police History* (1956), Charles Reith, a British police historian, discussed the vision of policing set out by Charles Rowan and Richard Mayne, who, in 1829 were the first and joint Commissioners of the newly formed Metropolitan Police in London. Rowan and Mayne stated that their conception of a police force was 'unique in history and throughout the world because it derived not from fear but almost exclusively from public cooperation with the police, induced by them designedly by behaviour which secures and maintains for them the approval, respect and affection of the public' (Reith, 1956: 14). This vision of 'policing by consent' has been part of policing in the United Kingdom throughout the following decades; Reiner argued that it was a central theme of UK policing in the 1970's and 1980's (Reiner, 1992), however Hough argued that in the 1990's newer systems of police management meant the concept was less in favour (Hough, 2007) The current century, it is argued, has found two different models of policing in tension with each other: the crime control model based on law enforcement and punishment and more subtle models of social control based on procedural justice. (Hough et al, 2010). The procedural justice model moves the emphasis away from understanding why people commit offences and greater emphasis on understanding why people comply with the law (Bottoms, 2002). This vision is restated from a political perspective that policing in the United Kingdom is carried out, as much as possible, with public support, with 'the power of the police coming from the common consent of the public, as opposed to the power of the state.' (Home Office, 2012)

Since 2008 the United Kingdom police forces have been using social media such as Facebook and Twitter as significant channels to communicate and facilitate engagement with the communities they serve. By the end of 2013, they have a substantial and increasing presence on social media platforms — analysis by Norfolk Constabulary shows that Police Force's official accounts on Facebook have been 'liked' by just under one million people, while the Force's

accounts on Twitter have 1 400 000 followers, and on the more recent Google + platform, Police accounts have 3 300 followers. (Norfolk Police, 2013). On Twitter, there are numerous of official police Twitter accounts for a range of police officers from the most senior level to the neighbourhood beat officer; there are now over 2 000 of these accounts (Keane, 2013). This essay will examine the factors that drove that widespread level of adoption and will discuss the policy issues, which have been addressed or remain to be addressed.

The past few years has seen the growth of Internet usage, the exponential rise of mobile communications technology and a widespread adoption of social media sites. In 2013, the European Commission reported that, across the European Union 40 % of the population post messages on social media sites and instant messaging (in the UK this is 57 %) (Eurostat, 2013). In addition, the use of social media is growing; in May 2011 it was reported that the micro-blogging site, twitter.com had 200 million registered accounts worldwide and was growing by 460 000 every day (BBC, 2011). In the same month, Sheryl Sandberg, Chief Operating Officer for Facebook stated that their site had over 500 million active users, 30 millions of whom were from the United Kingdom (Sandberg, 2011). These figures too are set to increase with a recent report stating that just under 1 million people now join the site everyday (Observer, 2011).

Central to understanding how UK policing has adopted social media platforms for community engagement has been increased importance in relation to the police commitment to neighbourhood policing (ACPO, 2006). The national initiative for the roll out of neighbourhood policing had its antecedents in the National Reassurance Policing Programme which trialled to address the gap between the public perception of crime in their locality (which they saw as high) together with the trends in the rates of local crime (which were dropping) (Tuffin *et al.* 2006). Guidance published emphasised the importance that the police service should meet the expectations of their communities of:

- 'Access, to the police through a named contact,
- Influence over the community safety priorities for the area,
- Interventions to solve problems and
- Answers to include feedback on results' (ACPO, 2006: 4).

The programme was seen to be achieving success and in 2009 the British Crime Survey reported falls in many areas of reported crime and in the fear of crime and increases in the confidence in the police. (Home Office, 2010).

It was against the background of these changes that the police began to adopt social media to explore its potential as a means of engaging, communicating and tackling crime. In 2008 a neighbourhood policing officer P.C. Ed Rogerson of North Yorkshire Police was identified as an early adopter of social media use, using a combination of YouTube footage and a Facebook group to highlight the issue of graffiti on his beat in Harrogate, leading to the arrest of an offender. (CRP News, 2008). It was the identification of the work of P.C. Rogerson and other early police adopters, which led to, the following year, a UK Policing Conference on social media, being held in October 2009. As a direct result of the conference, two policy areas were identified and addressed; the need for senior officer support and leadership and the need for guidance for police officers and forces. The former issue was addressed with the appointment of (then) Assistant Chief Constable Gordon Scobbie as ACPO lead for Digital Engagement and the latter was addressed by the publication, the following March, of the first national guidance for the Police Service in using social media. *Engage: Digital and Social Media Engagement* (ACPO, 2010) was a joint publication between the Association of Police Officers (ACPO) and the National Policing Improvement Agency (NPIA). It provided police forces with examples of use from early adopters, guidance on using Twitter and a set of principles for engagement, stating the need to be 'credible, consistent, responsive, an ambassador, inclusive, ethical and personable.' (ACPO, 2010: 7-8). This guidance was widely circulated with UK forces and is still available in 2014.

Later in 2010, saw a UK Police Force demonstrate how they were taking social media seriously. On 14th and 15th October Greater Manchester Police (GMP) used Twitter to publish information about every incident they dealt with in a 24 hour period. Using the Twitter hashtag #GMP24, GMP tweeted details of the 3 025 incidents they dealt with. The Chief Constable, Peter

Fahy, commented 'Policing is often seen in very simple terms, with cops chasing robbers and locking them up'. However, the reality is that this accounts for only part of the work they have to deal with' (BBC, 2010). This was seen as raising awareness of the range of incidents (many non-crime) that police have to deal with. At the end of the exercise, GMP reported an increase in their Twitter followership from 3 000 to 17 000.

In August of the following year outbreaks of grave public disorder in England put public and police use of social media once again in the policy spotlight. While the social media sites of Twitter and Facebook received much media coverage, it quickly became clear that the Blackberry messaging service (BBM) had been much used. (Techcrunch, 2011). Police use of social media was one of the subjects in reports following the disorder, Her Majesty's Inspector of Constabulary (HMIC) in its review of the disorders, commented on social media saying 'it is imperative that the Police Service is able to embrace these new developments' (HMIC, 2011: 73) While a special committee set up by the Prime Minister to report on the riots stated that 'police services that use social media well are more likely to have better engagement with communities' and recommended that 'every neighbourhood policing team should have its own social media capability' (Riots, Victims and Community Panel, 2012: 105) and while the report has since been archived and this recommendation is still being acted upon in the Metropolitan Police.

In 2012 the Composite project published a comparative study of how European Police forces were adapting to social media (Composite, 2012) and reported social media was being used by police forces as a source of criminal information, to have a voice in the community, to push out information, to leverage the wisdom of the crowd, for public interaction and community policing, to show the human face of policing, support the Police IT infrastructure and for efficient policing. It also highlighted that adaption by various police forces in Europe varied widely and that future research could focus on a comparison between countries who were adapting to new technology and those that (for various reasons) were not.

The current situation with UK Policing and using social media is that the police service have built a network of social media contacts throughout the UK and globally and that this can support increased and more focussed community engagement. There are signs of innovation and leadership, the use of Facebook by Staffordshire Police has been recognised by Facebook itself, producing the first public sector case study showing the use of their platform (Staffordshire Police, 2013), while Surrey Police recently won the Social Buzz awards, more usually given to companies in the advertising industry (The Drum, 2013). What remains to be seen is how well the police are able to use both the infrastructure and their organisational skills and knowledge to make best use of this opportunity.

In other European Police Forces there has been a range of approaches to adopting social media as a form of engagement with their communities. The United Kingdom experience with social media demonstrates that with leadership and support, it is possible to build and develop both the organisational learning and infrastructure to have a visible presence for policing on social media sites and that, as these social media continue to grow and form part of the everyday life of the citizens of Europe this work will continue to have relevance for policing organisations.

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SOCIAL MEDIA RESEARCH AND POLICING

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Keywords: social media, communications, ICT, networks, big data

Abstract: The paper reviews academic literature which is relevant to the better understanding of the police use of social media. It concludes that much of the practitioner literature has focussed on issues of adoption. Academic work has supported this in its focus on authorisation and legitimacy. Other research has looked to use social media as a source of big data in support of predicting social trends and operationally significant shifts in public behaviour. This is inherently problematic, as social media researchers in other fields have shown.

Research into social media usage by the police is still a relatively new field, and there are benefits to be had through closer collaboration between disciplines. There is a pressing need for more research, particularly ethnographic research, into the impact of new communications media on the internal working of policing organisations and on their interactions with the public.

1. INTRODUCTION

In this paper, I look at some of the work of practitioners and academics about social media usage by the police. I argue that most of the practice based evaluation is rooted in a discourse about the advantages of adoption and barriers to adoption. The academic work has a number of strands. One focuses on regulation and authority, which is within the adoption discourse. A very different one looks at social media as a source of big data with a view to creating predictive model of future major events, such as disorder. I conclude that there are major themes which have yet to be explored, and in particular the organisational impact of new, relatively open communications channels in hierarchical organisations which necessarily rely on command and control models for their operations. I note that research into social media in policing has yet fully to exploit some of the opportunities which online ethnography and the sociology of networks offer. There remains much to be gained from a closer relationship between social media scholars and the police research community.

Police organisations in a number of countries began to look at social media as both a source of knowledge about the communities they police, a source of intelligence about the activities of people of interest to them, and as a channel for communications with the public at the same time as platforms, such as Facebook, achieved significant popular presence. Innovators in police organisations began what were often local, small scale experiments with the new media, and they began to reflect on what they had learned. Three major events have raised the profile of social media in the policing world and attracted political and media interest. The Arab Spring, the London riots in 2011 and, since June 2013, the revelations made by Edward Snowden about relationships between social media companies and the national security agencies have all underlined the significance of social media for policing and law enforcement , as well as national security. These have properly attracted the attention of researchers. The more modest police experiments in the use of social media have been studied in less detail by the academic community. I argue here that, while there is no shortage of practitioner reflection on these innovations, there is scope for a lot more, and more challenging, research into the institutional impact of social media on routine policing.

Much practitioner work has aimed at raising awareness of the opportunities presented to the police and emergency services by new platforms. There is a growing literature of experiential case studies by practitioners themselves — the Queensland experience in the floods of 2011 (Queensland Police, 2010) or the Greater Manchester Police experience of using Twitter (GMP 2011) to raise public awareness of the range of their control room activities. Indeed, much of the efforts of organisations such as the College of Policing in the UK, or the IACP Center for Social Media in the US can be seen as a bringing together lessons learned from this practical experience.

A comparative approach is taken in 'Best Practice in Social Media Adoption' by published by the Frauenhofer-Institute as part of the FP7 COMPOSITE programme (Denef 2012), comparing practice in 13 countries, using as data interviews with practitioners. Denef summarises the aims of this work and describes how COMPOSITE has identified the emergence of social media as a pressing issue for the police. The programme takes the view that social media can support the police in engaging in a closer dialogue with the public, support the identification of missing people and help large scale police operations in crises situations. Social media, however, also threaten the police, as offenders, for instance, increasingly use social media to coordinate their actions. Social media makes police actions transparent and challenges the ways in which the police operate.

2. RESEARCH THEMES

The need to understand how the police could best exploit social media was made more urgent by the experience its use by non-state actors in public order incidents such as the anticapitalist protests of 2010 and the UK riots of 2011, and by the debate about the role of social media as a tool for popular organisation in the early phases of the Arab Spring in 2011. But while, in the UK at least, there was political pressure to react and develop operational capability, variously articulated by Ministers and the regulatory body HM Inspectorate of Constabulary, there was less pressure for reflection on practice in order to understand whether more profound changes in police organisations and their relationship with the public which were being brought about by social media.

There is a strong element of advocacy in the practitioner material. There has been the development of a community of social media users within police forces and organisations, which is highly committed to spreading what they see as an innovation of undoubted value to as many colleagues as possible. Indeed, one of the fundamental questions, which COMPOSITE addresses, is 'how to explain the issue of non-adoption'.

In parallel, the academic world to some extent, think tanks to a greater extent and the press most of all have developed a discourse about the changing nature of the policing task which has been brought about by the emergence of social media. This is manifested in three ways:

The emergence of new forms of crime and antisocial behaviour — online pornography, bullying, verbal sexual abuse, new types of fraud;

The opportunity afforded to law breakers to improve their own communications and so present new risks — rioters, terrorists most spectacularly;

The development of new opportunities for the police to create and develop sources for intelligence, either in relation to the investigation of particular offences, covert investigation of groups and organisations, or the analysis of wider social trends as a basis for predictive policing.

In this last case, social media has become one of a number of sources for big data analysis. The examples, which have been discussed, include big data correlations in relation to natural emergencies as much as to criminal or public order trends.

Much of this debate has become focussed on issues of legitimacy and the safeguards for the public in respect of the enhanced capabilities of states to mount surveillance operations against social media usage. This is after all at the heart of the Edward Snowden case and the subsequent public debate about whether the US authorities have been complying with their own regulatory requirements or not (Greenwald 2013). For social media more generally, the work which Jamie Bartlett has led at Demos (Bartlett *et al.* 2012), has identified the challenges which

social media provide to existing systems of authorisation and regulation, particularly when applied to the collection of analysis of material produced by individuals on social media sites but which are openly accessible. There has been similar discussion in recent work by Eijkman and Weggemans (2013) and extensive further discussion now seems inevitable following the disclosures about the activities of the NSA.

There has been less exploration of the effectiveness of social media usage. This is of course not to suggest that police engagement with social media has no effect. Police communications leads and investigators alike would have little time for it if this were the case. But there have been relatively few attempts systematically to look at what is different about the way the police interface with the police works when it takes place in social media environments, and how that interacts with, and changes, non-virtual environments — in so far as this is a useful distinction to make. (Bartlett 2013).

Assumptions that are made about the impact of social media use need to be well founded in evidence. Even if impact seems to be intuitively likely, and supported by anecdote, there is still a need for scrutiny. For example, in discussing social media as a means of pushing information, COMPOSITE (Denef *et al.* 2012) speculates that

'[w]hile not every citizen is using social media at all or is a member of the popular networks, social media encourages sharing information across people and networks, so that even citizens who are not directly subscribed to a police force's information can also receive the updates through their friends. By using social media in this way, police forces become more independent from the press and open to immediate connection to the general public' (p.18).

This touches on a number of issues which invite further investigation and call for data. One is about the relationship between the mainstream press and social media. Social media are unquestionably of increasing important as a source for mainstream journalists. This was notably evidenced in the Arab Spring. There now appears to be some consensus that the crucial element is the interaction between social media and conventional media — and real world protest in this case.

It is not necessarily the case that social media have had the disintermediating effect implied by COMPOSITE. Manuel Castells (2012), for example, considers that in Tunisia, 'there was a symbiotic relationship between mobile phone citizen journalists uploading information to YouTube and Al Jazeera using feeds from citizen journalists and then broadcasting them to citizens at large'. Nor should we assume that the way these relationships work in a particular situation, as in extreme events such as riots or popular demonstration against the government , is a good guide to how people get information from social media or the press in, for example, less tense neighbourhood policing contexts.

There are also signs of uneven development in the way social media are having impact on the press's conceptualisation of its role, and of others' appreciation of it. The discussion of police and press relationships which occupied public attention in the UK in 2012 during the Leveson Inquiry into the culture, practice and ethics of the press (Leveson 2012) is a case in point ( ). The very cautious acknowledgement that things were changing as a result of social media suggests at least that there is scope for more research.

3. FURTHER DIRECTIONS

There has been extensive academic research in non-police contexts about online behaviours and identity, the relationship between online networks and other social networks and users' attitudes to privacy, but this academic discourse has largely left policing to one side. This suggests three areas where the work of researchers can be further developed and applied to policing practice. The first theme is about quantitative research and the boundary between quantitative and qualitative work. The other two are about the scope for more qualitative work.

3.1 BIG DATA

Social media are a source of unprecedented amounts of data, a lot of it personal data in that it's about individuals, and much of it apparently openly available and public at the same time. This looks like a boon for social scientists and investigative organisations like the police in equal measure. Both are attracted by the sudden

availability of what looks like very immediate information at a low cost. This is against a background in which not only are budgets under pressure, but the inherent costs of data collection and analysis, and of information assurance, have historically tended to rise. The sociologist George Homans said in 1974 'The methods of social science are dear in time and money and getting dearer every day' (cited in Goulder 2010). Now, in Vint Cerf's words, 'We never, ever, in the history of mankind have had access to so much information so quickly and so easily' (cited in Boyd 2010).

Danah boyd reminds us that what gets lost in this excitement is a critical analysis of what this data is and what it means (boyd 2010). She raises five cautionary points about the limits of big data as a research tool. Although Boyd does not consider the application to policing, these are of particular concern in trying to use social media data as a basis for predictions of large scale social behaviour, such as crime trends or possible hotspots for disorder.

Boyd's first point is that 'Bigger Data are Not Always Better Data'. Big Data isn't always a whole data set. Twitter has all of Twitter. But most researchers don't have all of Twitter. At best, they have access to the set of public tweets. It is more likely though that they have the stream of public tweets from the public timeline. These tweets aren't even random, nor is it apparent, what selection processes are actually at work in the creation of the sample.

The second is that 'Not All Data are Created Equal'. Big Data introduces two new popular types of social networks derived from data traces: articulated social networks and behavioural social networks. Articulated networks are those that result from the typically public articulation of social networks as in the public list of people's Friends on Facebook. Behavioural networks are those that are derived from communication patterns and cell coordinates. Each of these networks is extraordinarily interesting, but they are not the same as what sociologists have historically measured or theorised in discussing social networks.

Boyd goes on to remind us that 'What and Why are Different Questions', in other words why people do what they do online cannot be read from what they do in any simple way. Hence it is also necessary to 'Be Careful of Your Interpretations'. Finally, she advises that 'Just Because [the data] is Accessible Doesn't Mean Using It is Ethical'. This is of particular concern for law enforcement authorities and takes us back to the discussion about authorisation.

