CEPOL

# EUROPEAN POLICE SCIENCE AND RESEARCH BULLETIN

## Police Science and Police Practice in Europe

Contributions to
CEPOL European Police Research and Science Conferences –
Bramshill, Münster, Traiskirchen, Badhoevedorp, Oslo and Lyon

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# EUROPEAN POLICE SCIENCE AND RESEARCH BULLETIN

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# Police education and police science in Europe

## Editorial introduction to the conference collection volume

**János Fehérváry & Detlef Nogala**

In this volume, the reader will find a selected collection of papers that were presented at the Annual European Police Research and Science Conferences, organised by the European Police College (CEPOL) – since July 2016 called the European Union Agency for Law Enforcement Training – during the period of the years 2006 to 2012 (¹). This publication continues the ongoing endeavours of the European Police College to foster the documentation of discussions, new ideas and issues raised in regard to the understanding of the police as an institution, and policing as an activity in a European and wider context (²).

The CEPOL Research and Science Conferences have, over a decade, contributed significantly to achieving one of the agency's dedicated tasks: to disseminate research findings and good practice among senior police officers in Europe. Even in the digital age, live conferences appear to be still the most generative forums for sharing insights, launching new ideas, or finding intellectual inspiration.

In the past (that is until 2011), access to the CEPOL conferences was administratively restricted and the number of participants thus limited. By the same token, a good number of the presented scientific outcomes and opinions were not more widely shared.

The editors of the volume — who were also the respective organisers of the covered conference events — hold the opinion that the collection contributions deserve a broader reception and discussion, even when they were presented some time ago and might be considered as 'dated' by some. Good justifiable reasons for a retrospective publication from the editors' perspective are:

- senior police officers, police students, students of the police and police researchers as well as the interested general public in Europe should have the chance to read these papers and to work with them: according to the Bologna Process — meanwhile implemented in national police training of most EU Member States — the permanent inclusion of insights and findings of police research and science into law enforcement training activities is considered crucial for their quality;
- the speed of development of police science in Europe is rather slow, if compared e.g. with the natural sciences: the main topics on the agenda are persistent and theoretical concepts appear occasionally reloaded from earlier stages of disciplinary evolution, still carrying currency. Several

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(¹) Contributions collected here originate from the conferences organised in Bramshill 2006 (United Kingdom), Münster 2007 (Germany), Traiskirchen 2008 (Austria), Amsterdam 2009 (The Netherlands), Oslo 2010 (Norway) and Lyon 2012 (France).

(²) See for example Fehérváry et al. (2006), Jaschke et al. (2009), Fehérváry (2011), Honkonen (2011), Nogala et al. (forthcoming), as well as the *European Police Science and Research Bulletin*, published by CEPOL and available from the agency's website. Short summary reports on all CEPOL R&S conferences can be found in the Science and research section of CEPOL's public website (www.cepol.europa.eu).

of the insights and thoughts offered here are as relevant now as they were when first presented;

▪ even if some empirical results have become outdated, or in the event that the theoretical discussion has advanced, there is still good reason to document the concerns and debates of the recent past.

The editors of this volume trust that this publication will encourage further interest in the professional, scholarly and public discussion about good police and good policing in Europe, and hope that it will be a positive stimulus for enhancing exchange and cooperation between police training, police research and police practice, generating potential new interest in the agency's forthcoming research and science conferences.

## Police Science in the context of the European Police College

Around 2006, ten years ago, an international CEPOL expert group was in the middle of a deep discussion on police science matters from a European perspective and came up with a working definition of police science. According to this definition, 'police science' is a relatively young academic discipline with a growing international scientific community in Europe (see Jaschke et al. 2009). However, there are good opportunities and hope for fruitful development when we see its dynamic growth during the last two decades. Further progress is expected — and certainly necessary. In order to promote this process, scientists and researchers conducting their studies and research in the wide field of police science have to come together in their scientific community, despite their diverse, multi-disciplinary backgrounds, approaches, experience or languages. They must form an international network of research institutions (units) and scientists, since different joint activities by members of the professional and scholarly network are essential to ensure the future progress of police science. This may and will help in solving the many theoretical and practical challenges of finding wider acceptance from politicians, practitioners and scientists from other academic fields, doing research in the very wide and complex topic of police and policing. The community also can help to promote new ideas, approaches or

research questions which will contribute to establishing a better understanding about the research topics of this young academic discipline for actors in policing and, particularly, in the police.

A vital tool for strengthening the scientific police science community is gathering scientists and researchers that are active at police training institutions in conferences, symposia, workshops, meetings or editorial teams for scientific journals.

The working definition of police science referred to above has been the foundation for the design of all the CEPOL Research and Science Conferences with regard to the content. However, without doubt, we have seen some dynamic development in the academic discussion of police science and research since 2006 — not at least because of the progress of the Bologna Process in the area of police training in Europe ([3]). However, the essential background of this development can be seen in the fact that policing becomes more and more complex, increasingly international, linked with other fields of society and diverse regarding the actors or active providers. This development, and changes in policing environments, offer the reason and opportunity for closer scientific considerations of policing and the police. Against the backdrop of these developments it has become obvious that efforts to suit the objectively increasing needs for scientific analyses of the conditions and reality of policing are a consequent response in this situation. Police research and researchers — regardless if inside or outside of police or governmental institutions — are undeniably confronted with these contemporary and emerging challenges and are seeking to provide findings and results for police training and police practices. There is a slow but steady sense among leading police management that scientific research can and will help to meet these challenges in a proper and effective way — often avoiding expensive wrong decisions.

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([3]) See for example the findings of Ferreira et al. (2011) and Konze et al. (2015).

## CEPOL Research and Science Conferences

Since its inception in 2001 one of CEPOL's central tasks has been the promotion of international cooperation in the field of research and science by dissemination of good practice and research findings. This remit continued after its transfer to a European agency in 2006. In implementation of this task the Swedish National Police Academy in Solna organised, under the auspices of CEPOL, a first general seminar for police research and science in 2001. The year after, the Dutch Police Education and Knowledge Centre (LSOP) organised, in cooperation with CEPOL, a pilot conference in Apeldoorn. A major topic of this conference was 'European Police Science — bridging the gap'. Based on the encouraging experience from the Solna and Apeldoorn events, CEPOL has put the CEPOL European Police Research and Science Conference on the annual working programme as an 'annual flagship event' since 2003 (see Table 1).

The major aim of these conferences is the dissemination of current research findings and information about research projects and the improvement of cooperation of the involved police colleges in the field of police research and science, as well as building up a meeting platform for senior police officers, police trainers and researchers. Behind this aim is the idea that CEPOL will be able to raise the overall profile of police science in Europe by bringing together various stakeholders from the police science community with senior officers who are open to and interested in police research and science. This opportunity for meeting and discussing research findings and projects in relation to police practice is seen as a contribution and challenge towards bridging the gap between operational policing and academic research.

Esteemed academic researchers and senior police professionals from various European countries were invited to the conferences as keynote speakers on the specific main topics, as well as experts for panel discussions and workshops. In order to overcome national or professional bias, or ignorance of any sort, the organisers encouraged diversity in the scientific and pragmatic approaches of dealing with the main topics and accepted differences in the quality of the keynote addresses in favour of embracing as wide a European dimension as possible.

When organising the conferences, the conference managers favoured certain types of contributors and contributions, those with an emphasis on, or interest in, promoting:

- interchange between theory, practice and training of police and policing;
- a constructive exchange between different scientific approaches and the demands of police practitioners on equal and mutual terms;
- the idea of a European dimension and the idea of a European police science;
- initiation and inspiration of further (comparative or joint) research activities.

Similar if not the same criteria were applied in the collection of this volume.

**Table 1**
CEPOL Research and Science Conferences 2003-2012

| Year | Organising Country/College | Main Topic |
|------|----------------------------|------------|
| 2003 | **Sweden**<br>Swedish Police Academy in Solna | Interplay between research — education — practice |
| 2004 | **Czech Republic**<br>Czech Republic Police Academy in Prague | Development of police sciences and transfer of knowledge into police education, training and practice — interconnections: science — training — practice |
| 2005 | **Portugal**<br>Instituto Superior de Polícia Judiciária e Ciências Criminais in Lisbon | Scientific research and assessment of police recruiting, training, learning and evaluation methodologies and techniques |
| 2006 | **United Kingdom**<br>CENTREX in Bramshill | Policing public order |

| Year | Organising Country/College | Main Topic |
|------|----------------------------|------------|
| **2007** | **Germany**<br>German Police University in Münster | A European approach to Police Science |
| **2008** | **Austria**<br>Austrian Sicherheitsakademie in Traiskirchen (Vienna) | Comparative policing research from a European perspective: with a focus on organised crime |
| **2009** | **Netherlands**<br>Police Academy of the Netherlands<br>Badhoevedorp (Amsterdam) | Future policing in Europe: a shared agenda for research |
| **2010** | **Norway**<br>Norwegian Police University College in Oslo | Practical research and research practice — Police Science into a new decade |
| **2011** | **Spain**<br>Gabinete de Estudios de Seguridad Interior of the Spanish Ministry of the Interior in Madrid | Cybersecurity, cybercrime and social networks |
| **2012** | **France**<br>École Nationale Supérieure de la Police in St Cyr au Mont D'Or | Police Science in Europe. Projects, progress, projections |

## About this collection volume

There were, of course, more presentations and papers given during the five conference events than documented here in the volume at hand. The selection applied by the organisers is due to a mix of substance and the availability of contributions: not all of them were at publishing level, and some were not meant to be published in full paper format. In addition, English was not the native language of all presenters and the routine of writing scientific articles varies accordingly. Thus the reader will note clear differences in the level of sophistication in vocabulary, style or rigorous structure of the argument.

However, in respect of the editors' ambition to collect — in their view — outstanding and noteworthy contributions, as well as presenting a variety of different perspectives, approaches and research methods from different European countries, regions and institutions, this publication demonstrates the potentiality of police science with a European dimension, fed and supported by professional experience and reflection, as well as by intellectual rigour and scholarship.

Instead of arranging the 31 contributions in chronological order, in line with the year of original presentation at the conferences, the editors opted to group the articles in topical clusters [4]. Within the individual chapters, the papers are sorted from more theoretical approaches or generalist positions to more

applied viewpoints, where possible. The introductions by the editors to the specific chapters provide a summary of what the respective chapter is about and what the reader can expect.

The first chapter **Police research and science**, addresses the cardinal issues of the development and applicability of police science vis-a-vis the demands and challenges of the routines of daily police business as well as police training and education. The papers by Pieter W. Tops, Monica den Boer, Bernhard Welten & and Auke van Dijk (all Netherlands) and Christian Mouhanna (France) shed some light on the space created by the partially rivalling logics of management, institutional governance and scientific search for facts and truth, where one can find tension, as well as innovation and mutual inspiration. Peter Neyroud (UK) argues for a pragmatic way forward in order to avoid the shortcomings and dilemmas of the past from a British perspective.

The second chapter features contributions centring on **Comparative approaches** to progressing police studies, if not police science. The articles by Sebastian Roché (France), Cyrille Fijnaut (Netherlands) and Gabriele Jacobs, Kate Horton and P. Saskia Bayerl (all Netherlands) highlight the importance and usefulness of international comparison as an instrument of police research for acquiring facts as well as practical and theoretical knowledge about contemporary police and policing.

**Strategies and perspectives** are the focus of the contributions to Chapter 3 written by (once again)

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[4] The year of original presentation will be indicated by the conference venue and year on the starting page of the respective articles.

Cyrille Fijnaut (Netherlands), Jean-Paul Brodeur (Canada), Didier Bigo (France), Sirpa Virta (Finland) and Michiel Holtackers (Netherlands). Those papers deal with police and policing strategies seen from scientific perspectives, and their implementation by politics and in police practice.

The contributions by Sophie Body-Gendrot (France), Rob Mawby (United Kingdom) and three co-authored papers — Wouter Stol, Helene I. Gundhus, Siv Rundhove and Karianne Rönning (Netherlands and Norway); Matthew L. Long, Laurence Allison and Michael McManus (all United Kingdom); Thierry Delpeuch and Thomas Scheffer (France, Germany) focus on practical police challenges as central topics for research projects in Chapter 4 **Practical police problems and applied science**.

**Organised crime meets research** is the subject of the papers in Chapter 5. Hans-Jörg Albrecht (Germany), László Salgó (Europol/Hungary), Michael Levi (United Kingdom), Tamara Schotte (Europol) and Didier Bigo, Hager Ben Jaffel (France) and James Sheptycki (Canada) look carefully at various aspects of organised crime and the respective challenges for police research regarding strategic, political and practical handling of this international crime complex.

The sixth chapter **Contemporary and emerging challenges of policing** collects papers highlighting familiar and novel problem areas of policing in Europe, as well as some innovative perspectives with which to tackle them (Sabine Vogt, Germany). Those challenges may be caused by institutional and organisational changes (Peter Neyroud, United Kingdom; Tore Björgo, Norway; Graham Hooper, United Kingdom) or triggered by seismic shifts towards digital societies (Tatjana Tropina, Germany and another joint paper by P. Saskia Bayerl, Gabriele Jacobs and Kate Horton, Netherlands).

The **concluding final contribution** is a paper by Nick Fyfe (United Kingdom) based on his concluding keynote address at the conference in Lyon 2012, which in the view of the editors conceptually sums up almost perfectly the most relevant issues raised and the underlying discursive currents that were shaping the discussions and disputes between practicing police officers, police educators and police scientists or scholars during all CEPOL European Police Research and Science Conferences. At the same time, he formulates an outlook on the direction that police science and police research could take in Europe in the future.

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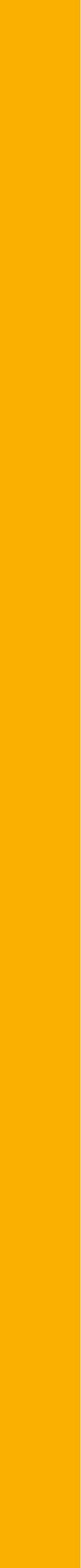
# Chapter I: Police Science and Research — Introduction

**Hans-Gerd Jaschke**

Police science and research was and still is the core topic and the background of the annual CEPOL research and science conferences. Since the first ideas came up more than ten years ago, basic questions took the floor again and again: Do the police need science? What kind of science and research, what can be called 'applied science'? What do we know about the relationships between the world of policing and the world of researchers? What are shared values and what are differences between the EU Member States related to police research? The idea of 'police science' was promoted and an international working group worked out some ideas within three years. The results were presented at the CEPOL science and research conference 2006 in Bramshill, a book publication followed shortly afterwards. The following meetings focused on selected leading topics, but they also discussed the main basic problems of police science.