In other words, social media aren't as easy to exploit as may have been hoped, and some kind of operational benefits are unlikely to be straightforward to realise. The COSMOS project, based at Cardiff University, identifies four issues in particular for the police. Dealing with these is a current challenge for computer scientists and social scientists alike who are working on police data sets. The project has highlighted the problems for researchers of handling material in bulk. COSMOS archives and collects 350 million tweets per day (1 % total). Data from social media often comes with a relative lack of metadata, such as information about location or the identity of the author. The content may provide no easy means of distinguishing rumour from useful intelligence (although this is not a unique problem for social media data). Finally, and perhaps fundamentally, the reciprocity between online expression and offline action is still largely not understood. Further investigation is necessary before full advantage can be taken of the new digital tools of 'neighbourhood informatics'.

In their analysis of social media use during the 2012 Olympics, COSMOS concludes that not just real world events (such as UK gold medal wins) but also media comments about those events drove peaks in tweeting about games. This has led to the conclusion that the results achieved through this kind of research 'provides the means of beginning to treat social media data (and its analysis) as a social scientific measure of the pulse of the world' (Burnap *et al.* 2012)

In a recent paper in the international journal *Policing and Society,* Martin L Williams *et al.* (2013) from the COSMOS project have looked to apply this approach to the way that police forces in the UK to assess tension i.e. potential civil unrest and public order issues. They argue that the 2011 riots demonstrated the existence of what they describe as cyber-neighbourhoods but that the police had only limited success in collecting and using intelligence from these new neighbourhoods. To do so successfully requires bespoke tools which can be measured against existing sources of intelligence.

Existing guidance to the UK police about the use of intelligence about potential public unrest recommends the use of both conventional qualitative and quantitative indices. COSMOS proposes that analysis of social media communications is also used. They believe it may reorient both police and public understanding of tension and social cohesion through reference to the mass of user-generated accounts of social problems in particular contexts and in near, and possibly real, time. If the social media can be adequately sampled and used to indicate 'offline' behaviour, the analysis of this kind of data could be a revelation in broadening public understanding of civil unrest and attenuating dependence on elite, retrospective, constructions of social problems.

The COSMOS paper concludes that extremes in positive and negative sentiment are not directly related to tension and that tension detection requires more than sentiment analysis alone. Both sets of results provide evidence that their social media tension-monitoring techniques are faster than human coders, and can handle more data, and are more accurate than other machine supported classification engines.

It is apparent that sound conclusions based on these new methodologies are likely to be limited in their scope. This looks like the beginning of the development of operationally effective analytical tools, not the end of it. The use of social media fits into a context in which there are also existing sources, and that means that there is a need for examination about how the organisation uses information in order to make decisions. This takes us outside the realm of computer scientists.

3.2 NETWORKS, STYLE AND IMPACT

In 2010, I did a very short piece of research into the use of social media by the UK police for citizen engagement (Crump 2011). I relied heavily on the work which Nick Keane (now of the UK College of Policing) had done in bringing together practitioners in UK police forces, and in mapping the extent to which the various forces were exploiting this opportunity. What I particularly wanted to look at was how notions of online community related to that of community policing, since it was in the context of neighbourhood policing that forces were experimenting with allowing front line officers to manage accounts on behalf of the force. I wanted to ask the question of how large were the Twitter networks that were being formed, who was in them, and how far did they create new forms of interaction rather than replicating traditional forms of police/public communications in new contexts. This was before the 2011 riots changed the seriousness with which police leaders took social media, and the size of the samples and the number of interviews I could carry were limited, so any conclusions were tentative.

What I did conclude was that, while most networks were small, and the extent of two way communication was limited, there was scope for police forces to do more analysis of who their followers were in terms not only of their real world influence but also in terms of their influence within networks and look at strategies for building engagement with them. COMPOSITE has undertaken work on the use of Twitter during the London riots which is described as '…a first step into detailing how disparate adoption and usage patterns of Twitter emerge during crises' (Denef *et al.* 2013). This work also provides a first indication of the effects on image and relationship with the public.

3.3 SOCIAL MEDIA AND THE CULTURE OF POLICE ORGANISATIONS

The discussion of the work of the COSMOS programme already hints at the need to begin work on organisational issues which relate to the social aspects of technology adoption as well as the computer science issues. On the whole, this aspect of the study of social media in policing has yet to be systematically addressed although the range of issues for investigation is broad. (Bartlett *et al.* 2013).

There is of course a long tradition of studies of police occupational culture. There have been a number of studies framing issues of innovation, and resistance to it, in terms of knowledge and information. For example, Helen Gundhus (2013), in a study of change in knowledge management in the Norwegian Police Academy finds that new knowledge regimes are met with resistance, not only because the stubbornness of police occupational culture, but also because they threaten what is perceived as meaningful professional practices.

It is certainly a testable hypothesis, for example, that the introduction of social media analysis to

established processes for assessment of public tension could meet just such cultural resistance. Similar approaches to the study of organisational culture have been undertaken in relation to other professions. Journalism is an instructive case, not least because of the long established, symbiotic relationship between policing and the press, and evidence in some countries of unease about its suitability for a more transparent era. In their article `Open source and journalism: toward new frameworks for imagining news innovation', Lewis and Usher (2013) identify the new phenomenon of the programmer journalist, a wholly new category from early models of the computer-aided reporter. These programmer-journalists aim to produce not stories but filters for information. They become curators of the world of user-created content, they manage public debate rather than looking for scoops. Their values are those of transparency, iteration, tinkering and participation, rather than exclusivity. In order to try to establish whether this challenge to the established world of news reporting actually exists, Lewis and Usher analysed a large sample of journalists' blogs to look for evidence of journalists deviating from their role as nonpartisan information providers by expressing personal opinions; sharing their gatekeeping role by including postings from others in their microblogs; providing a semblance of accountability and transparency to their professional work by offering their audiences links to external websites that background the information they provide.

The conclusions are disappointing for the innovator, if predictable. Lewis and Usher find that while journalists and technologists are working together to bring open-source tools into the newsroom, this hasn't challenged old processes of news work or old news values. New tools are used to help journalists do what they have always done. Newsrooms have been quick to impose social media ethical guidelines; instead of experimenting with how audience participation might change the journalism conversation, news institutions have tended to retrofit yet another reporting tool.

The alternatives are not easy though — annotative journalism; journalism as knowledge management, with journalists as curators of the collective knowledge. This is borne out by studies of how journalists use Twitter as well. Twitter alike show journalists reluctant to give up their gatekeeping role and engage in 'ambient journalism' (Lasorsa *et al.* 2011).

Why is this of interest for policing? Because while there is a hypothesis that hierarchical, command and control police culture and organisation is at odds with the openness of the world of user-generated content, it is not clear what the resolution of this means in practice. As for the journalists investigated by Lewis and Usher, there has been extensive work in the creation of guidelines and codes of practice. There has also been disciplinary action on the basis of those codes against individual officers. But I don't think we have a systematic, as against an anecdotal, view of the ways in which social media, both as a source of information coming into forces or as a means of communicating outwards from them, has had an impact on power relationships and organisational structures. Is it, as in the journalism examples, a tool for doing established work better, or is it the basis of a wholly new way of working?

In the intelligence community, one of the responses to 9/11 was the publication of an article by Calvin Andrus (2005), from the CIO's office in the CIA 'The wiki and the blog: towards a complex adaptive intelligence community'. Andrus identified the need for bottom up approaches and compressed response times, and saw social media tools as the way to achieve that. These now include A-Space, Intellipedia and TAG|Connect but one could also suggest that the kind of networked analytical tools offered by i2 and Palantir import similar, if more structured, approaches. (Werbin 2011)

Police forces have begun to develop similar knowledge management systems — e.g. the Police Online Knowledge Area POLKA in the UK. The research challenge is to know how they are changing the way information is created, owned, used and conceptualised in forces.

4. OPPORTUNITIES

The impact of social media on policing is still a relatively new phenomenon. For the research community, the time since police forces began to use social media is little more than a single cycle of grant application, data collection, analysis, peer review and publication ago. During that time, social media themselves have evolved in

the way and the extent to which they are used by the public and the police alike. It is no surprise that the research effort has been diffuse and heterogeneous up to now, and that it has yet to have a strong impact on practice. There are a number of observations which may have some bearing on the further evolution of this work.

Practitioners' reflections on their work will remain of great importance in sharing good practice. Nothing I say here is intended to detract from that. But there is scope for the academy to work together with police organisations to create additional level of analysis and insight. The kind of activity which I think would inform these include:

- Ethnographical studies of police social media behaviours (Skinner 2013);

- Similar studies of social media users which begin to understand the effect of police interventions. They might consider for example how enthusiastic are followers of police sites, and how impactful are police interventions?

- Structural approaches to police networks: who is in them? How do they change over time, and how do they work? In particular, how do they work in times of stress, such as a major incident or a controversial issue?

To do this effectively, there is a need for a more systematic approach to data collection. An observatory would benefit from the ability to formulate research questions and hence data requirements in advance of incidents. It would also be a means of creating reassurance that research ethics were being properly applied in a transparent matter to the collection and analysis of the data, and the publication of findings. It is particularly important for example to bear in mind the name to protect the interests of individuals even where the expectation of privacy is low e.g. if personal details might be revealed or unsubstantiated allegations be made about individuals. It is for consideration whether the COSMOS observatory offers sufficient access to bulk Twitter data to form the basis of this activity. It may in any case be necessary to establish more focussed data collection in order to create data to understand the evolution of social networks involving contact between the public and the police, using both online and survey sources.

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MAPPING POLICE COOPERATION STRATEGIES IN THE EU AND AUSTRALIA: IMPROVING INTER-AGENCY UNDERSTANDING

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Keywords: Police Cooperation, EU, Australia, Federalism

Abstract: This contribution presents both the EU and the Australian system of police cooperation in comparative socio-legal perspective and highlights some of the reasons why law-enforcement cooperation in the EU might, to some extent, be considered more advanced. The article also aims at answering the question whether EU police cooperation is today comparable to strategies employed in a federal system, such as Australia, or whether it is still closer to international cooperation.

To find out about the structure of police cooperation in the EU this study employed a comparative socio-legal approach and juxtaposed both legal texts and practitioner attitudes in the area of law enforcement cooperation in the two systems. Interviews with practitioners were conducted with a view to investigating the extent of implementation of laws fostering police cooperation in the EU and Australia. It could be concluded that EU law-enforcement cooperation is distinctly different from both federal and international cooperation strategies. EU strategies are more formalised than Australian strategies as both bilateral and multilateral strategies between EU Member States have often been regulated at the supranational level. Compared to international cooperation, EU strategies are more far-reaching and go beyond international sovereignty concerns. What is most striking to learn in the comparative context is that the level of enthusiasm for cooperation (as measured by interview response rates) is much higher in the EU than in Australia. It follows that regulation of police cooperation, rather than having a strong legal effect, could be a major sociological factor impacting on practitioner enthusiasm.

I. INTRODUCTION

This article gives a brief summary of the author's recently published comparative socio-legal study titled *Policing Cooperation Across Borders — Comparative Perspectives on Law Enforcement within the EU and Australia* (Hufnagel, 2013). It outlines the main new insights into police cooperation that can be gained from this analysis. Drawing on interviews with practitioners, a number of areas where the EU can be compared to a federal system are highlighted and the advantages and disadvantages of being a Union or a federation of states with a view to police cooperation practice are addressed. Particular topics that will be given attention are the evolution of legal frameworks regulating police cooperation, Joint Investigation Teams, Europol and regional cooperation.

An important question to be asked in relation to EU police cooperation is whether it is today comparable to strategies employed in a federal state, such as Australia, or whether it is still closer to international cooperation. The short answer to this question is that EU law-enforcement cooperation is distinctly different from both federal and international cooperation strategies. With regard to federal, and specifically Australian, police cooperation, EU strategies are more formalised as both bilateral and multilateral strategies between EU

Member States have often been regulated at the supranational level. Compared to international cooperation, EU strategies are more far-reaching and go beyond international sovereignty concerns. This contribution presents both the EU and the Australian system of police cooperation in comparative socio-legal perspective and highlights some of the reasons why law-enforcement cooperation in the EU might, to some extent, be considered more advanced.

II. COOPERATION STRATEGIES IN THE EU

The development of police cooperation in the EU in the last 20 years is impressive, not only considering that many of its current members were in a state of war less than 70 years ago (Dedman, 1996, pp. 10-11; Pinder & Usherwood, 2007, pp. 1-3), but also in comparison to cooperation within federal systems, such as Australia. The study this article is based upon has concluded that many cooperation strategies, like access to data such as criminal records, has in some federal systems not been developed much earlier than in the EU between sovereign nation states. This is particularly remarkable considering that police and criminal justice cooperation and a common security policy were not even envisaged when the European Economic Community (EEC) was established in 1957 (Preamble to *Treaty Establishing the European Economic Community;* Pinder & Usherwood, 2007, pp. 3-6). The EU was formed mainly to prevent future wars among the Member States by including them in one entity with common interests and goals (Ibid; Craig & de Búrca, 2011, p. 7). Economic cooperation aimed at establishing an internal market within the EEC then culminated in the Single European Act in 1986, with Article 8A providing for the abolition of border-controls between Member States (*Single European Act*). The *Treaty on European Union,* which was signed in 1992, was the first to integrate law enforcement between the Member States (*Treaty on European Union*). In its Title VI on Co-operation in the Field of Justice and Home Affairs, which was a significant step towards a harmonised EU framework on police cooperation, it provides for this integration (Den Boer, 1996, p. 247; Fijnaut, 2004, pp. 241-242). Article 29 of the TEU prescribed that citizens should be provided with a high level of safety within an area of freedom, security and justice by preventing and combating crime through closer cooperation between police forces, customs authorities and other competent authorities in the Member States.

Existing police cooperation strategies between EU Member States today go far beyond the founding aims of creating peace, economic prosperity and stability in the EEC. Advanced bilateral and multilateral cooperation initiatives have developed and require the partial surrender of sovereignty rights in order to facilitate the exercise of powers of law enforcement on foreign territory (See, in relation to the Belgium, German, Dutch Cooperation in the common border region: Spapens, 2008, pp. 225-226; and more generally: Sheptycki, 1996, p. 10). This development is particularly remarkable as policing is one of the most 'sovereignty sensitive' functions of a nation state (Wallace, 1999, pp. 509-510). Furthermore, cooperation strategies were developed despite the existence of divergent cultures, structures, languages and histories of police organisations in the Member States (Hebenton and Thomas, 1995, pp. 24-37).

Police cooperation has increasingly become a focus of European attention since the 1970s and the onset of the threat of terrorism in Europe (Busch, 1995, pp. 285-292). This led to the development of a number of intergovernmental initiatives (which are comparable to Australian cooperative federalism). Three ways of promoting police cooperation developed in the EU and are therefore the focus of this comparison. The first are 'legal' strategies, such as supranational legal frameworks and the harmonisation of criminal law and procedure. The second are 'compensatory' strategies, created to counteract or compensate for the current lack of legal regulation and harmonisation in this field and to overcome cultural and structural differences of the organisations involved. 'Compensatory' strategies in this context are common education and training, common forums and common institutions or agencies. The third are advanced 'regional' cooperation strategies, encompassing the previous two strategies but developing them further in the regional context.

What can already be stated with a view to Australian strategies is that legal strategies are nearly non-existent. Australia relies on the existence of its federal police more than on legal frameworks and harmonisation facilitating cooperation between its states and territories. However, Australia also

has a number of 'regional' frameworks, which exist bilaterally and multilaterally between some of the states and territories. The difference between these and EU regional strategies is that they have not been formalised through treaties and agreements and therefore have no power to influence federal law. Australia and the EU show most similarities with regard to 'compensatory' strategies. Both employ liaison officers in the other jurisdictions and offer common education and training, as well as other practitioner forums to overcome the lack of legal frameworks and harmonisation. On the sociological rather than the legal level, many similarities do therefore exist.

With regard to the EU, one of the most important developments in the area of police cooperation was the establishment of a common legal framework under the Schengen Agreement *(Agreement between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the Gradual Abolition of Checks at their Common Borders 1985)*, which had the effect of relaxing common border controls. The Schengen Agreement, together with all the decisions of the Executive Committee, was supplemented by the 1990 Convention Implementing the Schengen Agreement (Schengen Convention or Schengen Acquis, D'Oliveira, 1996, pp. 268-269). The Schengen Convention provided for the gradual abolition of borders between the EU Member States signatories, with the view to creating an internal market without frontiers, enabling the free movement of goods and persons *(Europa, Summaries of Legislation, 2014)*. While it is a harmonised EU legal framework today, the Schengen Convention commenced as a regional initiative and borrowed from other regional frameworks, such as the Benelux and Nordic countries cooperation and the informal Dutch, Belgium and German cooperation network 'NebedeagPol', which highlights the importance of regional frameworks to stimulate innovation and enhanced police cooperation in the EU.

It is debatable whether the abolition of internal borders in the EU genuinely heightened the risks of cross border crime, and therefore justified enhanced cooperation under the Schengen Convention, or whether the calls for greater cooperation were simply opportunistic political rhetoric (Busch, 1996, p. 319; Anderson, 1994, pp. 3, 9-11). It is reasonable to assume that suspected criminals entering neighbouring countries, and thereby into another jurisdiction, pose difficulties for the police pursuing them, such as obtaining arrest warrants, permission to continue the pursuit or general assistance of the police from the country entered (Hertweck, 2005, p. 721; Schneider, 1998, p. 306; Storbeck, 1993, p. 175). A heightened significance of police cooperation in the EU in the last 20 years can probably be attributed to a number of factors, apart from the perceived increased risks of cross-border crime flowing from the abolition of border-controls. These include, for example, the effects of globalisation, terrorism, organised crime and, generally, the increased mobility of offenders (see inter alia, Bowling, 2009; Busch, 1996; and in relation to the impact of globalisation on policing, Reiner, 1992; Sheptycki 2009a and b). These factors have clearly affected the EU and Australia alike.

In addition to the Schengen regime, many regional cooperation frameworks have developed in the EU: for example, the Nordic Police and Customs Cooperation (in Norwegian: PTN) (Gammelgård, 2001, p. 232), the Benelux cooperation *(Treaty Concerning Extradition and Mutual Assistance in Criminal Matters between the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands),* the Cross Channel Intelligence Conference (CCIC) (Gallagher, 2002, p. 121), the Meuse-Rhine Euroregion cooperation (Spapens, 2008, 225-226) and numerous Police and Customs Cooperation Centres (PCCCs) (Mitteldeutsche Polizeiakademie, 2010; Overview of PCCCs, 2006).