This chapter presents five contributions within a time frame of five years: from 2007 to 2012. They all deal with knowledge and information and the way the police are working with these resources. All authors are engaged experts in the field of police science and research, but they take different positions, ranging from a sceptical view on police managers´ willingness to cooperate with researchers up to successful experiences of practical teamwork.

Pieter Tops opens with a reflection on knowledge on the one hand and action on the other. The presumption is that daily police work in a 'frontline organisation' (Tops) is driven by the need for action and reaction, both of them immediately after the case has occurred. Thus, police officers are action-orientated. Generally, reflection and contemplation are the skills of a researcher's working environment, whereas the officers' professional attitudes are much more activity orientated. On the other hand, a detective is 'a researcher' as well — he or she combines different sources of knowledge and information to solve the problem. Following Tops it can be said that the nature of police work is both, action and research orientation. This leads to the performance level as an important and neglected field of police research: 'In brief, police research is characterised by a tension between knowledge kills action and knowledge skills action. The big challenge is to keep balance'.

Monica den Boer highlights communication within the 'narrative' police organisation as a brilliant focus for the reflection of police practice, education, and research. Police research is key to policing, because well-trained and educated officers might be able to develop the organisation. In the police education field research enables students to apply rigid methodological standards, to analyse problems better and draw conclusions. Den Boer then draws attention to the research infrastructure, where a lot of things remain to be worked out: there is a lack of research environments, and only little cross-border cooperation in the field of police research. Networking between police academies, police agencies, industry partners, and governmental and non-governmental organisations could be improved. Den Boer's perspective is an optimistic one,

which believes in cooperation possibilities and the willingness of researchers, police managers and other players in the field to cooperate.

Christian Mouhanna throws a spanner in the works. His outlook is a pessimistic one. He insists on ongoing mistrust and tensions between police managers and researchers when discussing the French case. His starting point is the myth of the police as a homogenous, top-down orientated organisation. Police managers believe deeply in this model, although the reality does not follow. Police research in the field, which discovers that processes are not top-down driven but, to some extent, out of control, may destroy the myth of the homogenous organisation. This is the fear of the managers and this is why they mistrust intellectuals, a group which is above all much less part of the hierarchy and free to criticise the police and which is, from that point of view, a certain risk for the police management and the myth of the homogenous organisation. Police managers tend 'to reject those who pretend to have a more accurate view, and especially when they have relevant analysis. That is why researchers are blamed and denigrated'. After studying Mouhanna's article, which offers a deep view inside the complicated structure of research knowledge and police leadership, many doubts remain: what about constructive cooperation between the police and police research, between managers and intellectuals?

Bernhard Welten and Auke van Dijk give an example of a very fresh and surprising cooperation between the Amsterdam-Amstelland police force and researchers in the 'Juxta' project. Cooperation was built up with academics from unusual backgrounds: no lawyers, no criminologists, no administration experts, but people coming from anthropology, philosophy, artificial intelligence, art or experimental psychology. The police force wanted to have a look inside the organisation from a 'strange' perspective in order to open up new discoveries. Welten and van Dijk describe Juxta as a big success. The researchers named many blind spots that the officers did not notice in their daily practice. They contributed to opening the minds of the officers and instigated many critical reflections. From the police point of view, the authors emphasise 'an intimate relationship with the academic world (which) is necessary for problem solving in a rapidly changing world'.

How does this obviously constructive cooperation experience between Dutch police managers and researchers fit into Mouhanna's sceptical view of mistrust? Comparing the Amsterdam-Amstelland experience with Mouhanna's doubtful, but comprehensible view, offers further questions for discussion: Is Juxta a very single Dutch experience, or can it be generalised? Are Mouhanna's reflections limited to France or must they be taken into account generally?

Peter Neyroud argues from a British point of view; that changing conditions in the development of economy, society and politics are driving a much more systematic approach. The financial crisis and massive cost cuts forced the police to restructure policing, police training and the way the police make use of research. Neyroud identifies a historical situation where the police relationship with science and research needs a radical change. The founding of the new 'College of Policing' in the UK in 2012 should create 'a new partnership relationship with higher education': police training concludes more education items, the establishment of police universities in some countries indicates the adoption of scientific and research issues into professional police education. Neyroud sees the discussion about the professionalisation of policing at the moment 'to test the development of a full-blown professional model — qualification, accreditation, registration and continuous professional development — not just for the senior ranks, but for all those working in policing'.

In summary, some major research dimensions remain open for further discussion. The role of knowledge in practical police performances needs an empirical approach (Tops). The process of setting up research infrastructures is on the political agenda, and the relationships between police, research and education remain on the research agenda (den Boer and Neyroud). Last but not least, we find plausible arguments that deny the willingness of police managers to cooperate with researchers looking inside the organisation (Mouhanna) and at the same time we take note of a remarkable Dutch experience, which gives evidence of a successful cooperation between management and researchers (Welten/van Dijk), an issue for further discussion. Maybe Tops hits on a main point: he believes that the police 'has only relatively recently opened itself to more knowledge-based approaches and reflective processes'.

# Knowledge (s)kills action — a shared agenda for comparative research on and with the police

**Pieter W. Tops**
The Netherlands

(2009 Conference in Bad Hoevedorp)

## The value and meaning of knowledge for policing

Some three years ago now, I joined the Police Academy of the Netherlands to further develop its knowledge and research function. Crucial questions for me were: What is the relationship between the police and knowledge? What are effective research strategies in the police world? How can we improve our knowledge about the police as a frontline organisation?

First of all, in essence, the police are a knowledge organisation. Police officers are continually occupied collecting, arranging and assessing knowledge, whether it is related to the investigation of a crime scene, taking a statement or bringing to light fraudulent financial transactions. It's a question of looking for reliable knowledge, aimed at establishing the truth. This must ultimately be able to stand the test of public and legal scrutiny. In this sense, police work has a lot in common with empirical scientific research. A detective is a researcher. At the same time, there is a rather ambiguous relationship with knowledge in the police world. As police organisation, you need knowledge if you are to take action and be successful. But knowledge certainly does not always make it easier to act. Knowledge is certainly not always practical. It can also lead to more doubts, to more uncertainty, to the enforced acceptance of multiplicity and ambiguity. It has been said that 'knowledge kills action' (Flyvbjerg, 1998) and this statement clarifies why the relationship between the police and knowledge must be a complicated one.

So what is to be done? In my experience as researcher, I have rediscovered the meaning of action and interaction studies in recent years (Kensen and Tops, 2005). This research takes place very close to the real world. You put yourself in the shoes of those you are studying, empathising with their questions and problems. A certain level of engagement is appropriate, without becoming totally involved. The impact of the researcher on what happens is not eliminated as much as possible, rather made firm and explicit. The researcher talks back and advises, and not only at the end of the study in the form of a report, but during the research process. In my experience, this not only increases the practical, but also the theoretical significance of the study. Nothing is perhaps as practical as a good theory, as the saying goes, but nor is anything as theoretical as a good practice (Zouridis, 2003). These are observations which coincide with current opinions on the character of knowledge and knowledge production (Leijnse, 2002). Knowledge is seen here less and less as a 'stock quantity', as a commodity you can acquire and store and then distribute or apply in bits. Instead, knowledge is a 'flow quantity', which forms in processes in which production, distribution and application take place simultaneously. Knowledge forms primarily in learning processes and in practical activities. As a result, the age-old distinction between fundamental and applied knowledge becomes blurred.

In this approach, tacit knowledge is very important, the unexpressed knowledge that is present in skilled and professional action, whilst the actor is unaware of it or unable to describe it accurately. In a recent study,

conducted in the Netherlands, it turned out that, in contrast to common belief, police officers on the ground often have a relatively high capacity to learn (Beerepoot et al., 2007). At least, people say that they learn a lot informally, but we still know little about exactly what and how. When reading this report, I was constantly reminded of the famous case from the management literature about the maintenance engineers at Rank Xerox. Every morning, they sat together for half an hour drinking coffee, before they set off to the different firms to check the copiers. In an attempt by the management to increase efficiency, the half hour for coffee was scrapped and the engineers went straight off to their clients. In this way, it turned out that the board had managed to destroy the most important collective learning opportunity in the organisation. Whilst enjoying a cup of coffee, football was not the only topic of conversation, but also experiences and questions relating to work (Seely Brown and Solomon Gray, 1995). I suspect that we should also be looking for such moments in the police. That is not a haphazard affair. The briefings and debriefings, for example, by no means always qualify as a true exchange of experience. Apparently, you have to go further and deeper into the police organisation. Observe precisely what police officers do, rather than what we think they do. It is very important to unveil this secret of police learning, both theoretically and practically; it increases our insight into how the police functions as a frontline organisation and it helps us to improve its quality in practical terms.

This research can only be made successful if the police officers on the ground are also convinced of its usefulness. Interaction studies can then be an extremely useful research strategy. It is a line of research that we have to develop further within the police in the coming years. However, I do not wish to be at all dogmatic or narrow-minded on this point. Different types of research must be able to coexist, side by side. A few years ago, I looked into what kind of knowledge people operating in cities need, for the Dutch Knowledge Centre for Larger Towns and Cities (KCGS, 2002). We arrived at three types. First of all, inspiring and interpretive stories about what is involved in the reality of urban trends. Anecdotes help you to gain insight and to know how to relate to it; stories, which also supply the language and the terms that make this possible and which provide the inspiration for change and innovation. Secondly, figures and time sequences;

presenting factual material in a clear and orderly manner, so that it becomes obvious in which area of development we find ourselves and what, if anything, is unusual about it — facts and figures, knowing what's going on and being able to draw conclusions from this. Thirdly, recognisable theories in the form of reflection on all the assumptions and starting points which are at the root of everyday operations. Did we base our action on the right assumptions? Did we overlook important things? Are we up to date in our analyses? Did we make the right connections? The international dimension is also important here.

## Police research in context

A lot of police research has been conducted in the past decades, by many different researchers in many different countries. We certainly not start from scratch. But where exactly do we stand in police research? Historical comparative research on police research has been done in recent years and I would like to mention two thorough studies: Insights on police by Paul Ponsaers and colleagues (2009) and Perspectives of Police Science in Europe, by del Barrio Romero and colleagues (2007). This latter study was actually commissioned by CEPOL. These two studies give an important insight into the field of police research. Several conclusions may be drawn from this.

1) Thematic diversity is enormous. One way to look at it would be to state that it is rich and diverse. Another way is to describe the field as lacking in focus and cohesion.
2) This lack of focus and cohesion is not only visible using an international perspective, but even within a country the field of police research is 'split'; there is diversion on topics and communities.
3) Between countries this effect is even more pronounced, there is little international cooperation.
4) Due to all the effects mentioned before, comparative research has only been done sporadically.
5) More focus and cohesion can be reached by collaboratively working on a research agenda.
6) Another topic concerns the difficult field of practically orientated research. I will explain more about this subject later on.
7) Police and research do not naturally 'bond'. The police is characterised by a reactive and practically

orientated culture, which has only relatively recently opened itself up to more knowledge-based approaches and reflective processes. Police research is now becoming ever more 'normal' and accepted. But what effects does this 'scientification' ultimately have on policing and the police organisation?

## Strategic questions for police research

Before I go into the research topics themselves, I would like to point out three important issues we have to deal with in police research. These issues concern 'knowledge kills action', the political dilemma of 'intelligent police' and the development of Pasteur's Quadrant.

### Strategic issue: knowledge (s)kills action

It was Nietzsche who said 'knowledge kills action'. Merely having a lot of potentially conflicting knowledge may ultimately destroy swift handling and action. This seems to be a dilemma, especially for the police organisation, which traditionally is known for its action-orientated culture. Policemen and women are action-orientated, they are usually not trained to be very reflective. The ambition is to go from 'knowledge kills action' to 'knowledge skills action'. Only one has letter changed in spelling, but it makes a huge difference to the meaning. How do we get from 'kills' to 'skills'? This does not seem to be a trivial question. To begin with, it is important to acknowledge the plurality of the term 'knowledge'. Tacit knowledge and explicit knowledge are two completely different types of knowledge that need to be distinguished. Learning how to quickly unarm a robber is mainly tacit or procedural knowledge; remembering what went right and wrong when one first unarmed a robber concerns explicit knowledge. Both types of knowledge are indispensable for good police practice.

Knowledge perhaps kills action when the two are not combined properly. An example: a team of police officers had to do their annual training. They were briefed that a certain suspect should be arrested. When they walked round the building, someone tried to attack the team, a person who did not match the description of the suspect. They just let him go and were a bit shocked, overwhelmed. They had stopped to think about the instructions and description, without turning to their skills of arresting a suspicious person. Police work indeed is dynamic in this sense: sometimes procedures and reflexes are in order, sometimes deliberate thinking is appropriate. Police officers need to be able to constantly switch between these modes.

### Strategic issue: the politician's dilemma

Another strategic issue concerns what I call the intelligent police dilemma for politics. A knowledge-based police is also an intelligent police. Does politics really want the police to be smart? In essence, the police constitute a potential dangerous force. How dangerous does politics consider the police to be when the police are actually doing an intelligent job? What happens if the police actually question certain ideas or actions? How reliable do politicians consider the police to be, when they have a sharp and professional opinion of their own? On the other hand: what is more dangerous in our complex society: a police that is intelligent, or a police that is not? Related to this question one might ask whether politics knows how to manage the police as an intelligent power.

### Strategic issue: Pasteur's Quadrant

In general there are three ideal types of relationship between theory and practice (Stokes, 1997). 1. All theory, no practice (Bohr). 2. All practice, no theory (Edison). 3. Practice and theory combined (Pasteur). We hold the following view on police research: it should contribute to the scientific base, or in other words it should help develop theory. At the same time, society should benefit from the knowledge that is produced. It should help develop police practice. This combination of practical orientation and theoretical rigour is Pasteur's quadrant. This type of research is also called use-inspired basic research. It bridges the gap between basic and applied research, which is a tough field. For example, it asks for a specific type of methodology. Together with a number of universities of applied sciences, the Police Academy of the Netherlands is working on this specific topic.