While enhanced regional cooperation could be regarded as beneficial, it has been claimed to lead to the emergence of a so-called 'patchwork' system of cooperation (Benyon, 1994). This can also be observed in the Australian context. Being political entities consisting of multiple jurisdictions, some of those jurisdictions have developed stronger links with each other and hence engage in more cooperation, while others have remained excluded from more advanced practices. While in the EU many neighbouring states have developed bilateral and multilateral treaties and agreements to enhance cross-border cooperation, a multitude of EU initiatives have equally developed to improve cooperation and set minimum standards in certain areas (Böse, 2007, pp. 235-279). Due to the resulting diversity of bilateral, multilateral and EU strategies, the creation of an overarching legal framework

governing police cooperation has frequently been discussed (Mitsilegas, 2009, pp. 59-110; Klip, 2009; Klip & van der Wilt, 2002; Asp, 2001). Since the Treaty of Lisbon in 2007 *(Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community),* these discussions have become even more vivid (Ladenburger, 2008).

Although common legal frameworks can be said to exist in the EU, such as the Schengen Convention, their implementation is far from uniform (Joubert & Bevers, 1996, p. 11 [in relation to languages], pp. 15-17 [in relation to different interpretations]). EU legal frameworks provide general strategies for police cooperation, which need to be translated into national legislation and bilateral or multilateral treaties and agreements to become operational at the national level (Article 39, para 5 of the Schengen Convention). The differences in the implementation processes and in legal systems in relation to criminal law, procedure, data protection and evidence laws therefore continue to hamper cooperation (Joubert & Bevers, 1996, pp. 538-542; Interview German-French Police and Customs Cooperation Centre). It became one of the major tasks of European integration to improve cooperation by creating harmonised legal regulation and 'compensatory' measures with a view to common standards, practices and institutions (see, for the distinction between the three legislative dimensions, Monar, 2006).

Problems in the area of information exchange have led to the recent establishment of another prominent legal framework, the Prüm Convention *(Convention Between the Kingdom of Belgium, the Federal Republic of Germany, the Kingdom of Spain, the French Republic, the Grand Duchy of Luxembourg, the Kingdom of The Netherlands and the Republic of Austria on the Stepping up of Cross-border Cooperation, Particularly Combating Terrorism, Cross-border Crime and Illegal Migration),* which implements a system of mutual recognition in the field of information exchange. Furthermore, the establishment of Europol in 1995 *(Council Act of 26 July 1995 Drawing up the Convention based on Article K.3 of the Treaty on European Union on the Establishment of a European Police Office)* was intended to improve the sharing of data between the Member States' law enforcement agencies. Europol can to a certain extent be compared to Australian federal agencies, as it provides for a law enforcement institution with overarching responsibility for national jurisdictions within the EU and because it can participate, similar to the Australian Federal Police, in Joint Investigation Teams, despite its lack of law enforcement powers.

III. AUSTRALIAN POLICE COOPERATION STRATEGIES

Unlike the EU with its 28 Member States, Australia is only divided into nine different criminal jurisdictions (Bronitt, 2009, pp. 2, 4). However, similar to the EU, each of these is policed by its own police force and specialised law enforcement agencies (Finnane, 1994, pp. 14-23). Problems of border crossing, information exchange and joint investigations are therefore confronted due to differences between state and territory laws in the field of substantive and procedural criminal law and data protection laws (Bronitt, 2009, pp. 2, 4). Another factor that is less frequently considered, but no less important, is the difference in organisational culture and investigative techniques of the state and territory police forces. The difficulties of cross-border enforcement in Australia are particularly apparent in relation to calls for new laws to enable cross-border investigation in the last decade. These reform proposals deal primarily with mutual recognition of law governing controlled operations, assumed identities, electronic devices and witness anonymity (Standing Committee of Attorney General and Australasian Police Ministers Council Joint Working Group on National Investigations, 2003, i).

While similarities between the EU and Australia are apparent in relation to the situation of policing across borders, major constitutional differences exist that need to be considered when comparing both systems. Unlike the EU, Australia is one nation, established as a constitutional democracy *(Chapter I, Australian Constitution).* It therefore is governed by constitutionally established federal organs of government with clear federal competences *(Chapter II, Australian Constitution).* However, similarities are created by the sub-division of Australia into states and territories following the former system of colonies (Parkinson, 1994, p. 148). The power to enforce state and territory laws and the autonomy in making these laws stems from the *Australian Constitution,* which confers some degree of autonomy in relation to

legislative powers on the states. This has similar effects, in practice, as EU Member States' national sovereignty. By cooperating with other states and territories, for example, by exchanging information or allowing foreign police on one's territory, state sovereignty in relation to national jurisdiction and law enforcement is endangered. Only Australian states have sovereignty under Chapter V, s 108 of the *Australian Constitution,* while the two territories (Northern Territory and Australian Capital Territory) are more dependent on the federal state. However, the territories also have their separate jurisdiction, police and criminal legislation. This constitutional framework led to the need for states and territories to either trade powers on a bilateral and multilateral basis or give up competences to the federal government to enhance cross-border police cooperation.

Like EU Member States, Australian states and territories can enter into bilateral and multilateral relationships amongst themselves. On this basis, Australian states and territories have developed a number of initiatives to counter cross-border crime, mostly in the form of Memoranda of Understanding (MOUs), with other domestic jurisdictions. A recent multilateral cross-border initiative, called Ngaanyatjarra Pitjantjatjara Yankunytjatjara lands (NPY lands) cooperation, between the Northern Territory (NT), Western Australia (WA) and South Australia (SA), for example, led to the ceding of competences between a territory and two states (Standing Committee on Legal and Constitutional Affairs, 2009, Chapter 2).

The most prominent agencies in the areas of multijurisdictional policing and information exchange are the Australian Federal Police (AFP) and CrimTrac, an agency created under a multilateral MOU between all states and territories and the Commonwealth to facilitate information sharing (CrimTrac, 2009). Another initiative to harmonise cross-border policing standards and practices in Australia is the creation of model legislation (Standing Committee of Attorney General and Australasian Police Ministers Council Joint Working Group on National Investigations, 2003, i), though this is, similar to EU framework decisions and conventions, rarely implemented uniformly by states and territories. Despite Australia being a Federation, a uniform legal framework for police cooperation does not exist. This causes problems for police cooperation comparable to the 'patchwork' system in the EU.

Despite the similarities of the EU and Australia at the legislative level, the comparability at the executive level is more unbalanced. Both objects of the comparison differ considerably in relation to their population size and degree of historical, cultural and organisational diversity. Australia's population size is about 23.4 million (Australian Bureau of Statistics, 2014). This compares to 503 million inhabitants of the EU (Europa, 2014). Australia covers a total area of 7,692,024 sq kilometres (including islands) (Australian Government, 2009). This compares to the EU area, which covers about 4,300,000 sq kilometres (Europa, 2009). All police forces in Australian states and territories have developed according to the British model, and at about the same time, with some necessary adaptation to the colonial context (Finnane, 1994, pp. 14-23). The differences in history, structure and culture of Australian police forces are therefore much more subtle than those in EU countries. Policing structures in the EU differ significantly from Member State to Member State according to the particular state structure (whether centralised or decentralised), historical events (e.g. wars) and legal cultures (e.g. common law or civil law) (Fijnaut, 1994, pp. 600-603). However, both systems are today promoting 'compensatory' strategies, such as common education and training of police across different jurisdictions (Lafferty & Fleming, 2000; Pagon, 1996; and in relation to CEPOL, Occhipinti, 2003, pp. 126-129). This shows that similarities exist even at the executive level.

IV. EU SIMILARITIES WITH THE FEDERAL AUSTRALIAN SYSTEM

The existence of common 'compensatory' strategies in both systems indicates that police organisations share many sociological similarities with regards to police cooperation. A major difference and advantage of EU cooperation compared to Australian strategies is the existence of harmonised legal frameworks, such as the Schengen Convention and the 2000 Mutual Legal Assistance Convention, governing police cooperation in the EU. They could hence be a model that has the potential to improve police cooperation in Australia (as confirmed by the recent calls for legal frameworks by Australian practitioners).

Another advantage of EU police cooperation is that advanced regional cooperation initiatives have been developed and implemented in trans-national and supra-national legislation. The importance of this 'law generation' process at regional and EU levels is not so much the greater legal certainty and formal fostering of cooperation, but the recognition of practitioner efforts at the Member State and EU levels. It became apparent in interviews conducted in Australia that the lack of such 'law generation' was frustrating for practitioners developing sophisticated strategies in border regions. The establishment of such legal norms in Australia could therefore potentially enhance cooperation in the federal system by fostering practitioner enthusiasm.

Furthermore, Australia is, unlike the EU, policed by federal agencies and their impact on cross-border policing has been assessed with a view to informing the development of Europol. The existence of a federal police agency, while not possible in Europe in the near future, is also very problematic in Australia. Cooperation between states has been reported to work, at least at an informal level, very well, while cooperation with the Australian Federal Police is marked by resentment and prejudice as well as a fear of loss of competences. However, an area where the AFP has received high praise from states and territories is the Joint Investigation Teams (JITs). JITs in Australia are differently organised to those in the EU and often also include non-law enforcement agencies, such as social services. Throughout the interviews for this study, the AFP has been applauded for its leadership, knowledge about different legal systems within Australia and financial support, which significantly facilitate cross-jurisdictional cooperation. Here, the similarities of the EU with a federal system become particularly apparent. Europol, while unlike the AFP bare of enforcement powers, can already participate in JITs and provide its expertise and other support to them. In the light of the Australian experience, it could be questioned whether Europol would be significantly improved by having enforcement powers or whether this would only lead to a future fight over competences and resentment of the Member State's police forces similar to many federal systems, such as Australia.

It can hence be concluded that Australian practitioners would welcome the creation of common legal frameworks, such as the Schengen Convention on police cooperation. The existence of such legal strategies in the EU can hence be viewed as a major advantage compared to a federal system. However, assessing the political and legal development in the Australian states and territories, a consensus on such measures will not be created in the near future. States are scared of giving up their limited powers (which in another publication by the author has been termed the 'fear of insignificance' — Hufnagel, 2010) and apply the adage 'if it ain't broke, don't fix it'. While regional strategies have developed in Australia to promote cross-border law enforcement, none of these have been formalised through legislation between participating states or taken up as a national strategy. This impacts on practitioner enthusiasm with a view to cooperation, as none of their efforts seem to be recognised at the state and national level. Compared to Australia, it can be noted that the practitioners interviewed for this study in the EU, while being critical of the legal provisions, showed a much higher level of enthusiasm towards cooperation than was apparent in Australia. This might point to another significant advantage of the EU: cooperation within it is still international as it involves sovereign nation states and therefore more exciting and marked by professional status than cooperation within a national system. A last recommendation to the EU could therefore be not to lose the individuality of the systems and not to harmonise too many rules, as the differences seem to keep practitioner creativity and enthusiasm alive.

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CRIME, SCIENCE AND POLICING

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Keywords: Crime prevention, policing, crime science.

Abstract: In almost every country on earth the primary means used by governments in the control of crime involves the use of a criminal justice system – police, courts and prisons etc. This paper will suggest that, important though these are for delivering justice or retribution, they are not fit for purpose in the 21st Century as a major means of crime control. Much greater emphasis needs to be placed on science and experimentation in developing ways to control crime and particularly in stopping it before it happens. The paper argues for the introduction of crime science as an appropriate discipline upon which to base a more rational and empirical approach to crime reduction and discusses the characteristics of this approach and what it might mean in practice.

1. INTRODUCTION

Crime ([1]) rates are notoriously difficult to measure and we can argue at length about whether or not crime is rising, falling or staying the same. In this paper it is accepted that in general rates of crime rose throughout a large part of the last century in most of the advanced western democracies – Europe, the USA, Australia and so on. Much of this rise, as has been argued elsewhere, was due to the increase in the availability of desirable goods and the changes in social organisation that facilitated theft, burglary and other property crime (Felson and Clarke, 1998; Felson, 2002). As illustration Figure 1 below shows the rise in crime per 1,000 population in England and Wales from 1918-1993.

Along with the rise in crime we saw a rise in the prison populations. In the UK, for example, the prison population rose by 2.5% per annum from

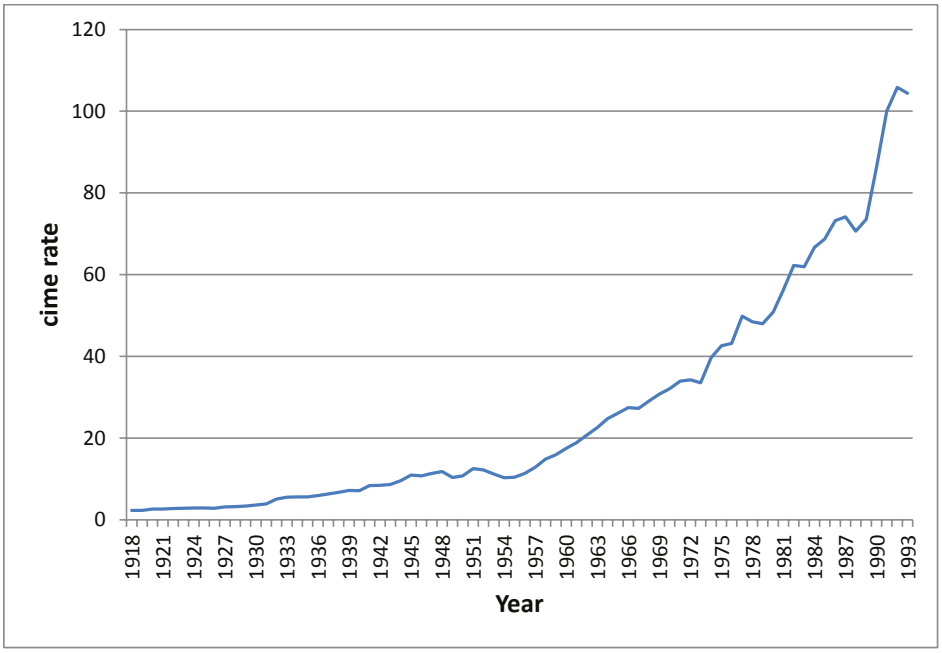

Figure 1: Crime rate per 1,000 population, England and Wales – 1918 -1993

([8]) Although this paper discusses crime the discussion applies equally to disorder and anti-social behaviour, organised crime and terrorism.

1945-1992 and then continued to grow by 4% per annum until 2008-2012 when the annual growth fell back to 1%. In other words an active criminal justice system (CJS) – did not contain the crime rate.

In practice this lack of efficacy is hardly surprising. Figures from the UK Home Office show attrition through the CJS in England and Wales. For every 100 offences committed (as estimated from crime surveys) the public only report about 50 to the police of which 30 are recorded: This 30 result in 7 offences being cleared up and only 3% resulting in a conviction or a police caution. In addition to illustrating attrition through the system the data provide evidence of the low probability of capture, which offenders quickly learn. It also suggests that if we wish to reduce the top line figure of crime then we have to think more about preventing the crime from happening in the first place rather than dealing with it after the event.

So to summarise: Crime rose throughout the latter part of the 20th Century in most western democracies; imprisonment failed to contain that rise; offenders learned that in general they were more likely to escape punishment than not (although this clearly varied by offence (see Burrows, et al, 2005), and the CJS, as a major means of crime control, within the limits set in our societies ([2]) , is failing.

2. HOW MIGHT WE RESPOND TO CRIME?

If the present system has failed what might replace it? The argument in this paper is that more emphasis needs to be placed on the prevention of crime before it happens within an overall context of experimentation and learning. This experimentation should permeate all aspects of society's response to crime including the CJS but not restricted to it. In other words we need to learn how better to prevent crimes and be prepared to experiment both before and after the event. In this way we will build up a body of knowledge on what works, not only in relation to State funded police agencies but to policing in the broadest possible sense – we will have an evidence-base to support decisions.

Becoming more experimental means behaving more scientifically. Carrying out experiments is a defining characteristic of science. Scientists are (ideally) rational; they base their arguments upon logic and they use data. In carrying out experiments they formulate hypotheses and use scientific method to test their ideas. If we take this approach into crime control what would we do? The answer is that at least in the policing field, we would adopt problem oriented policing (Goldstein, 1997) and use the SARA process (Eck and Spelman, 1987) or something like it. SARA stands for scanning (S: taking a broad look at the crime issues across an area and deciding on the nature of the problem); analysis (A: analysing the problem characteristics in depth and particularly looking to identify the opportunities that facilitated the commission of the crime with a view to taking action to remove those opportunities); response (R: the action taken which needs to be clear on the mechanism through which the offending will be reduced (Pawson and Tilley, 1997; Tilley and Laycock, 2002) and finally assessment (A: was the desired effect achieved?).

This process is not trivial. There are issues associated with research design, implementation, ethics, aesthetics and resources all of which need to be considered in the course of working through SARA. We have called this overall approach 'crime science' (Laycock, 2001; Smith and Tilley, 2005) now expanded to crime and security science in acknowledgement of the inclusion of terrorism and organised crime in particular. Crime Science is meant to summarise a number of elements through which crime might be better managed and knowledge on what works more systematically developed. Note it is not called police science. This is because it is about the scientific understanding of crime not of the police, rather as medical science is not called doctor science. Crime science is seen to include not only the police in the control of crime (and by implication the criminal justice system to which the police are seen as the gatekeepers) but also local government agencies, schools, communities, parents and civil society in the broadest sense. As indeed is the case in the field of medicine where it is not only the doctors who maintain health but the government (through the provision of drains, sewers and inoculation systems); adults and parents (in encouraging hygiene in their homes and in their children); industry and commerce insofar as they pay heed to food safety and other aspects of health and welfare.

([8]) If we were massively to increase police numbers or introduce harsher or more punitive punishment then the situation might be different but for reasons of cost, ethics, justice and proportionality we do not do this.