## Research topics for discussion

The Dutch police are working on a strategic agenda. Strategic topics for the coming years will at least entail the following subjects: performance, positioning, and authority and force. The research will be conducted with a predominant focus on related subjects. I will go into more detail in the following paragraphs. The research

topics are associated with actual questions and remarks made by police officers of all ranks.

## Performance

A lot of research questions can be classified as related to police performance. The first question to raise is: how do we judge performance? When can we say the police are doing a good job? This is a complex question, which has been simplified too much in recent years by means of measurable performance indicators. And although research has shown that the effects of this simplification have not been disastrous, there is by no means an endurable foundation for adequate judgement of police performance. How can we judge police performance? I will discuss a couple of important factors. First of all, this has to do with the complex relationship between objective data or information and subjective feelings and experiences. In objective terms, the level of violence in society has decreased in the past century. However, both collective and individual sensitivity for violence seem to have increased. Second, there is a civilian need that does not match the ever-increasing rational, functional and technology-driven 'modern' type of safety and security. This need concerns confidence, trust and feelings of safety. The systemic approach of security problems will never give an answer to these needs. Civilians worry about values and norms and this sheds a different light on police performance. We need to investigate what type of measures this yields in terms of efficiency, effect, integrity and legitimacy. Despite subjective feelings and experiences, there are some difficult problems for the police that directly relate to its performance. For instance, only about 20 % of Dutch crime is actually solved. This does not help build confidence and trust in the police. Another issue concerns the quality of information exchange, both within the police organisation and between the police and partner organisations. An example is complaints about the poor quality of official police reports. It should be possible to organise an improvement here.

## Positioning

Safety and security are by no means exclusive police tasks. On the contrary, the police increasingly cooperate with partners; a phenomenon which has been labelled 'policing without the police'. This means the police need to think about its position within the policing field. The police have an important function within many networks and police roles sometimes differ: from signalling and advising to organising connections by programme management. Sometimes the police have a leading role, sometimes a role in the background. It is necessary for the police to choose a strategic position: be flexible and keep track of relevant partners, intervene where necessary, by signalling and advising or more actively on account of core police tasks. However, choosing a position requires good insight in the core being or soul of the police. The unique information position that the police has in society is an important aspect, but also the right to use force.

## Authority and force

Our societies are changing significantly. There is growing differentiation and pluralism, due to migration, globalisation and strong economical fluctuations. An unbearable pluralism seems to be developing, which is perceived as a threat, especially for people with low education and underdeveloped social capital. For them, populist politics offer a way out, which seems to make the world less complex and more bearable. This development yields tension, and the police are in the middle of it. Especially the police's authority should not be questioned, but this increasingly does seem to be the case. This has partly to do with the behaviour of individual police officers. They sometimes do not show professional discipline and superiority, which needs to be trained and coached. But it is also related to the way in which people see the police. Often the police are considered to be one of the rescue organisations (together with the fire brigade and ambulance service). Giving help to those in need is indeed an important part of policing, but the police are in the first place an organisation which helps create a recognisable and accepted societal order. This is and will remain an essential task of the police, especially in times of (financial) insecurity, political changes and societal dissatisfaction. This task also asks for authority and distance. The police are not always your best friend. Relationships with civilians need to be open, but not symmetrical. One of the questions is whether the police are still able to responsibly use force in situations that require this force.

## Round up

In brief, police research is characterised by a tension between knowledge kills action and knowledge skills action. The big challenge is to keep balance. Classic dilemmas concerning research and science

are inevitably touched upon when it comes to police research: the relationship with power and authority, the relationship with practice and the design of the research itself. This is important not only with respect to the themes and research content, but also for the development of proper scientific research.

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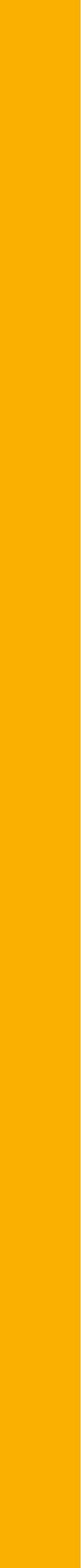
# European police science: connecting practice, education and research

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(2012 Conference in Lyon)

## The value of knowledge and research in police organisations ([1])

Police organisations are traditionally rather 'narrative' in nature, to the extent that experience and knowledge is often transferred through individual stories (Trujillo & Dionosopoulos, 1987; Waddington, 1999: 288; Wilson, 2000; Vlek, 2012) ([2]). The legendary coffee break functions as a bridge between the individual and the collective. It helps to understand and to frame experiences at work. A narrative organisation also implies that practical wisdom remains pocketed in corners of the police organisations and that they are not disseminated. The institutionalisation of police knowledge helps to transform wisdom beyond the subjective level, and it allows for a more systematic transfer of knowledge between individual professionals, organisations, agencies and nations.

However, noble as this strategy may sound, the relationship between the police organisation, police education and police research does not occur to be a straightforward one. Why would this be? There may be several reasons, most of which have adopted the status of perpetual myths. It is often claimed that police officers don't read, and if they read, they are

either forced to do so or they take recourse to light and short reading material. It is also claimed that police officers are generally defensive and that they are not interested in the outcome of research. In addition, police organisations are regarded as introverted bureaucracies that are unwilling to critically reflect on their own organisation. Police can be extremely unreceptive of research, which may be due to the fact that many police officers have no experience with research. Vice versa, it is often claimed that police researchers have no practical experience with, and appreciation of, genuine police work. Hence, the question is very much whether there is a gap between police practice, education and research, and if so, how it can be addressed or resolved. This article seeks to contribute to the discussion about the future of European police research in connection with practice and education.

## Police research is key to policing

There is a clear need to link research and higher education in the European Area of Policing. Police agencies are learning organisations which face a growing complexity. In their security environments, police organisations witness a rapid development of technology and surveillance. At the same time, society is changing to the extent that traditional mechanisms of social control have eroded. Police agencies are public services organisations whose performance is under the continuous gaze of society and media. Police professionals often engage in a specialist activity

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([1]) Academic Dean of the Master of Science in Policing, Police Academy of the Netherlands and Canterbury Christ Church University (UK). The views in this text may not represent the official views of the institutions of employment at the time of writing.

([2]) See for instance Connie Fletcher, 'Listening to Narratives: The Dynamics of Capturing Police Experience', http://www.calstatela.edu/faculty/mauwal/comm477/Listening %20to %20narratives.pdf; accessed 18 December 2012.

but remain potentially exposed to extremely diverse circumstances in which they are requested to respond flexibly and intelligently. In order to maintain high levels of professionalism, police organisations have to build and share knowledge. Police research helps to develop police organisations and practices, by offering accrued data and analysis on trends and developments in law, politics, society and technology. Moreover, police organisations can look into the mirror more easily when they enlarge their comparative insight into national and international systems of policing.