Similarly with crime prevention, where everyone has a role to play from the individual in taking care of their goods, homes, family members and community to the local government in the careful design of street layout and housing through to industry and commerce in the design of goods and services with crime prevention in mind. It is the responsibility of the government to provide the police, courts, prisons and so on but also to create a context within which we can all take responsibility for crime prevention.

The involvement of the designers of goods, services and systems raises the important extent to which other academic disciplines might be involved in crime control. Engineers, for example, have a role to play through their expertise related to systems engineering, electronics and computer design. Similarly other scientists – for example chemists, biologists or botanists – can all assist in the prevention, disruption or detection of crime. In other words almost every discipline has a contribution that might potentially be made to crime control. Reflecting this, crime science can again be compared with medical science as a multi-disciplinary approach to a complex problem.

But perhaps the most relevant aspect of crime science to policing is in the application of scientific method – the articulation and testing of hypotheses, which is involved at every stage of the SARA process. So, for example, the first question is do we have the right problem? If we observe that mobile phones are being stolen in a particular area then we might hypothesise that professional thieves are taking them to sell on at a profit. An appropriate response might be to redesign the phone so that it no longer works when stolen. But further analysis might show that the phones were disproportionately stolen by school children, from each other, on the way to and from school. The problem is not one of mobile phone theft but of school bullying – and this might involve a quite different response reflecting the re-characterisation of the problem.

3. DOES IT WORK?

There is evidence that this approach works and at various levels. For example, in England and Wales the theft of and from vehicles was significantly reduced by problem solving action taken by central government in the early 1990s in pressing the motor manufacturers to fit deadlocks and immobilisers at the point of manufacture (Laycock, 2004; Farrell, et. al., 2011). By 2012 theft of and from vehicles had reduced in the England and Wales by over 65%. Similarly, work by Tilley at al (2011) shows that the reductions in domestic burglary are related to increases in security and further work by Farrell (2013) supports the general hypothesis that the crime drops that have been observed are related to a reduction in opportunities due to increased security.

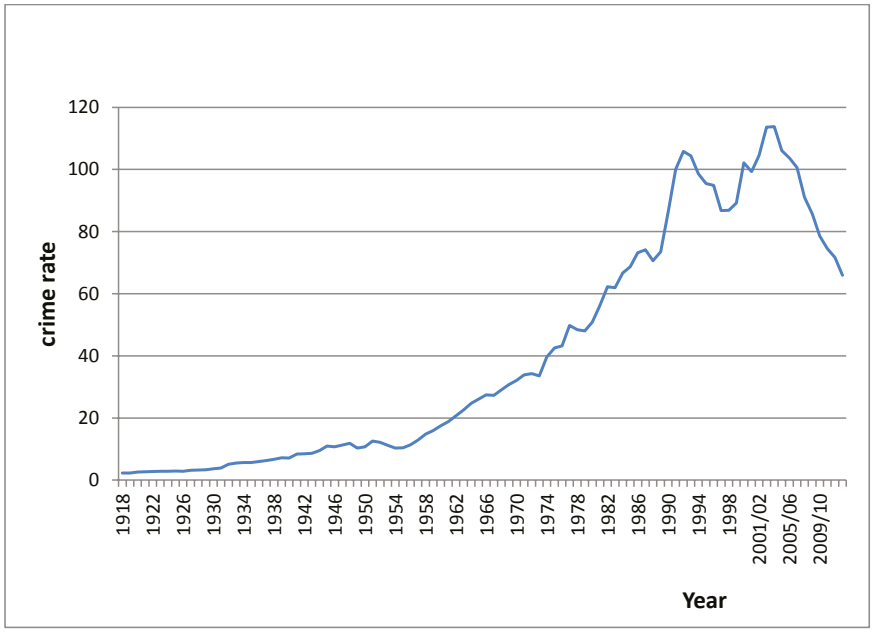

Figure 2: Crime rate per 1,000 population, England and Wales – 1918 -2013

The extent of the crime reduction in England and Wales is shown in Figure 2 below. It covers the period 1918-2013 for comparison with Figure 1. (n.b. The changes from 1999-2003 approximately are caused by changes to the counting rules and shift to measurement by financial year.) Figure 2 illustrates not only the prolonged increase in crime but also the dramatic reductions in more recent years.

A systematic review of problem oriented policing has also shown the approach to be effective when implemented at local level (Weisburd, et al, 2010). For example, the Goldstein Awards in the USA or the Tilley Awards in the UK are presented on an annual basis to local police or partnerships who have demonstrated reductions in policing problems using the SARA process. These initiatives are carried out by staff who have tackled local problems and learned from the process. Descriptions of successful projects are available on the website www.popcenter.org which includes all the Goldstein and Tilley winners but also a significant number of research reviews on how to deal with highly specific problems such as robbery at automatic teller machines or prostitution in motels.

It is important to note that it is not the systematic application of the SARA process that reduces crime but the results of that process. The correct identification of the problem, the creative analysis of the data and the introduction of the appropriate mechanism in the relevant context lead to the outcome of crime reduction. The mechanism is the 'active ingredient', the means through which the presenting problem is reduced. At present we know of five mechanisms, which, either singly or in combination, might reduce crime in a given context. These are intended to affect the decision making process of the potential offender and have been described by Clarke and others as: Increasing perceived risk, increasing effort, reducing rewards, reducing provocation or removing excuses (see for example, Clarke and Eck, 2003).

The challenge for the would-be crime preventer is to introduce initiatives in response to defined problems within specified contexts which fire those mechanisms, and thus lead to a change in the outcome – i.e. a reduction in crime. So, for example, in certain circumstances the introduction of CCTV might lead to a reduction in crime because the risk of offending was seen to have increased (capture is perceived as more likely) and/or the effort was increased (e.g. the offenders had to find an alternative location which they believed was not overlooked by active camera systems and thus decided to 'give up'.)

4. FUTURE DEVELOPMENTS

Much of this is not new. There are many small-scale evaluations of locally based initiatives available on specialist websites such as the US POP Center website, or systematic reviews of what research has shown to work, such as the Campbell Collaboration (see www.campbellcollaboration.org) or crime solutions (www.crimesolutions.gov). Many of these activities are supported by central governments such as the US Justice Department or the Home Office in the UK but the 'take-up' by the police has tended to be patchy and to be dependent upon the interests of individuals rather than being part of the corporate culture of the police. There is now, however, a growing appetite amongst governments to encourage the police (and other professionals) to base their decisions upon established bodies of evidence rather than treating the task as a craft-based exercise, which can be learned from experience alone. This is to some extent being driven by the economic need to maintain the recent reductions in crime against a backdrop of reduced public sector resources.

To strengthen this approach the UK Government, for example, has established six 'What Works' Centres covering various aspects of public policy including crime reduction. The What Works Centre for Crime Reduction is based at the new College of Policing, which is specifically remitted (inter alia) to identify, develop and promote good practice based on evidence. This What Works Centre is supported by a £3.2m investment from the Economic and Social Research Council and the College itself, which is to fund a consortium of eight universities across the UK. Over the next three years the Consortium members, working with advisors from other universities around the world will carry out a series of systematic reviews of what works in crime reduction to inform both policing and the work of other agencies with an interest in or remit to address crime reduction. In addition to carrying out the reviews the programme is to include the development of a pilot training programme for the police in the use of the resultant material and the interpretation of research evidence more generally.

All this is not to deny the relevance of experience and individual expertise in, say, acting as a

police commander responsible for the policing of a significant area with the attendant resident community, but it is to suggest that the experience and expertise might be informed by knowledge of what works, where, and importantly, how. One of the obstacles to the development of evidence-based policing has been the emphasis within police training regimes on management issues, leadership skills and the law – all of which are obviously important but none of which further the integration of evidence-based crime reduction into the culture of the police.

The What Works in Crime Reduction Programme is ambitious in its aim to change the ways in which policing is delivered. Imagine a police commander with knowledge of the effective mechanisms that might drive crime down and keep it down. This requires not only familiarity with the law, powers of arrest and criminal justice but also a fundamental understanding of research, science, statistics and the mechanisms through which crime reduction might be achieved in the various contexts that form our complex societies today. It might mean that the local area commander would be overseeing the completion of small scale experiments in his or her area and contributing directly to the training of the new officers coming along behind. Again, the similarity with the ways in which the best teaching hospitals operate is a useful and thought provoking analogy.

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ECONOMIC CONSTRAINTS AND AUSTERITY: CONSEQUENCES FOR POLICE TRAINING AND EDUCATION — CHALLENGES AND RISKS — (STIMULUS FOR RESEARCH INITIATIVES)

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Keywords: Police training, economic constraints, austerity

Abstract: As a consequence of programmes for consolidation of state finances you can find dramatic reductions of police training related budget figures in many European countries and in the EU (e.g. CEPOL). This situation can be seen dangerous for police/policing and at the same time challenging.

The paper presents different measures to overcome budget cuts, as well as the potential consequences which are similar in many countries. however with differences in dimension, extent and direction.

It appears to the author that the economic constraints should not be seen only as an obstacle for the further development of police training. It should be a challenge for all stakeholders and decision-makers in this field for a thorough examination of the current system and situation and for an adaptation of training/education according to new and changing conditions. This examination has to respect risks, as they are seen by experts. Only a few aspects of potential challenges and risks are described in the paper.

Conclusion and motivation: Austerity programmes and their consequences for police and police training necessitate the need of new research-based knowledge about how police training with high quality can be offered to different actors of policing in spite of dramatic cuts from state budgets.

According to Cordner & Shaine (2011, p. 281), "In the twenty-first century, two of the most powerful contemporary factors affecting police education and training are globalisation and the current economic downturn." The changes of the economic conditions for police training and education are subject matters for scientific considerations (Neyroud, 2011, pp. 156-173) or police research projects rather rarely up to now.

It is not necessary to have a look only at some EU Member States like Greece, Portugal, Spain or Slovenia with very far-reaching austerity programmes and drastic cuts in fields of civil service – like police and police training. The current situation in Europe is marked by dramatic reductions of police training related budget figures as consequences of necessary programmes for consolidation (restoration/overhauling) of state finances – or austerity programmes – in many (or even all) European countries and in the EU – e.g. CEPOL (European Commission, 2013b). This situation can be seen dangerous for policing and at the same time challenging.

MEASURES TAKEN TO OVERCOME BUDGET CUTS AND CONSEQUENCES

The following measures to overcome the budget cuts –as well as the potential consequences – are similar in many countries – however there are remarkable differences in size, extent and direction across countries depending on the severity and

duration of the economic crisis (European Social Survey, 2013b, p. 7) and the degree of protection offered by national legal and institutional systems (European Social Survey, 2013a, p. 3):

- **Measures regarding training activities:**

  – Reductions or postponements of national and international training activities (e.g. shortening or cancelling residential courses, reducing new distance learning and e-learning offers), in particular in the field of cost-intensive further/advanced training (e.g. training contingent on external experts, interpreters or new technological equipment);
  – reduction of the number of participants/ trainers/course managers delegated to (national and international) training courses /programme-conferences;
  – reduction of budget for training/learning materials and equipment.

  Effects of these cutbacks:
  – *Decline of opportunities for police officers (and police trainers) taking part in police training activities;*
  – *decrease of innovation in and adaptations of police/policing according to needs and environmental changes initiated by well-trained experts;*
  – *decline of professional job qualifications;*
  – *insufficient capacity in specialist resources.*

- **Shift from police in-service training to self-education (human self-development)**

  Because of the budget restrictions and the reduction of continuing police education/ training more and more police officers have to pay costs for training needed for promotion and their career out of their own pockets and have to organise it beyond their line-duties in free-time.

  Effects of these measures:
  – *Changes of the conditions for the (lifelong) learning process of police officers to increase police officers' vocational qualifications, improve professionalism, productivity and most importantly ensure social security (Kordaczuk-Was & Sosnowski, 2011);*
  – *establishment of a two-tier system within police if only few (privileged) officers receive in-service training while others have to organise and pay the training for their job-qualification (further development of skills and quality of work) and career by themselves.*

- **Measures regarding human resources development and structures in training organisations:**

  – Salary cuts for trainers/teachers and other staff at police training institutions (shortening of monthly wages, allowances and extra pays for specific tasks e.g. exams, writing scripts or internet-programmes, interpreting) and shortening or ban of over-time (by all-inclusive contracts);
  – reduction of the number of police trainers and administrative staff;
  – hiring freeze for new trainers and administrative staff;
  – rise of work intensity: extension of mandatory teaching assignment and more time pressure;
  – increase of retirement age for trainers and teaching staff.

  Effects of these cutbacks:
  – *Problems in recruiting the most qualified experts/trainers for police training;*
  – *demotivation, frustration, burn-out, doing the job without passion;*
  – *reduction of innovation and creativity;*
  – *possible decline of training-quality unless there are compensating measures.*

- **Reforms of national police training system/ organisation:**

  – Centralisation and concentration on the one side:
    – closing or merging of police training units/schools/academies/…;
    – reduction of contracts with external providers;
  – decentralisation on the other side: shift of training from police schools/academies to police forces;
  – establishment of models with ability groups (in particular in basic police training) respecting pre-qualifications or expert qualifications;
  – shift of police relevant training from the police service to public or private colleges, universities and private providers close to police and cooperating with police (e.g. foundations, unions, associations).

Effects of these measures:

- *Shifting police training responsibilities and the associated costs away from police training organisations – because of their diminished resources – to others (e.g. police forces, universities, colleges and individuals). This might change the quality of vocational training.*

- **Outsourcing of special and costly training (e.g. expert- or management- or language-training) – without keeping police influence on curricula:**

  Effects of these measures:
  - *Inclusion of the subject "police training" into the sensitive and controversial political discussion about denationalisation and partial privatisation of police tasks and the state monopoly on the use of force. This discussion will deal with questions like:*
    - *Is police training/education part of governmental tasks and has it to stay as a governmental obligation or under governmental supervision?*
    - *Will the inclusion of private actors undermine the state monopoly on police?*

- **Savings in infrastructure:**

  - Search for (more) cost effective training locations;
  - minimising operating/running costs (costs for maintenance);
  - postponement/rejection of financing urgent renovations, new furnisher or equipment at police schools/academies.

  Effects of these measures:
  - *Much of the energy needed for content and modernisation of training/education are used for questions of infrastructure – real training matters take a back seat.*

- **Efforts for new/alternative/additional/variety of funds – means of generating revenue:**

  - Personal attendance or enrolment fees (for specific training courses) [with possibility to ask the tax authority for respecting these fees as allowable expenses] and leadership arrangements;
  - refund of training costs from forces to colleges or academies (in particular when there is an increase of the general force funding);
  - training for and paid by external bodies and private partners (e.g. providers for security services, local communities without state police authority, local neighbourhood watch groups);
  - training for and paid by international institutions, organisations or funding programmes.

  Effects of these measures:
  - *Traditional national standards can no longer be kept. General (legal and finance-related) changes regarding the general system of financing education and training seem to be necessary in many European countries. Political feasibility and willingness in many places (like in Austria or Germany) can be doubted.*

- **Claiming sovereignty for police training organisations in budgetary matters (so that they can make profit which can be used for overcoming budgetary cuts):**

  Effects of these measures:
  - *Internal conflicts or distrust with external effects and potential public image damage for police training: petty jealousy, lack of understanding and enviousness in other parts of police organisation and other public authorities without budgetary sovereignty.*

In the majority of cases these different measures are taken on the basis of overall fiscal decisions without thorough and systematic analyses of the police training situation and efficiency, as well as without examination of the specific needs of police and the expected effects of savings on police and policing.

Because of dramatic reduction of the state budget in several countries police in these countries have to deal with an increase of mass-demonstrations and more and more violent protesters. This means additional work and challenges for police. However, because of strict budgetary restrictions necessary adaptation of police training (and special equipment) – according to the new challenges for police – is almost not possible, unless it is cost-neutral. Efforts of police unions which fight for the police labour rights do not help to improve this situation.

This situation implies for senior police officers and managers – in charge of planning, organisation and administration of police training – that politicians and community (public) expect from them actions

and decisions to maximise the benefit of reduced resources to widen the market and to increase the funding sources – if possible without reducing quality of training and in line with rules, training needs, political and public expectations towards police training. Often this seems to be a mission impossible.

CHALLENGES AND RISKS

The economic constraints should not only be seen as an obstacle for the further development of police training. It should be taken as a challenge and a chance for all stakeholders and decision-makers in this field for a thorough examination of the current system and situation and for an adaptation of training/education according to the new and changing conditions. This examination has to respect risks, as they are seen by experts.

Here only a few aspects of potential challenges and risks will be presented for considerations which could be relevant for dealing with budgetary restrictions.

INTERNATIONALISATION/ EUROPEANISATION OF POLICING

Quick solutions for solving budgetary problems in individual countries and in CEPOL without respecting European standards of police training and the achievements in the last two decades – particularly regarding training of senior officers and police experts – could have long-term consequences not only for the quality of training/education but particularly for the international police cooperation.

Effective police cooperation in Europe is not only based on contracts, agreements and joint institutions and instruments. Just as important are police officers with common attitudes, a common understanding of and knowledge about police and policing. European training standards, training programmes (e.g. joint training activities, common curricula, and exchange programmes) as well as funding programmes can be seen as important pillars for international cooperation.

We cannot expect that the budget restrictions for police and police training will be eased in most of the European countries soon. On the contrary there will be new and more cuts. Therefore the situation has to be seen as a specific challenge for all decision-makers in charge of police training in Europe to find solutions that will in the end strengthen cooperation. Such solutions could be

- Common or joint development, running and funding of costly training activities (e.g. master programmes, expert training, train the trainers, exchange programmes, distance learning);
- a clear refusal of competition between police colleges and a turn (back) to cooperation;
- strengthening bilateral and regional training cooperation with splitting the costs.

But the risks have to be taken into account: time factor, bureaucracy, and language barriers.

COST-BENEFIT ANALYSES

More and more cost-benefit or efficiency analyses are taken or asked - as "alibi" for decisions for eliminating or reducing "unnecessary" or "inefficient" training. In fact the economic situation is an opportunity for healthy examinations of existing police training/ education systems, programmes or curricula.