They have to adapt to new circumstances, which may even involve profound transformations in terms of governance, legal framework, authority and accountability. The rapid globalisation and the vast expansion of the private security market demands from public police organisations that they engage in multi-agency cooperation. While public police lose their monopoly and face more competition, they are pressed to show their strength and added value. Moreover, austerity measures may lead to insufficient capacity and underinvestment in specialist resources. The changing economy of policing which results from this multi-faceted context leads to new accountability and governance arrangements.

Hence, new demands are placed upon police organisations, for instance in the sphere of strategic problem-solving. This would be the worst time to cut down on investment in higher police education and research as there is a need for academically trained police professionals with skills, competencies and knowledge to coordinate offer strategic advice to police leadership. The delivery of informed judgement is a crucial task for highly educated police professionals. Hence, we find ourselves in a situation where life-long learning demands on police professionals have to be combined with the Bologna requirements, which are currently not yet achievable in every EU Member State.

## Police research is key to police education

Police research is not merely relevant for police agencies and their partner organisations, but principally also to police knowledge and police education. Through the application of rigid methodological and theoretical frameworks, police research may contribute to the valorisation of police practices. Moreover, by means of codification and building a canon of police, knowledge can be more systematically transferred between individuals and organisations, and it can be more evenly distributed and disseminated, ensuring the access to knowledge by all police individuals. Police research can help to bring forward police education through curricular development and the development of educational materials. In the past, police research has already helped tremendously to bring police training and education on a higher plane. Furthermore, police researchers who are active in police educational environments can provide teaching, supervision and assessment and they may provide an active input to accreditation processes. Police students may be able to learn more in a research-orientated environment as they are challenged to address questions for which no ready answer has yet been provided. A research-driven environment tickles their curiosity and prompts them to engage in an intellectually stimulating debate, culminating in research-based analysis of police-related issues. The following quotation is particularly instructive in this regard:

*'All students have a right to learn in an environment that provides the opportunity to fully develop their knowledge, understanding and skills. A learning environment informed by research provides learners with an understanding of knowledge creation (the research process and research methods) and its application (in economic, social, health and global contexts). It also stimulates key skills of critical analysis, respect for evidence and informed decision-making. We feel that a research-informed environment to stimulate the development of knowledge and skills is appropriate to all levels of student learning in higher education. (TQEF, 2006-2009; HEFCE, 2006).'*

A research-informed environment is thus seen as a stimulation of the development of knowledge and skills at all levels of student learning in higher education. Police research in an international-comparative environment presents a particular logistic, cultural and linguistic challenge, but this may be overcome when it is combined with e-learning and e-discussion platforms (virtual learning environments).

## Police research is an ongoing practice

The text above seems to suggest that we currently do not have an international infrastructure for the systematic linkage between police practice, (higher) education and research. In part, this may be true, as there is currently no integrated accredited Master in Policing or a PhD-programme in the European Union. However, there are sustainable forms of cooperation between police organisations, police academies and universities, even on an international level. The current infrastructure is still primarily national and mono-sectoral, to the extent that different security organisations (e.g. police, customs, special investigators, border officials, prosecution agencies) don't mingle very well. Hence, several programmes remain limited to police participants only. The CEPOL Police Exchange Programme (³) offers a promising perspective for reciprocal police knowledge exchange as it allows police officers to spend some weeks in a foreign police force. The European Police Exchange Programme seeks to contribute to mobility and exchange of police professionals, to establish a common police knowledge across different fields of interest, to facilitate the sharing of good practices at EU level, to contribute to the sharing of a European police identity and to encourage mutual learning and networking. Research experts may also be eligible to take part in the European Police Exchange Programme, for instance when they are active in fields like community policing, radicalisation, financial crime and the management of major events. CEPOL's liaison programme aims at closer cooperation with European agencies, which is currently done through study visits (e.g. Europol, OLAF etc.)

Throughout Europe, there appears to be considerable variety in police higher education (see e.g. Pagon et al. 1996), as well as the possibility for police officers to enter a PhD-Programme. The Police Academy of the Netherlands runs a PhD-programme on police research, which allows professionals from a different academic background the possibility to conduct a multi-annual research project under the supervision of a lecturer from the Police Academy in cooperation with a university professor. The Scottish Institute of Policing Research (SIPR) (⁴) offers different academic trajectories, ranging from MSc theses, to PhD positions, practitioner fellowships and post-doctoral research. In Australia, the Australian Research Council Centre of Excellence in Policing and Security (CEPS) (⁵) opens its doors for academically involved police practitioners (called 'pracademics' or 'embedded cops'), who are highly qualified and who act as ambassadors for the linkage between the academic community and the police organisation. The 'embedded (research) cop' is involved in research activities on a day-to-day basis within a university environment.

It is generally considered essential to gradually build a cohort of 'pracademics' in order to stimulate systematic exchange of knowledge about procedural, methodological and thematic issues. Another model of practitioner involvement in police research is provided by internships for academics within police organisations and police academies; they can be involved in performing research as well as teaching. Weisburd and Neyroud (2011: 1) advocate a model which brings universities into police centres and which encourages the police to take ownership of research. Yet another but complementary model is the establishment of fellowships for practitioners at police and security academies, which allows professionals with an academic background to dedicate research time to a specific issue. Furthermore, in order to stimulate research participation from police agencies, some Member States have institutionalised a grant competition (e.g. SIPR and the Dutch Commissie Politie en Wetenschap). More generally, it is considered essential to nourish a lively interaction between practitioners and the research community. This can also be done by connecting Master's of Science in Policing students more closely with the community of Police PhD-scholars, for instance along the lines of graduate schools, which can stimulate mutual learning. Although there is currently a strong move within the academic world to establish graduate

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(³) See http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/pdf/expro_faq_s_en.pdf; accessed 18 December 2012.

(⁴) See http://www.sipr.ac.uk/research/index.php; accessed 19 December 2012.

(⁵) See http://www.ceps.edu.au/home; accessed 19 December 2012.

schools (⁶), within the police environment they seem less evident as there is growing evidence of a decrease of educational requirements for frontline officers. In any case, there is an obvious need to link research and higher education more closely, and this does not merely require to train the trainers, but also to actively build a stimulating environment for teachers at police academies to acquire an academic degree or PhD if they have not done so already. These initiatives have to be supported by visionary and strong academic leadership at the police academies. Efforts to build a feasible and internationally vibrant community of police scholars also require the expansion of nodes of cooperation and exchange. This can be developed on a European scale but can even 'go global' by means of EU-partnership programmes (ENP).

## Police research is about delivery and diversity

At the moment, police research is incredibly diverse as it is performed by a wide variety of scholars, ranging from university professors to Master's students who conduct a research project for the purpose of their thesis. The leading principle is that intellectual rigour should not be compromised, and that theoretical and methodological requirements should always be complied with. Research ethics play an important role in all academic undertakings, but within the police research environment it may even take a more prominent position given the often sensitive nature of the research projects and the privileged access of police researchers to confidential data (⁷).

Except for aiming at a better understanding of policing through appreciative inquiry and how policing can be improved, innovative police scholarship can contribute to de-mystification and a testing of academic insights. In this context, the emphasis lies strongly on the validation and valorisation of existing

police knowledge. Police research can be supported by an interdisciplinary approach, with a balanced mix of legal, sociological, economic and psychological perspectives. Cross-disciplinary research may literally be able to cross borders with a focus on police science. In a diverse police research environment, multiple research projects should be welcomed, ranging from policy-orientated to theory-based, and from short-term to longitudinal research projects. There is a need for more empirical field research, which may generate inside perspectives.