The economic situation can be seen as a challenge for decision-makers to reconsider and modernise the current police national training/education as well as the cooperation in this field. In all national police training systems can be found on the one hand removable duplications, non-updated or useless parts of the curricula, unnecessary elements/ ballast, unscreened traditions, (party-) political interests, idle capacities and on the other hand disregarded changes (new threats and technologies, internationalisation) in police environment or not respected findings/recommendations of police research in the curricula.

However, training experts are aware of the weaknesses and risks of cost-benefit and efficiency-analyses in the field of training. They more see the necessity of demand analyses, so that a quick response by training activities to changes of the threat assessment or new police demand will be possible. Decisions or measures only based on cost analyses may have long-term negative consequences for the training system as such. It will take away the important innovative and creative element of training for police and policing. Therefore eliminating or reducing training activities should be based more on demand analyses than on costs reduction strategies.

REDUCTION OF RELIANCE ON CENTRAL OR STATE BASED FUNDING

In time of budget reduction for police training by the government police training institutions are looking for other sources. They offer their programmes, curricula, trainers and experts as well as infrastructure to international organisations like United Nations Office on Drugs and Crime ([1]) (UNODC, 2014), OSCE (OSCE, 2014) or DCAF ([2]) (DCAF, 2014), to European Commission's Twinning Programmes ([3]) (European Commission, 2014) or to EU-Agencies like CEPOL (European Police College, 2013) or FRONTEX (Frontex, 2014). This way of selling "products, know-how and training conditions" is an excellent opportunity for producing income and gaining international reputation and recognition for an institution by making use of the existing capacities and experience.

However, regular contracts with external financers could cause a certain dependency. Another risk for training institutions could be the bureaucratic difficulties regarding the application and administration of funds. It is very time consuming (and therefore expensive) to fulfil all necessary requirements for applications without advice from external experts.

INCENTIVE FOR RESEARCH INITIATIVE

Austerity programmes and their consequences for police and police training as outlined above necessitate the need of new research based knowledge about how police training with high quality can be offered to different actors of policing in spite of dramatic cuts from state budgets. In this situation CEPOL could take over an initiative for

- the development of a European research concept for the specific subject area reconciling national responsibility for police training with European aspects as described rudimentary in the European Training Scheme (European Commission, 2013a) – considering the potential consequences as mentioned above (as basis for an application for funding);
- a comparative research programme for
  - collecting and comparing empirical findings, practical experience and good practice regarding efforts to overcome the financial distress for police training;
  - analysing possibilities for opening police training/education for other stakeholders and partners of policing without creating conflicts, dependencies or other problems (e.g. security for sale, social conflicts, new risks for corruption);
  - sharing good practice and offering recommendations based on scientific and research findings to fiscal policymakers and decision makers in the field of police/policing for the development of strategies in dealing with austerity programmes.

Quoting Cordner & Shaine (2011, p. 282) in the end as in the beginning: "Increased scrutiny of police education and training, driven by tight fiscal conditions, will hopefully lead to a more scientific approach to training and to healthy examination of current systems and courses."

([1]) UNODC delivers a range of trainings to law enforcement officers on topics of relevance to fighting organized crime in their local contexts. It also employs modern technical training such as computer-based training as well as assistance in improving information exchange between law enforcement agencies, custom and border control authorities in different countries.

([2]) Training and capacity-building, including the development of training curricula and training courses for police and border security personnel, is a major part of the work of "The Geneva Centre for the Democratic Control of Armed Forces – DCAF".

([3]) Twinning is an instrument for the cooperation between Public Administrations of EU Member States (MS) and of beneficiary countries. Beneficiaries include candidate countries and potential candidates to EU membership, as well as countries covered by the European Neighbourhood Policy.

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ENHANCING COORDINATION IN THE AREA OF SECURITY AT MAJOR EVENTS

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Keywords: Major Events Security, international coordination, international standards, best standards, lessons learnt

Abstract: The UNICRI programme on security at major events is aimed at supporting policy-makers and practitioners in planning security during major events. On account of their scale and/or high visibility, major events (defined as any event requiring international cooperation with respect to security planning, such as large sporting events, including the Olympic Games, high-level summits and other mass events, such as national and religious festivals) are vulnerable target for unlawful activities, including terrorism, and can be exploited by organized criminal groups to further their illegal activities.

INTRODUCTION

The United Nations Interregional Crime and Justice Research Institute (UNICRI) was established in 1967 to support Member States in the areas of crime prevention and criminal justice. In furtherance of its mandate, UNICRI uses action-oriented research to assist in the formulation of improved policies and concrete intervention programmes. Against this backdrop, UNICRI identifies areas of common concern to Member States which are of critical importance to the international community in general, upon which to concentrate. Security planning for major events is one such area.

For the purposes of its work, UNICRI defines Major Events as events requiring international cooperation in respect of their security planning. Broadly speaking, these can be separated into four categories: sporting events (Olympics, World Championships, etc.); political events (summits, State visits, etc.); cultural events (carnivals, festivals, etc.); and, other mass gatherings (scientific conferences, International expositions etc.). Major events are windows of opportunity due to the fact that they are often accompanied by substantial increases in the financial, human, technological, and other resources which are available to national security planners. As a result, major events offer the finance and the

UNICRI has developed and implemented regional initiatives in this area. The initiatives provide training and advisory services to security planners in preparation for major events.

The European regional initiative is entitled "Enhancing European Coordination for National Research Programmes in the Area of Security at Major Events – THE HOUSE" and is being implemented from 2012 to 2014. It involves 24 European Union Member States with the coordination and implementation responsibility vested in UNICRI, drawing on the achievements of seven years of activities and previous UNICRI projects.

UNICRI assists several Member States, within the framework of these regional initiatives, in organizing major events. These include in the past e.g. Trinidad & Tobago for the carnival, Mexico for the Pan-American Games and the G20 Summit in 2012; Costa Rica for the Central American Games; Cyprus and Ireland for the EU Presidency, Poland for the Euro Soccer Cup, Bulgaria for the World Cup qualification and Finland for the Euro Athletics.

availability of resources to expand a modern and efficient security infrastructure, which allows for increased security while requiring decreased levels of policing. Additionally, major events allow for the introduction of systems and practices, procurement of equipment and expertise, development of training and expansion of capacity in a manner that is innovative and meaningful. In this way, they provide a legacy of development in national security planning practices and structures, as well as new forms of thinking in response to emerging threats to national security, and the furtherance of international cooperation among security planners.

Having identified major events as an area in need of international coordination, UNICRI launched its global programme on major events in 2002. This programme has subsequently received express backing from the United Nations Economic and Social Council (Ecosoc) Resolution 2006/28, in which the Council invited UNICRI to continue and expand its work in this area and invited Member States to request UNICRI's assistance for the security planning of major events.

Throughout UNICRI's work, a common thread is the focus on activities at regional level. This stems from the recognition that programmes and projects implemented among countries of similar social, political, and economic backgrounds and institutional frameworks can be carried out more effectively and the legacy of success can be seen throughout the region.

Based on this approach, the project EU-SEC was initiated by UNICRI in 2004, as the first regional platform for the coordination of security during major events in Europe.

EU- SEC AND EU-SEC II

EU-SEC, which involved 10 EU Member States ([1]), was funded by the European Commission's 6th framework programme — DG Enterprise and Industry. It was aimed at supporting and coordinating national research activities related to security during major events. EU-SEC pioneered a common methodology for the coordination of national research programmes on security during major events at European level. In addition, the project developed research on police ethics and public private partnerships during the planning of major events, and it identified thematic priorities for future research activities (all of which would later be built upon in EU-SEC II, described in the next paragraph). Furthermore, by establishing a coordination platform of end-users, EU-SEC laid the foundations for the creation of 'The European House of Major Events Security.'

Based on this success, the follow up project, EU-SEC II, was launched in 2008, now involving 22 Member States ([2]). EU-SEC II identified key areas of security planning for major events which required further coordination. On the basis of this, a number of standards and priorities for future research ([3]) were defined and/or elaborated. These are split into two main groups: 'Established Standards' and 'Tools for Development.'

The project elaborated established standards in relation to four areas:

- The IPO ([4]) Security Planning Model: A security planning blue print that can be tailored to each country's specific needs.
- Public Private Partnerships (PPPs): Guidelines for assessing, establishing and utilising PPPs.
- Media Management: Guidelines for Police and security planners in general on the cultivation and management of symbiotic relationships with the media.

([1]) The Member States of EU-SEC were Austria, Finland, France, Germany, Ireland, Italy, Portugal, Spain, the Netherlands and the United Kingdom.

([2]) The Member States of EU-SEC II were Austria, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Malta, the Netherlands, Portugal, Romania, the Slovak Republic, Slovenia, Spain, Sweden and the United Kingdom.

([3]) Further information on these standards can be found in EU-SEC II Consortium (2011).

([4]) UNICRI launched the International Permanent Observatory (IPO) on Security Measures during Major Events in 2003. In 2007, within the framework of the IPO, The IPO Security Planning Model was published as a model of best practice in security planning to assist planners in their daily work and to unite national approaches in the planning of security for major events. The IPO was formally acknowledged for its efforts by the United Nations Ecosoc Resolution E/2006/28 of July 2006.

- Ethical and Operational Standards for Security and Security Products: A tool used to review operational adherence to the Council of Europe's 'European Code of Police Ethics' and the quality assurance process of bringing any new security products into daily routine.

A further three Tools for Development were defined:

- Specialist Technical Equipment Pool (STEP) — a database of specialist technical equipment that partner will be able to share in order to support planning and procurement decision.

- European Major Events Register (EMER) — a database or register that will allow to register by a hosting authorities' events as 'major'.

- Training and Networking — to promote and raise awareness of 'The House' ([5]) services among EU police forces in collaboration with European Police College (CEPOL).

The final output of EU-SEC II was the manual 'Foundations of the European House of Major Events Security' (EU-SEC II Consortium, 2011) and with this 'The House project' (elaborated upon further below) was brought into being.

IPO AMERICAS

On the basis of the success of EU-SEC and EU-SEC II and in collaboration with the Organisation of American States (OAS), in 2007, UNICRI launched a similar platform for the coordination of major events security in the Americas.

IPO Americas is a regional initiative to improve the cooperation of OAS Member States in the field of major events security. Within the last five years, 30 Governments out of the 34 OAS Members States officially appointed a National Focal Point (NFP) to IPO Americas. The NFPs are responsible to represent their respective countries, facilitating access to relevant information and expertise at national level and identifying possible needs of their countries within the framework of the project.

Since 2010, IPO Americas has been funded by the government of Canada, having initially been funded by the Spanish Ministry of Foreign Affairs. Its main objectives are:

- Provision of training and advisory services to security planners in preparation of major events to be hosted in the Americas;

- Supporting the sharing of information and best practices among Member States;

- Development of a Knowledge Management System (KMS) on major events security and a regional training manual;

- Definition of planning standards within the American sub-regions;

- Dissemination and adoption of best practices for Public Private Partnerships for security at major events; and,

- Enhancement of crime prevention capacity in the involved Member States.

A proliferation of major events in the region (Pan American Games 2011, 2013 Central American Games, 2014 South American Games, 2014 FIFA World Cup, and 2016 Olympic Games) which attract worldwide audiences underlines the importance of achieving such a common regional approach.

The legacy of IPO Americas is hoped to be manifold. Firstly, the development of the capacities of the partners in respect of hosting major events will enhance the reputation of the region for hosting safe, secure and incident free major events. Secondly, from a socioeconomic point of view this will have benefits not just for the host state but for the region as a whole. Thirdly, the enhancement of international cooperation in the region in the build up to and during these events will, it is envisaged, produce long-term policing benefits in the aftermath of these events where the lessons learned and best practices established can be converted into a broader framework of crime prevention strategies.

([5]) 'The House' is the independent structure envisioned by the EU-SEC II consortium to eventually take over all of the services developed during EU-SEC II and provide assistance to requesting States. The transition between EU-SEC II and The House as a permanent sustainable structure is bridged by 'The House Project,' described below.

THE HOUSE PROJECT

Building directly on the achievements of EU-SEC, EU-SEC II, and indirectly from the success of the IPO Americas, The House Project runs from March 2012 to February 2014 and is funded by the European Commission's 7th Framework Programme — DG Enterprise and Industry, and was launched to test the standards which had been outlined in EU-SEC II as common EU standards. As with the predecessor project, 'The House' project has seen an expansion in the consortium which now stands at 24 EU Member States ([6]).

The process of 'testing' these standards as common EU standards involved the project partners attending the 'associated events' and discussing the standards of 'The House' in relation to accepted national practice. After a consultation process with the project partners, during which over 30 major events were considered, eight major events were chosen. Particular importance was attached to achieving a balance between sports competitions, mass gatherings and political summits as the planning challenge presented to security planners by each of these events differs greatly. The events at which 'The House' has tested or will test its standards are the following:

- Euro Athletic Championships, Finland, June-July 2012
- UEFA Euro Cup, Poland, June-July 2012
- Bulgaria-Italy FIFA WC Qualification, Bulgaria, September 2012
- EU Presidency, Ireland, January-June 2013
- Rainbow March, Slovakia, September 2013
- EU Presidency, Lithuania, June-December 2013
- CEV Euro Volley, Poland, September 2013
- Nuclear Safety Summit, Netherlands, April 2014

The 'association' of an event to the project involved project partners meeting with the security planners of the chosen major events in order to present the standards of 'The House'. The subsequent discussion/consultation process helped to determine gaps and/or overlaps between 'The House' standards and those applied nationally. The dual goals of this process are on the one hand to assess the impact of the standards as common European planning and evaluation standards; and on the other hand, to assess their potential impact on the main EU security priorities (The Stockholm Programme and the EU Internal Security Strategy). The results of the consultation with national security planners were recorded and will form the basis of the final project reports. On the basis of these reports, a set of User Guidelines is being drafted to complement the manual published at the end of EU-SEC II; these guidelines will contain practical information for major events security planners and other security practitioners, on how to make full use of 'The House' and its services.

A unique aspect of 'The House' project as a research project is that national end users from 24 EU Member States are the main actors/researchers in the project. They have been appointed to various roles ranging from: Event Hosts, who organise and facilitate the consultation process with national security planners of associated events; 'Standard Owners,' who act as 'custodians' of a standard, presenting the standards to national security planners at the associated event meetings; Task Team Members, who attend the associated events gaining and recording feedback from the national security planners on the impact of the standards as common European planning and evaluation standards and on their potential impact on the main EU security priorities. This method of policy development which involves the security planners at all stages ensures that they and their countries have a real ownership over the output.

Furthermore, the project provides a platform for the exchange of ideas/information on security issues. Participation in the consortium provides all partners access to an international network of security experts who they have the opportunity to meet at regular intervals, and who they are in constant contact with, through their work within the project. The consortium also benefits from the input of an Advisory Board composed of

([6]) Austria, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Romania, the Slovak Republic, Slovenia, Spain, Sweden, and the United Kingdom.

CEPOL and Europol who are both represented at project meetings in order to provide their relevant technical input to the Consortium and ensure coordination with existing European entities and initiatives in the field of security during major events. In addition, the partners have had the opportunity to network with the security planners from host countries of the associated events, discussing the handling of real scenarios from the planning and carrying out of major event security and, in doing so, laying the groundwork for future cooperation and building towards a common policing approach across Europe.

THE FUTURE OF 'THE HOUSE'

The 24 Member States of 'The House' have decided that the way forward should involve the development of an all encompassing interactive web based security planning tool incorporating all of the methodologies and technical tools of 'The House'. In this phase, the consortium will attempt to ensure that its pattern of expansion continues beyond the current 24 Member States. As in the previous phases of the project, the involvement of the national security planners will be essential to ensure that the outputs will have the approval of, and will be adopted by, the partner Member States. In addition, the consortium will work to consolidate the position of 'The House' as a comprehensive European planning framework for major events security in order to ensure that established best practices are continually codified and that lessons learned from major events in the EU are easily accessible to and serve to benefit the security of the entire community.

In the long term, the maintenance and expansion of the networks of security practitioners, methodologies and technical tools will ensure that the impact of 'The House' goes far beyond major events security as it contributes to the realisation of the main security priorities of the EU — the Stockholm Programme and the EU Internal Security Strategy (ISS) which call for 'more effective European law enforcement cooperation' (Council of the European Union, 2009, s 4.3.1).

CONCLUSION

In a broad sense, the method of policy elaboration applied in both Europe and the Americas within the projects highlighted above could easily be adapted to other contexts and other regions of the world with the assistance of UNICRI given their role in regional policy coordination for major events security at United Nations level.

'The House' project (plus its predecessors EU-SEC and EU-SEC II) and IPO Americas have been making, and continue to make, a significant contribution to the coordination of major event security planning in Europe and the Americas respectively. The objective of the partners involved is to create a lasting legacy of improved security capacity, common standards and procedures efficiency, and increased regional and international cooperation among security practitioners. In this way, the windows of opportunity offered by major events will be taken advantage of to the fullest extent in terms of the security of the event itself, the maximisation of the enjoyment of the event for all and the potential for development of security policies, practices and cooperation.

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NEW APPROACHES TO COMPARE POLICE PRACTICE IN EUROPE: AN OCCUPATIONAL HEALTH PERSPECTIVE ([1])

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Keywords: police work; stress; comparative studies; ambulatory method.

Abstract: Police work is a particular stressful occupation. Exposure to stressors everyday impairs physical and psychological health and can impact the welfare of citizens. It seems crucial to further understand stress among police officers in order to have proactive and healthy European police force. Despite this need, previous research on Police stress has been impaired by several problems. These include relying largely on self-report measures, retrospective biases, and cross sectional designs, failing to address within-person variations. Police forces in most European countries face nowadays extremely challenging times due to a combination of factors, including open borders, drug trafficking, terrorism, multicultural diversity and the overall use of new technologies in contemporary life (Benyon, 1994; Oakley, 2001). Hence, there is an urgent need to conduct comparative occupational health studies among police forces in Europe, allowing the development of knowledge in this area and the dissemination of best practices to tackle police stress and foster police health and well-being. Despite this need, little work has been conducted, mainly due to a variety of reasons discussed in this paper that are likely to emerge when conducting European comparative studies on police. In an attempt to overcome some of these challenges, recommendations are provided and particularly an innovative interdisciplinary research method developed in the SCOPE project is described. Findings of this research will impact theoretical and applied knowledge in the area of police occupational health. Finally, this seems to be a promising research method to use in future comparative occupational health studies among police forces in Europe.