What are additional conditions for building a relevant research-based body of knowledge? Police organisations demand the production of 'usable stuff', which generates the need for practical applications, for instance through evidence-based research. Neyroud and Weisburd (2011: 3) argue that the evidence-based model for developing practices and policies has not (yet) been developed widely by police agencies. Arguments and recommendations can be evidence-based but still not be adopted because policing is a very politicised field of activity. Neyroud and Weisburd also argue that vice versa, policing strategies are implemented with little reference to research evidence. Hence, despite attempts to overcome this gap, there are considerable challenges to interlink research and policing in a more systematic fashion. In other sectors, like industry, medicine or nursing, research enjoys a much higher priority and more budget is reserved for this purpose. The findings of police research should be disseminated not merely in the form of books and journals, but also directly by means of communication in class as well as by Internet and social media. Research findings may need to be translated in a language which is fit for certain audiences. The minimum objective should be to trigger attention, interaction and discussion about the research findings, also (and most importantly) with a wider community of citizens.

What should the future focus of police research be? The map of police research projects already looks incredibly rich and diverse. Several areas of interest have been charted, certainly within the higher police education environment. These topics include the history of policing, cybercrime, bio-terrorism, trafficking in human beings, forensics, cross-border policing, ethics and human rights. However, higher police education (graduate schools, Master's and

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(⁶) See for instance the Australian Graduate School of Policing and Security, which includes programmes for doctor of police leadership, doctor of policing and security, several Master programmes, graduate diplomas as well as a bachelor programme; http://www.csu.edu.au/faculty/arts/agsps/courses; accessed 19 December 2012.

(⁷) See for instance Maurice Punch, `Police and Ethics in Qualitative Research`, http://www.sfu.ca/~decaste/867fall08/867pdfs/hand-book_83-104.pdf; accessed 20 December 2012

Bachelor's programmes) could be supported more systematically and directly by an international community of policing scholars. As for international policing, more comparative research ([8]) is required which is transferred into police educational material and more research with a focus on cross-border policing practices in Europe could be undertaken as well (e.g. Spapens, 2010). Relatively uncharted police research areas include police-media relations (however, see e.g. Denef et al., 2011); the ergonomics of new police technologies; the ways in which precautionary policing is undertaken, e.g. by means of pro-active surveillance powers; the emergence of hybrid policing, e.g. blurring police and military mandates and the shift to paramilitary policing (Easton et al. 2010); public and private policing (privatisation); intelligence-led policing applications in the realms of public order management; and equity of policing (the distribution and delivery of public policing services across the EU).

Police research requires investment from a variety of partners, such as police academies and police agencies, security and industry partners, governmental agencies and non-governmental organisations. Between these partners and stakeholders, trustworthy and sustainable relationships need to be established. To allow police research to flourish, it requires nutrition from academic leadership. Academic support and sound facilities for international police research could become a focus of all national police academies in the EU Member States. In order to facilitate academic access and mutual learning it is adamant that — in addition to the library facilities in police academies — a European-wide digital repository for (international) police research is available, which involves input from the wider community of police scholars and which should take an inclusive approach. Also junior scholars such as Master's students and PhD students should be invited to take part in a digital academic environment, once their academic output has been screened and formally approved. Except for the investment in horizontal and multilateral forms of research cooperation, there could also be an EU-wide investment in international police partnerships.

Research findings should not remain hidden from the educational community: bridges can be constructed by inviting academic scholars to share their findings and experiences in intensive police research seminars, for instance in the form of summer schools. Moreover, on a European scale, competitions may be launched for individual and institutional police research grants. These undertakings should be assisted and coordinated by a (virtual) support office for international police research projects. Whilst keeping an open mind for a diversity of research topics, an EU police research strategy could become part of the successor to the Stockholm Programme and could be aligned with the shaping and implementation of the EU policy cycle on serious and organised crime ([9]).

## Concluding notes

Police research may contribute to innovative solutions that are more cost effective and efficient. Furthermore, police research facilitates quick strategic advice and responses from police leaders, as they have access to readily available data, e.g. on crime statistics and patterns. Police research may also contribute to the standardisation and uniformity of practices across a jurisdiction; this may avoid fragmentation and enhances equity of justice. Above, it has been argued that there is a need for quick results as well as longitudinal research. In order to establish an academic environment of sharing and pooling, police researchers ought to be encouraged to share and communicate their findings before data are published in peer-reviewed environments. The sharing of research findings is very important, which gives a key role to libraries and virtual learning centres. In the field of police research, there is a need for role models. In this light, it is encouraging that an increasing number of police chiefs have acquired an academic degree and an understanding of the academic rationale. Principally, police research provides the basis for a rational choice concerning future options for the development of police services.

Despite the high relevance of police research for police organisations, academic environments should

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([8]) However, see COMPOSITE: Comparative Police Studies in the EU; http://www.rsm.nl/about-rsm/news/detail/2741-composite-comparative-police-studies-in-the-eu/; accessed 20 December 2012.

([9]) Council of the European Union, Council conclusions on the creation and implementation of a EU policy cycle for organised and serious crime, 3034d Justice and Home Affairs Council Meeting, Brussels, 8 and 9 November 2010.

be maximally alert about the potentially dramatic impact of austerity measures and budget cuts within the Member States. Police research cooperation in the EU, with a rigid emphasis on shared learning and innovation, is a promising way to join efforts and to keep abreast of budget cuts which could potentially undermine and destroy a cautiously built research infrastructure. In order to achieve this, it is important that police researchers think hard about a European-wide alignment between the academic research agenda and the policy agenda. This may lead to sustainable commitment at the European level: a collaborative effort focused on strategy, finance and management may help to transform competitive agendas into cooperative ones. In order to achieve this, it is crucial to overcome logistic, linguistic and cultural thresholds. Whilst academic neutrality may be an illusion in the face of the power of governments who are really in charge, it is vital to pursue integrity and independence in using the evidence when performing police research. This is why some scholars would prefer police research to be conducted in an academic environment. However, confident and well-networked police academies that have institutionalised partnerships with universities may well be capable of nourishing and producing high-quality police research.

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# Colliding views of police reality — science vs. politics of policing

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(2007 Conference in Münster)

If social sciences have become increasingly interested in policing matters during the last three decades, there is little doubt that differences of opinion remain within the police forces about the usefulness of sociology. There has been undoubtedly an open-mindedness among police officers and police commissioners, but many actual examples show that there is no guarantee: in some countries, the cooperation between social sciences and police forces is now on the decline, while paradoxically more scholars are working on these topics. 'Law and order' orientated policing has become much more popular, and as a result policing is today more politicised and contested (Newburn, 2008). The prevailing view that focuses on efficiency and voluntarism tends to replace a more scientific approach.

Based mainly on the French case, this paper would like to shed some light on the persistence of mistrust and even fear of researchers among police forces, especially at the highest level. Our purpose is not to judge police chiefs and politicians in charge of policing, it is to try to understand why this gap still remains whereas sociology for the police and sociology of the police (Manning & Yursza Warfield, 2009) have produced a lot of results for years. That will lead us to examine the idea of the police officer considered as a 'knowledge worker' (Ericson & Haggerty, 1997).