1. INTRODUCTION

Police work is a particular stressful occupation (McCarty, Zhao, & Garland, 2007). Police officers on their daily duties have not only to take care of themselves but also assure the safety of the public and still be able to keep their emotions and reactions under control. As a consequence of the demanding occupation, several physical and psychological health problems can occur, with impact on the welfare of officers and citizens. This exposure of police officers to potential stress sources over time has been associated with several problems (Kop, Euwema, & Schaufeli, 1999, Violanti & Paton, 2006), affecting not only behavioural (i.e. absenteeism, poorer interactions with the public, fatigue, attitude towards the use of violence; excessive drinking and smoking), but also physical (i.e. cardiovascular diseases, digestive problems), and psychological components (i.e. increased

([1]) Acknowledgments: Thanks to Prof. João Paulo Cunha (INESC TEC/ FEUP) and Prof. Ana Aguiar (FEUP) for their important contribution in the development of the SCOPE interdisciplinary method. Additionally thanks to Polícia de Segurança Pública (PSP), Portugal for collaborating in the SCOPE project research.

This research has received funding from the European Union Seventh Framework Programs ([FP7/2007-2013] [FP7/2007-2011]), under the SCOPE project Grant Number [PCIG10-GA-2011-303880], the Future Cities Project — FP7 Capacities, Grant Number 316296, and from FCT, Portugal (DFRH/BI/51845/2012).

thoughts of suicide, anxiety, depression, post-traumatic stress disorder and burnout). Thus, the understanding of police officers stress is crucial when aiming to improve this population health, as well as improve the overall safety of the community (Lucas, Weidner, & Janisse, 2013).

Despite the growth of studies investigating the impact of stress on police officers over the years (e.g. Violanti & Aron, 1995) further investigation in this area is needed (Mikkelsen & Burke, 2004), controlling previous methodological and conceptual shortcomings. Hence, allowing the development of knowledge and applied implications ready to be transferred to police officers training. Previous studies investigating stress among police officers relied largely on self-report measures (usually questionnaire and interview-based) and cross sectional designs. While it is believed that this research was important to understand the causes and consequences of stress among this population, it did not fully assess the different sources of acute stress, its magnitude based on physiological data, and how police officers react and cope with a stressful encounter (Violanti & Aron, 1995). Furthermore, these methods fail to address within-person variations and have been associated with retrospective bias (Nicholls, Jones, Polman, & Borkoles, 2009). Hence, findings rely on partial recall and inference strategies, due to autobiographical memory construction and retrieval biases challenging the validity and reliability of the reports (Segerstrom & O´Connor, 2012).

Nowadays, police forces in most European countries face extremely challenging times. These are due to a combination of factors including open borders, drug trafficking, terrorism, multicultural diversity and inclusion and the overall use of new technologies in contemporary life (Benyon, 1994; Oakley, 2001). Although previous studies have highlighted the effects of acute organisational and operational stress among police officers across different European countries (e.g., Kop *et al.*, 1999; Biggam, Power, Macdonald, Carcaldy, & Moodie, 1997; Queirós, Kaiseler & Silva, 2013; Recasens i Brunet, Basanta, Agra, Queirós, & Selmini, 2009), little is known about the effects of these contemporary demands on police officers occupational health or whether they are somewhat similar or completely different across European countries. In an attempt to understand this relationship and reflect on best practices on police occupational health in Europe, it seems crucial to conduct European comparative research, contributing to the development of a more qualified police training system *'capable of responding quickly and intelligently to the accelerating pace of social change'* (MacDonald *et al.*, 1987, p.4). Although European comparative studies among police officers have strong theoretical and applied implications at an individual and institutional level, little work has been conducted in this area, mainly due the difficulties associated with the research process and described in the following lines.

Firstly, as suggested by Weisburd and Neyroud (2011) there is still a gap between science and policing. In other words, on the one hand, police personnel complicate the use of results from academic research and knowledge. On the other hand, some academics ignore the real scenarios in which the police operate. Additionally, the difficulties researchers face when aiming to conduct research among police institutions, such as the access to data collection procedures (Mathur, 1999), should also be seen as an explanation for the gap between science and policing.

Secondly, there are a diversity of police forces and respective duties across European countries (Vertovec, 2007), which difficult comparisons between countries. Additionally, the language and cultural barriers also difficult the use of standardised occupational health research methods across European countries. In an attempt to address this problem, researchers could probably contemplate the use of more qualitative research approaches, developed through European research networks, including researchers and police personnel from different countries. Additionally, the inclusion of technology and the use of interdisciplinary knowledge when aiming to compare European police officers' occupational health are also powerful tools to consider. These, will not only overcome simplistic and traditional methodologies previously used, but will also allow comparisons of police officers performance under different European real world scenarios. An example of an occupational health project assessing stress and coping among police officers, including technology and interdisciplinary knowledge, was developed in Portugal — SCOPE (Stress and Coping among Portuguese Police Officers - http://www.fpce.up.pt/scope/index.html) funded by a Marie Curie Action. The ambulatory research tool

was designed by an interdisciplinary research team (psychology, biomedical and electro technical engineers) and it combined wearable electrocardiogram and mobile devices, ready to assess stress and coping among police officers during daily life experience (Kaiseler, Rodrigues, Ribeiro, Aguiar, & Cunha, 2013; Trull & Ebner-Priemer, 2013). The ambulatory method is currently being tested in the city of Porto, Portugal by the third author of this paper.

2. SCOPE AMBULATORY METHOD: ASSESSING STRESS AND COPING IN REAL WORLD SCENARIOS AMONG POLICE OFFICERS

The innovated and interdisciplinary SCOPE method proposes a disruptive technology to investigate stress and coping strategies used by police officers working in real world scenarios. Ambulatory Assessment is a recent promising research tool that minimises retrospective biases while gathering ecologically valid data, including self-reports, physiological or biological data and observed behavior. It has been successfully used across different settings of occupation health (Trull & Ebner-Priemer, 2013). Thus, the current method combines physiological and psychological measures of stress and coping, combining user-friendly and non-intrusive technology, adapted to Police Officers real world needs. Vital Jacket® (VJ) (Cunha, 2012) and electronic diaries held on mobile android phones including GPS (Gomes *et al.*, 2012) are used to collect physiological (HRV) and psychological measures as well as location where the event occur. In this way, police officers use the VJ on a daily basis as well as mobile devices containing electronic diaries; data is therefore being collected throughout the day. Theoretical implications of this research will advance the international state-of-art in the area of stress and coping among police officers. Particularly, findings will allow us to fully understand what are the stressors experienced by police officers working in real world scenarios and their psychophysiological impact on the individual as well as the coping strategies being used to tackle each stressor. Applied implications of the research will allow the design of evidence based stress management interventions, developing the health and wellbeing of police officers, and increasing the safeguard of the overall community. Additionally, this method may be a promising tool to develop future comparative occupational health studies among police officers in Europe.

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GENDER AND POLICING: NARRATIVES OF CRISIS, CHANGE AND CONTINUITY

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Keywords: Gender; Policewomen; Diversity; Cult of Masculinity; Police leadership

Abstract: The recruitment of a more diverse police workforce has been central to police reform agendas across time and place. Police organisations throughout the world have been subject to a number of high-profile and damning reports that have emphasised the damaging effects of a lack of diversity. Such damaging effects have been repeatedly cited in relation to both external interactions between police and citisens, and to the internal interactions between police officers themselves. This paper considers more specifically the issue of gender representation within policing. It reflects on the histories that have shaped women's entry, progression and participation in policing over the past century and considers some of the contemporary challenges faced by police organisations in maintaining and improving women's representation within a climate of economic constraint. Histories of policing have consistently demonstrated that bringing about change to the organisation is a difficult and often protracted process. Indeed much research has pointed to the long tradition of police resistance to organisational change initiatives. Through reflecting on the past and present, it engages with narratives of 'crisis' 'change' and 'continuity' in thinking about the future of gender and policing.

The recruitment of a more diverse police workforce remains a central feature of contemporary police reform agendas throughout the world. Encompassing race, religion, gender and sexuality, diversity debates within policing are wide ranging and go beyond the scope of this contribution. This paper focuses more specifically on the issue of gender and policing. In 2010, the Home Office's 'Assessment of Women in the Police Service' detailed considerable progress in relation to the increase in female recruitment, representation and progression in England and Wales, asserting that *'female recruitment is strong and women officers' chances of promotion are generally on par with their male counterparts'* (Home Office, 2010, p.3). With the number of women in policing in England and Wales indicating an upward trend currently standing at 27 %, there is no doubt that the police service has done much to demonstrate its commitment to realising equality, diversity and human rights. That said, the continued under-representation of women within the police workforce, particularly at senior levels, remains a key and consistent reality for police organisations across the world (Dick *et al.* 2013; Van Ewijk, 2012; Prenzler & Sinclair, 2013). This paper calls into question the popular mantra that suggests that 'all things are equal now'. It reflects on the histories that have shaped the call for women's entry into policing, their progression and participation within policing over the past century and considers women's early experiences of policing in relation to some of the contemporary concerns about women's participation in policing. It is not my aim here to provide a historical account of women's role in policing nor to compare the progress made by women worldwide. Rather, through historical reflection, we can begin to map just how far policing has come in relation to addressing issues of gender within its workforce and to think more critically about the concepts of 'crisis' and 'change'. It also affords an opportunity to speculate about some of the key challenges that lie ahead in relation to achieving gender balance and equality, particularly in times of global economic constraint and austerity.

A BRIEF HISTORY

Women have been present and engaged in the work of policing for over a century now. Participating in various forms of social control for much of the nineteenth century (in various 'moral rescue' roles), female police officers were first recruited in the early twentieth century. As the century progressed, their appointment continued on a piecemeal basis. In a rare international comparison of the progress and integration of women in policing, Van Ewijk (2012, p1) notes four broad phases of women's recruitment into policing: after the First World War; the Inter-War years; after the Second World War; and the modern period from the 1980s onwards. Despite variation between countries, a consistent and familiar pattern of recruitment is observed, whereby there is a *'period of omission, followed by limited succession, amalgamation or formation of separate women's departments and working towards full integration'.* Alongside this pattern of recruitment, commentaries on early policewomen's experiences suggest much opposition and resistance. Histories document a damning picture in which women's entry and progression was vigorously fought, resisted and undermined on legal, organisational, informal and interpersonal levels (Carrier, 1988; Martin, 1980; Miller, 1999; Schulz, 1995; Segrave, 1995). Whilst countries vary in the dates that women were admitted into the police, there is a strong consensus that suggests that opposition to their entry and integration was almost universal (Brown, 1996). In making sense of this opposition, Brown and Heidensohn (2000) point to a combination of paternalistic concerns to protect women and patriarchal exclusion of women as being unsuitable for the 'rough and dirty tasks' required by policing. Perhaps best described as a history of struggle, the history of women in policing is one in which clear and strong gendered markers of inclusion and exclusion were established. From the very outset, the role and identity of the police officer was firmly located within men's domain and associated with ideas of masculinity. With physicality and the capacity to use coercive force crafted as something that only men possessed, women were constructed and deemed to be 'deficient' in the project of mainstream policing and routinely and legitimately excluded. Cast as 'outsiders' to the main project of policing, early policewomen's presence in policing was enabled only through a focus on social and welfare work tasks, working with female suspects and victims of crime (mainly those engaged in prostitution) and young people (Brown et al, 1999; Heidensohn, 1992; 2000; Brown & Heidensohn, 2000; Schulz, 1995).

As the century progressed, the appointment of women in policing continued on a piecemeal basis with Brown (1996) reminding us that though political activation and lobbying contributed to changing attitudes towards the idea and possibility of women police officers, their actual entry was often precipitated by a 'crisis'. Europe for example, saw a growth in the number of policewomen after the two world wars; as did Asia and Africa in the post-colonial era and emerging democracies in Eastern Europe and South America (Van Ewijk, 2012); and India, following the crisis brought about the mass movement of people following Partition in 1947 (Mahajan, 1982). The influence of such 'crisis' based discourse holds much continued resonance to contemporary calls for the need to recruit more women into policing. The reality of trafficking problems in newly emerging African nations for example, is a key impetus for the recruitment of more women into policing. Important changes brought about by Equalities policy and legislation throughout established democracies in Western Europe, the US and Australia have also contributed much to the progression of women into mainstream policing in latter part of the twentieth century (Brown, 2007; Natarajan, 2008).

Women in England & Wales began their work in policing in a separate women's sphere in the Women's Police Service (WPS). It was only in 1975 that the police organisation disbanded the WPS and integrated women into its ranks. The idea that integration would automatically improve women's situation and bring about equality however, did not materialise. Relatively little was done to prepare the police service to become a gender-integrated organisation in the aftermath of the Sex Discrimination Act 1975 and much has been written about the disjuncture between policy and practice in the decades that followed, with studies reporting discrimination and sexual harassment as consistent features of policewomen's experiences. Sexist jokes, the use of derogatory language, deliberate sexual contact, differential deployments, blocked promotions, and the allocation of 'safer' station assignments are all indicative of women's discriminatory experiences of policing over the course of the twentieth century (see Brown, 1997 for a good review of this). Conceived of as a moment of progress and gain for women,

a number of commentators have observed the considerable and simultaneous losses experienced in the movement to integration. In a review of career advancement during this time, Brown (2008) argues that women officers fared worse in achieving promotion when compared to men. She suggests that this was because women were now competing against the total number of eligible officers instead of being considered in terms of the number of appropriately qualified women from the previously separate Police Women's Department. Women who had reached senior positions in the separate policewomen's service were forced to relinquish them as they joined forces with men. Such findings are echoed in the work of Schulz (1995) and Miller (1999) who record the double-edged impact that integration and the move to patrol in the late 1960s was to bring to policewomen in the US. In securing the transition into mainstream policing, many policewomen were to turn their back on their traditional roles. Schulz (1995, p.1) notes that in the movement toward equality, policewomen were 'forced to reject their history…[and] repudiate their past'. Brown and Heidensohn (2000, p.4) concur describing the move towards integration as *'… the striking of a somewhat Faustian bargain'* with the price of admittance resulting in a loss of a radical agenda and the acceptance of male definitions and methods of control.

But that was then, this is now. We now exist in a post-rights democratic culture in which the main tenets of equality have been enshrined and embedded into macro and micro structures, into organisational and everyday discourse — a discourse that suggests that the major battles encountered by women have been fought and won. We are now living in a reality identified as 'the post-feminist era', a space in which girls who have benefited from an equalities policy discourse are 'mobilised as the embodiment of the values of a new meritocracy' (McRobbie, 2012, p58). It is here that the young woman more particularly has been released from any constraints. Constructed as the 'can do' girl, if she just works hard and long enough, she can do it, anything is possible…. she is a privileged subject, independent, self-reliant and 'empowered' (Harris, 2004 cited in McRobbie, 2012, pp. 58-60). This is a world in which 'all things are equal now' and a world in which there is no more need for an ideology such as feminism. Twenty first century girls and women no longer work within a framework of feminism but through a framework of modernisation — the project of 'Gender Mainstreaming' — the process of integrating the aims of gender equality and women's rights into the agendas, policies, and practices of governments and organisations. In describing gender mainstreaming, McRobbie (2012, p.152) asserts that it is best thought of as a:

non-conflictual accommodating kind of programme…. [whose]…vocabulary is modern, managerial and professional, a programmatic approach, with all kinds of tools for evaluation and assessment of outcomes which can be rolled out as good practice within corporate as well as state and public sector institutions.

Alongside other public sector organisations, the police service in England and Wales has done much over the past decade to mainstream gender into its activities, through the development of a series of evaluation tools and good practice measures. Through such activity, the structural obstacles that women police so often described in their history of struggle appear to have been dismantled and women can be found engaged in a range of policing tasks and ranks previously closed to them. Above all else, the transformative possibilities of recruiting a diverse police workforce are increasingly being recognised in England and Wales and beyond as an opportunity to substantially reform and reconfigure policing for the better, bringing about improvements to both *internal* dynamics within policing and to external interactions with communities (Silvestri et al, 2013).

WOMEN POLICE: A TRANSFORMATIVE OPPORTUNITY OR A RESPONSE TO CRISIS?

A recent joint report published by ACPO, APA and the Home Office, *Equality, Diversity and Human Rights Strategy for the Police Service* (2010) outlines a number of benefits in relation to the recruitment of a more diverse police workforce. These include the potential to achieve: a broader range of information for decision-making and a wider range of possible solutions; a willingness to challenge established ways of thinking and consider new options; improvements in the overall quality of the team; better staff management, leading to improvements in staff satisfaction; a reduction in the number of employees leaving the service,

and fewer grievances and complaints; and better relationships with the community, resulting in a more effective service and better quality services, leading to increased public confidence.

In an era where the emphasis on service in policing has become paramount, evidence suggests that women may have a positive impact on shifting policing philosophy away from a crime control to a community and citizen-focused approach. Women officers demonstrate a strong 'service oriented' commitment to policing, emphasising communication, familiarity and the building of trust and rapport with communities (Brown and Woolfenden, 2011; Davies and Thomas, 2003; Heidensohn, 1992; Fleming & McLaughlin, 2010). Miller (1999) found that women police are perceived as 'friendly and service oriented' by members of their communities. Brown *et al.* (2009) present evidence to demonstrate that the members of the community recognise the value of an increased representation of women and the importance of a more diverse police service, expressing preferences for women police to deal with victims and missing persons. The Patten Report (1999) in Northern Ireland has also emphasised the positive effect of having a much higher proportion of women officers on enhancing the effectiveness of policing within the community.

In relation to their enactment of everyday practices, specifically, interacting with and apprehending potential or actual perpetrators of crime, research shows that, when compared to men, women police appear to be less 'trigger happy' and much less likely use deadly force (Brown and Langan, 2001; McElvain and Kposowa, 2008; Waugh et al, 1998), utilise threats, physical restraint, force and arrest (Rabe- Hemp, 2008; Shuck & Rabe-Hemp, 2005). In a study of conflict management, Braithwaite & Brewer (1998) found that male officers were twice as likely as female officers to engage in threatening behaviour and physical contact with members of the public, which in turn elicited greater resistance and aggression. Such findings appear to provide explanations for evidence which demonstrates that women are less likely to abuse their power and attract complaints and allegations of misconduct (Brereton, 1999; Corsianos, 2011; Lonsway, Wood and Spillar, 2002). Waugh *et al.* (1998) found that male police attracted two and a half times as many allegations of assault as female police. Moreover, successive inquiries into corruption and police misconduct in Australia have concluded that there is a direct association between increasing the number of women police officers and reducing levels of corruption (Fleming & Lafferty, 2003).

Positive outcomes in relation to policewomen's enactments of police practices can also be found in relation to their interactions with victims of crime, particularly those that have experienced sexual offences and domestic violence. Research by Brown and King (1998); Page (2007) and Schuller and Stewart (2000) found that women police officers are more likely to believe victims, attribute less blame to the victim and be less accepting of rape myths than their male counterparts. Research by Rabe-Hemp (2008, 2009) also suggests that women officers bring a high level of empathy in serving the needs of women and children, especially those that have been subject to violent or sexual abuse. Using data collected by a large scale observational project on the impact of officer gender on police response to domestic violence, Sun (2007) found that whilst there was no significant difference between female and male officers in their exercise of control actions towards citizens, there is some evidence to support the link between officer gender and non-coercive actions. Such findings are echoed in a recent review of global policing which has emphasised the positive effects of women for police conduct and police-community interactions, in the management and de-escalation of conflict situations and in the support for victims of crime (Brown *et al.*, 2014).

The extent to which the call for more women police stems from an appreciation of the benefits outlined above remains a contested point. More cynically perhaps, the call for more women might be better understood as an attempt to re-balance a loss in police legitimacy in times of crisis. Plagued by a series of high profile events and chief officer resignations in England and Wales, the past decade has witnessed a growing disquiet over the failures of police leaders and of the need to transform and diversify the police workforce, particularly those working in leadership (Condon, 1997; HMIC, 1996; HMIC, 1999). The race to appoint a new London Metropolitan Police Commissioner in September 2011 serves as a good example here. In July 2011, Conservative Prime Minister David Cameron, told the House of Commons that the system for producing police leaders was 'too closed', and that '*There are too few, and arguably too similar, candidates applying for the top jobs'.* Following widespread media speculation over who might succeed Sir

Paul Stephenson, the lack of women and ethnic minority officers in the frame for this leadership role became unashamedly apparent. The appointment of Sir Bernard Hogan Howe from an all-male short list served once more to emphasise the lack of diversity at the top of British policing — no women or black or ethnic minority candidates applied for the job. This is not to suggest that women were not encouraged to come forward, indeed, London Mayor Boris Johnson clearly favoured the appointment of a woman to the top job, suggesting that this is precisely what policing needed. In predicting possible successors, The Evening Standard (19th July 2011) newspaper ran a double spread feature on potential female candidates entitled *'Can these women save the Met? Restoring trust lies with senior females'.*

Such calls for more women to 'clean up' policing have become a familiar mantra in times of crises, controversies and 'integrity lapses'. This is nothing new; rather it is a recurring theme in women's engagement with policing. As noted earlier, historical reflection demonstrates that a discourse of 'crisis' has served as an important impetus for the recruitment of women into policing. Heidensohn (1992; 2000) reminds us that at moments of crisis the police service often turn to women as 'a desperate remedy' to offset staffing shortages, avert criticism, as an antidote to corruption or symbolically to demonstrate a softer side to policing. The same can be seen in Australia where the movement towards gender equality owes much to organisational crises, with official reports pointing to the direct association between increasing the number of women police officers and reducing the levels of complaints against the police organisation (Fleming & Lafferty, 2003). Increasing women's presence in policing in this respect forms a crucial strategy in professionalising the police. In these cases *'women are "allowed in" at particular historical points when agencies wish to (re)legitimise their practices'* (Prenzler & Wimhurst, 1996, p.16). The appointment of South Africa's first female police chief, Mangwashi Victoria Phiyega in 2012, has also been firmly located within such discourses, being cited as *'South Africa's hope, the saviour of the nation's corruption-riddled, scandal-plagued police service'* (The Guardian, 13 June, 2012). Though not the focus of this paper, it is worth noting briefly here, such a characterisation of women's transformative potential is dangerous, not least because it inevitably has a tendency to essentialise all women (and by implication men), but it assumes that women will not only bring something different to the work of policing but that they bring something 'better'. This is not necessarily a good place to campaign for more women in policing; rather, the benefits of recruiting more women into policing are best aligned to securing equity, social justice and legitimacy (see Dick *et al.*, 2013 for a fuller discussion of this debate). With equalities law and policy firmly established, together with a recognition by police organisations that gender balance is important, both to the work of policing and to securing greater legitimacy with communities, what do contemporary studies tell us about women's experiences in policing?

CONTEMPORARY STRUGGLES?

Despite showing an upward trend in the number of women police, closer inspection suggests a more cautious reading is necessary here. If we locate where women are positioned within the rank structure, it becomes strikingly clear that things are nowhere near equal. The number of women working in police leadership remains low with women forming only 18 % of those officers ranked Chief Inspector or higher. Such figures remain a key concern, particularly given that research commissioned by the British Association of Women Police (BAWP) in 2006 suggests a 35 % representation of female officers is necessary for adequate progression and cultural integration. Women fare no better in policing systems across the world. Indeed one of the striking truisms about policing is that issues of gender transgress national boundaries. Despite jurisdictional differences in policing systems, there are clear parallels in relation to gendered experiences, with women police in England and Wales sharing much in common with their European and more global counterparts. In a rare international review of the progression and integration of women in policing, Van Ewijk (2012) notes that there is no evidence of a fully integrated police organisation where women represent 50 % of the officer workforce and enjoy an equivalent share of the full range of roles and ranks within the police hierarchy. Rather, in most developed democracies it seems that the percentage of sworn women police remains under 25 % and for the most part, appears to have reached a plateau. For women in non-democratic or emerging democracies, they remain grossly under-represented (Natarajan, 2008). The stark lack of women in senior positions is also replicated across jurisdictions (Brown *et al.*,

2013; Prenzler & Sinclair, 2013; Fischbach *et al.*, 2013).

So how do we reconcile the continued absence of women in policing in the 21st century? To what extent has the struggle so characteristic of early women's experiences in policing been eradicated in this new landscape? Do contemporary policewomen experience the same resistance and struggle as their historic counterparts have before them? What are the barriers that stand in the way of their full participation and progression within policing? Any attempt to address these questions requires much more than a simple examination of the number of women engaged in policing. Here the issue of gender equality goes beyond the numeric; for not only do men dominate in terms of their number, but policing — as a kind of power over time — in all forms and aspects remains embedded in notions of 'masculinities' (Barrie & Broomhall, 2012). It is from such a cultural starting point that a more nuanced analysis of change and continuity can emerge.

A CULT OF MASCULINIT(IES)

The presence of a 'cult of masculinity' has been a central element to the study of police culture (Fielding, 1994; Reiner, 2010; Westmarland, 2001). Indeed much of the opposition to women's entry and progression over the last century in policing has been firmly located within such a concept. In deciphering the 'cult of masculinity', Fielding (1994) argues that its stereotypical values of aggression, physicality, competitiveness and its exaggerated heterosexual orientation, may be read as an almost pure form of 'hegemonic masculinity' (Connell, 1987). At the heart of this discourse is a narrative that constructs women through a language of deficits, conceiving of women as lacking in physicality necessary for police work. With the perception that police work involves strength, action and danger, the concept of physicality becomes a defining element of the 'cult of masculinity' and so the work of policing becomes securely defined as 'men's work'. As Heidensohn (1992, p.73) notes: '[A]n elision which is frequently made [is that] coercion requires force which implies physique and hence policing by men'. In turn, women's lack of success is often justified on the grounds of women's unsuitability with the demands of the job, their contributions being perceived in terms of 'deficits' (Heidensohn, 1994). The policewomen's perceived lack of physical presence, tough physique and, above all masculinity, are used as rational and legitimate reasons for their exclusion. The lack of physical strength and the ensuing problems in violent situations remains a consistent justification offered by policemen for women's continued differential deployment and their negative view of policewomen. While the 'cult of masculinity' remains a valuable frame within which to understand some women's experiences of policing, its explanatory power holds less value when trying to make sense of the lack of women in senior ranks. My argument is a simple one: the 'cult of masculinity' so often used to explain women's negative experiences and lack of progression in policing does not possess sufficient explanatory power for making sense of the experiences of women who hold rank in policing. The 'cult of masculinity' to which we have become so routinely accustomed characterises and refers predominantly to the culture of those at the bottom, the male rank-and-file.

With police leaders perhaps the least likely to be called upon to exhibit physical displays of strength and prowess, it could be assumed that on achieving rank, women will no longer endure hostility, discrimination and exclusion as they no longer face the demands of physicality in the same way as their rank-and-file counterparts. Yet research has emphasised continuities in the resistance and struggle faced by contemporary women police leaders in being accepted by their male peers and superiors (Silvestri, 2003; 2006; 2007). As women progress through the ranks, Silvestri argues that they join new circles, new groups, each with their own distinct set of behavioural prescriptions and each with their own set of gendered identities. Senior policewomen continue to face a gendered environment where masculinity persists; this time, however, they are faced with a different kind of masculinity one where physicality is less obvious, but where traits associated with 'managerial' masculinity dominates. Conceived of as a 'smart macho' culture, Silvestri argues that the organisational restructuring and the reduction of management posts appears to have strengthened the predominantly male culture of long working hours, aggressive and competitive behaviour remains. Interview data with senior policewomen indicate that the culture of police management demands quick decision-making and decision-makers; the transformational approach takes too long and is therefore perceived to be ineffective when performed by women. There is a tacit

understanding among women leaders that using more participatory and consultative approaches does not count towards building a suitable profile for becoming a police leader. Senior policewomen interviewed pointed to the emergence of a new managerial culture in policing, highly performance-driven and preoccupied with meeting performance indicators and targets. This new management style promotes a form of 'competitive masculinity' that encourages:

'a way of relating to the world wherein everything becomes an object of, and for, control... [which] generates and sustains a hierarchy imbued with instrumentalist, careerism, and the language of success, emulates competition linked to decisive action, productivism and risk taking' (Kerfoot & Knights, 1993, p.67).

The effects of being perceived as not being 'tough' enough or 'quick thinking' enough for the demands of management and leadership hold serious consequences for women engaged in developing alternative conceptions of police leadership (often associated with transformative leadership). Women adopting alternative styles come to be labelled not as progressive or innovative, but as weak, passive, over-sensitive and unable to withstand the rigours and demands required of the police leader — again 'outsiders' to the real project of policing (Silvestri, 2003).

A GENDERED CAREER LADDER

Closer examination of the police career itself also provides additional clues to understanding the struggle experienced by contemporary policewomen. Following the earlier work of Kanter (1977) and Cockburn (1988) it was Joan Acker (1990) who developed one of the first systematic attempts to theorise the processes through which organisations and occupations are gendered at both institutional and individual levels. In her influential paper *'Hierarchies, jobs, bodies: A theory of gendered organisations',* Acker argues that organisations are arenas in which both gender and sexuality have been obscured through gender-neutral, asexual discourses, concealing the embodied elements of work. As a result, job positions and management hierarchies assume a universal, disembodied worker. For Acker, the bureaucratic organisation has a 'gendered substructure', that is, the social practices that are generally understood to constitute an 'organisation' rest on certain gendered processes and assumptions. In defining this substructure, she notes that:

'The gendered substructure lies in the spatial and temporal arrangements of work, in the rules prescribing workplace behaviour and in the relations linking work places to living places. These practices and relations, encoded in arrangements and rules, are supported by assumptions that work is separate from the rest of life and that it has the first claim on the worker' (Acker, 1990, p.255).

It is within this gendered substructure that the 'ideal worker' is routinely constructed and reproduced and it becomes obvious that organisational designs and established norms are far closer to men's lives and assumptions about men, than to women's lives and the assumptions made about women. It is men's bodies, men's sexuality and men's relationships to procreation and production that are subsumed in the image of the disembodied worker. Acker's ideas provide an important framework for examining the police career. The very way in which police work is organised and structured carries the dominant meanings of police work that have been embedded and carried over time. Whilst appearing to offer its workforce a gender-neutral career ladder within which to advance, it becomes clear that progression within policing is premised on an 'ideal' type of worker. A *recurring* obstacle for the retention and progression of women in policing lies in its working patterns, and whilst the police service has done much to acknowledge this barrier through the development of part time and flexible working arrangements, the police career in England and Wales remains bound by a century old career model. Unlike some of their counterparts elsewhere in Europe and the rest of the world, Britain operates a single entry system of recruitment with all officers without exception beginning their careers as constables ([1]). From here, career advancement is achieved through climbing a highly structured career ladder through a series of ranks. The ideology of internal recruitment together with a rank-

([1]) This looks set to be modified following the recent proposal to introduce direct/multi-point entry to the police service as outlined in the Winsor Report (2012).

governed progression system tells us much about the importance that the police organisation and its members attach to the importance of 'time serving'. The strict linear career model together with the continued importance it attaches to time served holds serious consequences for all officers but impacts in a particularly damning way for women. Whilst the police service may provide opportunities for part-time and flexible working (and can therefore demonstrate progress in the name of equality), senior policewomen interviewed by Silvestri (2003) remained sceptical of the possibility of engaging with such alternative working practices. Their narratives suggest a strong awareness that utilising alternative working patterns do not count towards the profile of earning or demonstrating either 'credibility' or 'commitment' in the journey to the top. On the contrary, it is an 'uninterrupted, long and full time career' profile that counts in building an identity in police leadership. The 'irresolvable conflict' that exists between balancing family commitments and a career in policing remains a major barrier for women in policing with research continuing to stress that officers working part-time or flexibly are perceived as less professional and less committed, which in turn, affects the promotion aspirations and opportunities of policewomen (Charlesworth & Whittenbury, 2007; Dick & Cassell, 2002; Fischbach *et al.*, 2013). Constructed as being 'ever-available' and without family commitments, such an identity is justified through the conception of 'real' policing and police work and it is here that the male identity of the 'ideal' officer is upheld, assured and preserved.

CONCLUDING THOUGHTS

The past century has been a mixed one for women working in policing. There have been a number of important and welcome changes in equalities policy and substantial inroads have been made to advancement and position of women in policing. At the same time, there is evidence of the considerable *continuities,* ingrained and enduring features of the masculine ethos that has shaped the police career over time and across place. Characterised by moments of *progression* and *regression, gains* and *losses* (often simultaneously felt) are an enduring theme of women's experiences of policing over time. The history of struggle so often used to describe early policewomen's experiences of policing is not confined to the past but rather can be seen in the present. Through the dominant mantra that 'all things are equal now' and the process of gender mainstreaming (and its association with progress), it is easy to fail to recognise the simultaneous 'undoing' of gender and regression inherent in this process. It is true that policewomen in England & Wales no longer face or experience the visible and audible hostility of the past; they do, however, continue to experience the processes of gendered inclusion and exclusion — albeit in more subtle ways. Despite a discourse that suggests otherwise, the police career continues to be remarkably resilient to change.

Women have now been afforded opportunities to compete on equal terms with men for promotion to senior management positions and while gender alone is no longer a barrier to even the most senior police management position, the characteristics required of leaders in this new order may be leaving their mark. Rather than representing an opportunity for change, organisational restructuring and the reduction of management posts appears to have strengthened the predominantly male culture of long working hours, aggressive and competitive behaviour, maintaining gendered identities in the police organisation. In this context policewomen often have to make stark choices between pursuing promotion and fulfilling commitments outside of work. The contemporary policewoman continues to struggle, this time, however, she has no recourse to claim that structures are not in place — after all, gender has been mainstreamed and a system of checks is now routinely part and parcel of organisational life. The 'can do' woman, so symbolic of the 21st century, is independent and empowered and if she does not remain or progress within policing, then the problem is seen to reside within her as an individual and not as part of the ongoing and recurring constraints posed by the structural and cultural elements within policing, which for the most part remain unhindered by policies of gender mainstreaming.

In her analysis of police culture, Loftus (2010) suggests that claims regarding transformation and change within policing have been exaggerated and overstated. The ongoing public and police preoccupation with crime and crime control reflect the continuing dominance of a masculine ethos within the police occupational culture. As does the continued 'male' advantage inherent in the structuring of the police career itself (Silvestri, 2003; 2006). And things look set to get worse. Recent findings in 2013 from the

Independent Police Commission on the Future of Policing, for example, indicate a possible moment of regression, with four in 10 women police officers having considered leaving the force because of low morale and concerns regarding flexible working and childcare considerations (Dick *et al*., 2013).

Current climates of 'economic constraint' austerity 'and 'bureaucracy reduction' serve to perpetuate the problem further. Since the formation of the Conservative and Liberal Democrat Coalition Government in May 2010, we have seen the articulation, and now enactment, of a different approach to tackling equality. Rather than continuing to develop equality architecture, a move to deregulate and cut bureaucracy has seen the government restrict rather than build on existing state institutions and weaken legal provisions. As the policing landscape becomes radically reorganised with fewer officers and reduced opportunities for promotion, cultures of insecurity and competition are enabled to flourish, as individuals and groups compete against one another for scarce opportunities and resources. There is evidence of a dismantling of support structures within policing, with cuts being made to national police support associations working in the area of diversity and reduced investment to address diversity and equality issues (Laverick, 2012). Such change poses further evidence of an 'undoing' of gender in a time of progress. The importance of staff networks was fundamental in the successes of early women police. Heidensohn (2000) reminds us of the importance of 'organising' and 'collective action', noting that national and international alliances and networks that women forged throughout the twentieth century were instrumental in developing their roles and their cause. With developments in globalisation and increasing attention on international trafficking, the conditions are in place for a greater mobilisation around the representation of women in policing — the challenge for police organisations across the world will be to respond.

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EFFECTIVE CHANGE MANAGEMENT IN THE POLICE: INSIGHTS FROM A EUROPEAN RESEARCH PROJECT

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Keywords: Police, Research, Change, Organisational culture, Management, Leadership

Abstract: The following article wants to introduce the COMPOSITE project (COmparative POlice Studies In The EU). It is intended to give an overview of the project structure, partners and its aims as well as to present general results. The COMPOSITE project intends to examine large scale change processes in police forces all across Europe and aims to find out what factors contribute to success or failure of these change processes. It explores such processes in ten European countries with 15 partners over the course of 4 years and will not only generate research results but also implement trainings and diagnostic tools for practical use.

INTRODUCTION

COMPOSITE — COMparative POlice Studies in the EU — is an interdisciplinary and cross-national research project to investigate change processes in Europe's police forces with the aim to identify critical success factors of change processes. COMPOSITE is supported by the European Commission as part of the 7th Framework Programme for Research and Technological

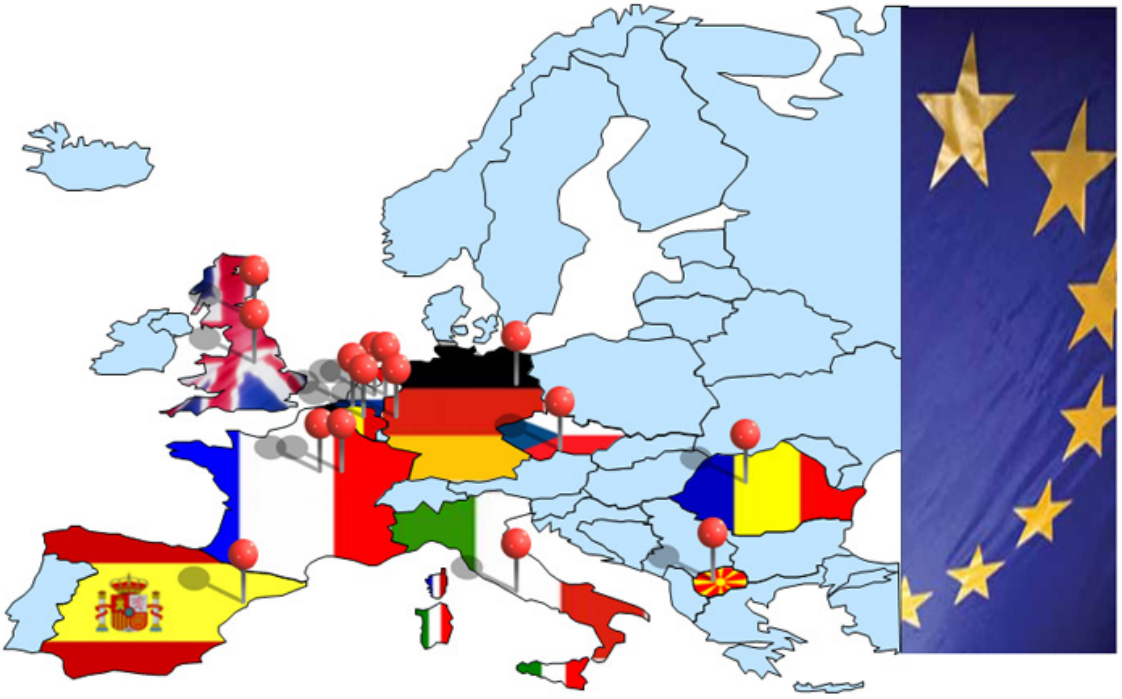

Figure 1: Map of Europe with countries involved in COMPOSITE
Source: COMPOSITE.

Development and runs from August 2010 to July 2014. The consortium of COMPOSITE consists of 15 research institutes from ten countries (see Figure 1): Rotterdam School of Management of the Erasmus University Rotterdam (the Netherlands, consortium leader), University of Antwerp (Belgium), University of Masaryk in Brno (Czech Republic), University of Applied Sciences of the Brandenburg Police (Germany), Fraunhofer Institute for Applied Information Technology FIT (Germany), Capgemini Telecom Media Defence (France), National Center for Scientific Research (France), Foundation for Research on the Migration and Integration of Technologies FORMIT (Italy), St. Kliment Ohridski University Skopje/Bitola (Former Yugoslav Republic of Macedonia), University of Utrecht (the Netherlands), Police Academy in Apeldoorn (the Netherlands), Department of Psychology of the Babes-Bolyai University (Romania), ESADE Business School (Spain), Business School of Durham University (United Kingdom), and Sheffield University (United Kingdom).

SOURCE: COMPOSITE.

In addition to the research teams, the project also includes an End User and Strategic Advisory Board from the participating countries to ensure a close connection to the police. The End User Board is an important part of the governing structure of COMPOSITE and is composed of police officers on a senior operational level. The members of the End User Board act as a sounding board for quality and relevance of the deliverables and are especially important for discussions on cultural and national differences in police work. The Strategic Advisory Board is a group of senior policy-makers and police chiefs from the participating countries who function as a consultancy and review board to ensure the strategic link between the project and the police forces in the respective country.

To move the comparative aspect of the research beyond written reports and empirical findings, COMPOSITE also initiated a photo project called COMPOSITE gallery which illustrates the similarities and differences in everyday working life of police officers in the 10 participating countries. Two professional photographers travelled all over Europe and caught remarkable scenes as well as insightful impressions of the inner workings of the visited police departments. The pictures can be seen online via www.composite.rsm.nl.

The goal of the COMPOSITE research project is not restricted to the extension of scientific knowledge and theory building, but it will also help improve management of police forces and thus save public funds by providing benchmarks and learning opportunities, increase the performance of police forces across the EU and help to deepen existing networks and inter- as well as intra-organisational ties between forces.

RESEARCH OBJECTIVES AND WORK PACKAGES

COMPOSITE covers a wide range of research questions and objectives. It is divided into 11 work packages (WP), four of which deal with project management, academic integration, dissemination as well as an exploitation strategy. Seven work packages cover the empirical aspects of COMPOSITE:

- WP 1 looked at the relevant issues on the change agenda in European police forces, the opportunities and threats as well as the primary stakeholder of police forces (Van den Born & van Witteloostuijn, 2011; Van den Born, 2013).

- WP 2 investigated the ability of police forces to react to social, political and economic challenges and identified those police practices that serve as strategies to adapt to those challenges (Graham, Betteridge, Casey & van Witteloostuijn, 2012).

- The focus of WP 3 was on the description and comparative assessment of police communication while asking the questions of how information is distributed and communication is organised (Birdi, Allen, Turgoose, MacDonald & Vössing, 2012a; Birdi, Allen, Turgoose, MacDonald & Vössing, 2012b).

- WP 4 deals with technical trends and challenges to modern police work investigating the different ways of technological adaption (Denef *et al.*, 2011; Denef, Kaptein, Bayerl & Ramirez, 2012).

- WP 5 is designed to identify the influence of cultural factors on the ability of police forces to change and attempts to measure specific

norms that have an impact on change processes (first snapshot results: Elliott, van den Oord, Pólós & Betteridge, 2013). This work package also addressed the following questions: What kind of change processes were implemented? Which ones were successful and which ones were not? What were the success factors and which factors contributed to failure?

- WP 6 researches the organisational culture of police organisations and the professional identity of police officers in order to understand which parts of the specific police culture serve as facilitators for or barriers against change processes (first results: Horton, Bayerl & Jacobs, 2013; Bayerl, Horton & Jacobs, 2013a).

- Finally, WP7 looks at the aspect of leadership in change processes (first results see: Bayerl, Horton & Jacobs, 2013b).

The research process can be tracked via the project's website (www.composite-project.eu) where working papers, publications, presentations, and general news on the COMPOSITE project are released. Information on the on-going project progress is also given in a monthly COMPOSITE newsletter.

RESEARCH METHODS

The COMPOSITE project uses a multi-method approach. Over the course of the project, several hundred semi-structured interviews (qualitative social research) with police officers of all hierarchical levels — operational, supervisory, strategic level — were carried out in the participating police forces. In WP 1, a PESTL analysis was conducted examining the topics of police policy in terms of political (P), economic (E), social (S), technological (T) and legal (L) trends. As part of WP 2, a SWOT analysis was conducted, giving valuable insights into the strengths and weaknesses of police organisations, as well as the opportunities and threats they are faced with. This research also focussed on the dynamic capabilities of the police forces involved. In most work packages, also a case study approach was used to describe specific change processes in greater detail. In addition to the semi-structured interviews and the case studies, a core survey (quantitative social research) was conducted in all countries in order to test the hypotheses that were formulated on the basis of the previously conducted interviews. The data was collected through an online and paper-based questionnaire distributed to the individual participants between September and October 2013. At the time of writing (March 2014), the analysis of the assembled data was still going on.

RESEARCH FINDINGS

Police forces all over the world are constantly forced to change in order to react to political, social, technological, economic, legal and environmental developments (Van den Born & Witteloostuijn, 2011; Van den Born *et al.*, 2013). Most of these changes do not encounter significant resistance nor do they run into any kind of significant problems. Examples of routine changes may include the introduction of more advanced technologies, legal changes, or procedural improvements. But some changes can create significant irritation among the members of the organisation or major stakeholders, trigger criticism and resistance and may not yield the desired results. Particularly, changes that do not take into account organisational, professional, or cultural parameters, often turn out to be risky and prone to failure (Jacobs, Christe-Zeyse, Keegan & Pólós, 2008). Therefore, COMPOSITE focuses on organisational structures, organisational identities and cultures, leadership styles, and processes in the context of change.

In this respect, police forces to a large degree depend on their organisational environment. In order to be successful, police forces need to operate in networks and cooperate with different external stakeholders — municipal administrations; educational institutions; media; citizen; justice, to name but a few — in due consideration of their mutual expectations (cf. Gruschinske & Hirschmann, 2013, p. 187). As part of WP 1 and 2, the stakeholder management of the participating police forces was examined with respect to how important of the stakeholder is for the police and what kind of influence the stakeholder has upon the police (Barlage, van den Born & Jochoms, 2012).

There is strong evidence that in most police forces, there does not seem to exist a strategically oriented stakeholder management, meaning that many police organisations invest too much time and effort in stakeholders that are not particularly relevant for them, and at

the same time neglecting stakeholders that are or might be of critical importance. Thus, the researched police forces should monitor, reconsider, or change the way they deal with their external stakeholders (especially the ones they depend on) in order to improve their networking-performance.

This also applies to the management of citizens' relationship. The research reveals that in most police forces, citizens are seen as one of the most important external stakeholders. Consequently, citizens' expectations could and should be managed much more actively; this aspect of police work is more difficult than anticipated, however, because — from a police officers' perspective — the average citizen does not seem to have a sufficient understanding of police work. Still, increased communication and awareness training as well as a more professional information and communication strategy seems to be needed in most of the police forces that participated in the research. This also implies the use of social media.

The analysis of the way police forces use social media was part of a separate work package (WP 4) in which technological trends, performance, and technology adaption were analysed (Denef *et al.*, 2011; Denef *et al.*, 2012). Sebastian Denef *et al.* (2011) identified six major themes in the context of information and communication technology within police forces; one is about the emerging challenge of social media applications. In a second study, Denef *et al.* (2012) focussed on best practice in police social media adaption. Our data clearly show that the use of social media was significantly more advanced in countries such as the Netherlands and the United Kingdom as opposed to most other European countries. In the Netherlands and the United Kingdom, social media are also seen as among the most effective ways to communicate with citizens and manage the public image of the police. This may lead to the conclusion that the organisational culture of the police forces in the United Kingdom and the Netherlands is more open to adapt swiftly to social changes such as the increasing use of social media compared to other forces (see: Denef, Bayerl & Kaptein, 2013). Our research gives clear indication that the use of social media is a highly relevant topic of organisational change and needs therefore — with all its benefits and costs — to be handled with a strategic perspective. However, Denef *et al.* (2013) emphasise that these findings should not be seen as a blueprint or a step by step instruction of how to implement social media within the police. They rather illustrate best practice examples of the technological adaptability of European's police forces bearing in mind that different organisational cultures and different perceptions of the role of police in society have to be taken into account before police forces embark on a way to use social media as a means to communicate with the public.

As important as the issue of social media may be, it is embedded in a wider issue area that deals with information and communication in general. Here, the differences between police organisations in Europe are also striking. Birdi *et al.* (2012a; 2012b) focussed on the capabilities of police organisations to share knowledge within their own organisation, with other forces nationally as well as internationally, and also with respect to the public and other relevant stakeholders. Their findings suggest that the researched police forces differ strongly in their preferences regarding knowledge sharing and their method of communication. Even if one particular communication method is seen as most effective in one culture, it may play a significantly different role in another. One thing most police organisations had in common, however, was a clearly stated preference for direct personal contact and face to face communication whenever it was possible and justifiable (see Figure 2).

The findings by Birdi *et al.* (2012a; 2012b) are integrated into a conceptual framework of 10 types of factors found to influence knowledge sharing effectiveness in different domains. Based on these findings, a diagnostic tool (EKSPO-DI) was designed specifically for police organisations in order to help benchmark knowledge sharing performance in different domains, identify and underline major barriers for knowledge sharing and offer strategies to overcome these barriers (Turgoose *et al.*, 2012a; Turgoose *et al.*, 2012b).

A first data analysis regarding organisational culture, identity and leadership illustrates that successful change processes have several factors in common: they are usually originated from within the police forces, the need for the change can be expressed in police terms, and good leadership is critical (Bayerl *et al.*, 2013b). Despite the seemingly wide-spread assumption

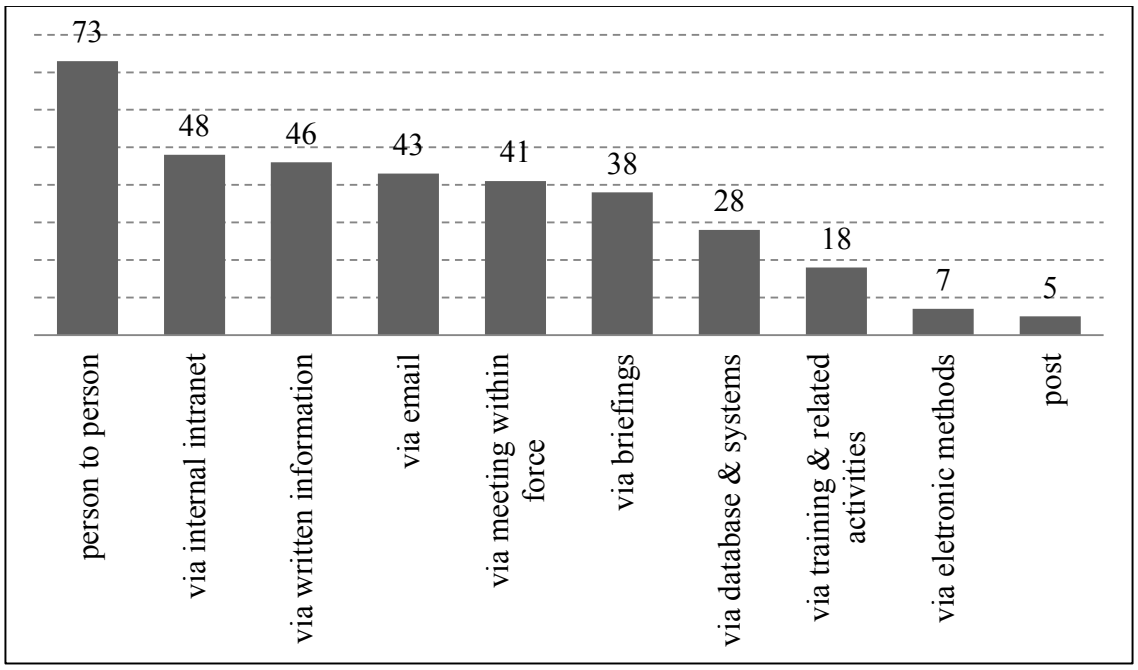

Figure 2: Top ten most effective methods of knowledge sharing within forces across all ten countries (number of references made; total no. of references made: 389)
Source: Birdi et al. 2012a.

that all police officers are 'somehow the same', our data clearly show that organisational cultures and professional identities in the police are vastly different (Bayerl *et al.*, 2013a). Furthermore, the data analysis explored different reconciliation strategies which may be used to tackle identity threats and conflicts to maintain commitment among the members of the organisation (Horton *et al.*, 2013). At the time of writing (March 2014), the analysis of the identity and leadership issues is still in progress. The final results promise to be highly relevant and insightful.

CONCLUSIONS AND CHALLENGES

Very often we try to change organisations although we hardly understand how they work. Very often we dream of improving things by changing the organisational architecture. Very often we touch upon cultural identities without being aware of them. Very often we trigger resistance against change and do not know where it comes from. And very often we falsely assume that police cultures and practices are basically the same all over Europe. Moreover, we often try to improve things by looking for best practices without taking into account the cultural and organisational context. The COMPOSITE project attempts to shed light upon these issues using a multi-disciplinary, multi-level, multi-method and multi-country approach.

But COMPOSITE also provides valuable insights into the specific problems one may run into doing research in the police. As we have seen so far, most European police organisations are subject to permanent change. This makes the analysis of the impact of individual change processes highly complex, because there are always several change processes going on at the same time that influence each other and lead to interference effects that make it hard to isolate consequences of the change. In addition, research methods developed in the private sector are of limited use in the police. Police performance cannot be measured the same way as the performance of a company, critical statistical data and key performance indicators are hard to come by or often unreliable. This issue turned out to be one of the major problems of doing research in the police. Moreover, the political leadership is often reluctant to have politically difficult change processes evaluated scientifically. As one of the interviewed police officers said poignantly: 'Most police organisations are still ruled by two simple principles. 1. Don't do anything that might question the impression of organisational rationality and, 2. Never let the chief look bad'.

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QR-AA-14-001-EN-N

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