To meet this challenge, it is essential to consider not only the police officers' point of view, but also the researchers'. The hardest challenge of the researcher who has undertaken fieldwork within the police is the chiefs' reluctance to accept the results, especially when they point out issues that the chiefs don't want highlighted. Among the criticisms that these chiefs, and also the politicians who are in charge of policing and security matters, address to researchers, intellectualism is likely one of the most used. As for them, research is useless, researchers don't have a realistic representation of daily concrete problems that the police officers have to deal with. Scholars are said to be naïve and unrealistic ([1]), or their work is described as too complex to be useful for action. Sometimes, they are even suspected of being accomplices of offenders when they try to explain the reasons for crime and when they criticise the policies of law and order. Their empathy towards offenders is regarded as a form of complicity or weakness.

If it would be wrong to say that all researchers are far from being naïve or unrealistic, the total rejection of research in some crucial situations or in some police forces raises questions, especially when these researches are founded on field work. In regard to this point, I will try to explain why intellectuals are not welcome by the chiefs and politicians in charge of policing strategies and security policies. I want especially to shed light on the current idea of an opposition between the world of managers and practitioners who are supposed to live in reality and the world of social scientists, who are said to live among books and theories. This will lead

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([1]) For example, Nicolas Sarkozy, Minister of the Interior, in January 2006, two months after the French riots in the suburbs.

us to examine more carefully the question of tension between theory and practice inside police forces.

As was underlined in many works (Barrio Romero et al., 2009), there are two main different ways to face the question of police science and the 'science of policing a society'. The first can be called theoretical and top down, and the second is based on a pragmatic approach. These two ways divide both police chiefs and scholars. We will now examine what characterises each of these ways.

## The police force as a homogenous organisation: the common myth

The first way of speaking about police science and about policing a society refers to a general theory, which considers government and police administration as the source of power in the police force. Polices forces are used to increase and maintain the state's strength (Weber, 1971). This way of thinking puts the stress on the homogenous character of police forces and it considers the police as a tool for the government. This top-down organisation is supposed to follow the rules and the orders set by the hierarchy. In this view, the top management of police forces is supposed to detain all information. Police chiefs are expected to elaborate general planning and strategies in order to solve the problems they have identified. In this kind of organisation, there is allegedly no place for a police officer's discretion: his first quality is to obey and to implement orders.

In this kind of organisation, elites are the ones who know how to solve problems (Mosca, 1884). When they use the police force to improve citizens' welfare and safety, they do it in a top-down way. Police officers are considered as simple performers who only have to implement the guidelines, which have been handed down by their chiefs. They are neither supposed to negotiate with the citizen nor to adapt themselves to the citizens' demands. In this technocracy, there is no place for a real exchange, a dialogue with the people or with society, because the principles of management of the police forces are based upon hierarchy and centralisation.

Our point is not to discuss whether this idealistic system really exists or not. The main point here is to put the stress on the beliefs. We want to underline that, in countries like France, the senior officials and the police top management are the ones who are the most likely to believe in the efficiency of this kind of organisation. The structures of the police forces are based on this model, which puts the stress on the protection of the state more than on the security of the citizens (Monjardet, 1996).

This way of thinking led up to what was traditionally called 'scientific management' in the industry (Taylor, 1911). It underlines the division of labour between technocrats, who elaborate how to work, and the practitioners, who are supposed to follow the rules. In this view, a police officer's discretion (Black, 1980) is either ignored by the chiefs or is banished: law and departmental services spend a lot of time trying to limit or eliminate discretion, something common in every bureaucratic system (Crozier, 1963). Today, scientific management is essentially based on the development of technology. Through new technologies, like GPS, direct reporting, recorded interventions and CCTV, some public sector managers and political authorities are convinced that they have the power to better control police officers. In doing so they also think that they could now be able to better control the whole of society through these technologies, and that control over the police forces will help them to do so. The main principle of this peculiar view is that the police officer could be used as a tool for applying pressure on citizens. The main idea —temptation — is to control society through different mechanisms, such as laws, technology and police forces but without a real partnership between the civil servants and the public. One of the risks of the fascination for technology is that the citizens become less and less a partner, not even a client: they could simply be considered as a thing to be managed. In fact, through technology, the aim of some police authorities could be to reinforce a centralised and hierarchical approach that fits some elites (Nogala, 1995). This illusion of better control through technology has to be underlined, because it could lead to preventing police organisations from maintaining or developing their relationship with the public.

Even if this idea of control is based upon new technology, it must be underlined that it is not really a new strategy. Looking at the history of police forces, there are many examples of this belief in technology as

an illusory answer to all problems of control. Besides, technology is often used to reproduce old practices and to justify old habits (Manning, 2008). And as far as the bad practices are concerned, technology is one means that allows police officers to avoid contact and direct interaction with people if they don't want to be involved in logic of public service. CCTV is used to replace police patrols in the streets. Police files have replaced human contact to supply information. In the technocratic managers' eyes, whether they are top-level chiefs or politicians, this weakening of links between street police officers and the public reinforces the principle of hierarchy and their own power. In contrast, when the hierarchy allows police officers to manage direct contact with citizens, police priorities are set by the public and the police officer is accountable for them. But there is still a tension between top-down management and openness to public demand. In every bureaucracy, if the client — or the citizen — is the 'reason' that justified the existence of this bureaucracy, after a while the client becomes inconvenient, and a source of disturbance (Crozier, ibid). This is especially the case for police forces in a centralised system. From the managers' view, public demand often prevents police officers from following their own plans. Therefore anything that promotes internal logic and 'protects' the managers from unexpected events is welcomed. Technology is a useful tool for reinforcing this domination, but 'communication' is another.

In a bureaucratic organisation, communication is not an interaction or an exchange, it is a one-way communication used to convince people that the managers' view is the right one, even if reality is quite different. The goal is the same: to strengthen the top-down strategy and to avoid any perturbation that could weaken the managers' plans. In the case of police forces, communication has often played a part in the construction of a myth, that of an omniscient police force, able to control everything and to solve any problem (Brodeur, 1984). Technology, like CCTV and files, whatever their actual effectiveness, also participate in the construction of this myth. And the technocrats are the first to believe themselves in these myths they have participated in building. By contrast, street-level police officers, who have to cope with real problems, are less likely to believe this myth than the chiefs who are far from local concerns and looking

at the work from 'above'. And the more the police organisation is centralised, the more the chiefs are likely to have bureaucratic management strategies based on their belief in their omnipotent power. The paradox is that even if they say they have everything under control, they always need more troops, more laws and more technologies to reinforce this control. Hence they are always asking for more resources. Managers and politicians in charge of the police face a dilemma. On the one hand, they have to demonstrate the power of the police in order to fortify their own power. But on the other, they are permanently looking for more resources in order to better control the police, which leads them to realise that their power is in fact more symbolic than real, even if it is more or less efficient. But communication helps them to create a 'curtain' that prevents the public from discovering the truth: the king is often naked.

In reality, these types of senior officials are not the only one who believe in an omniscient and omnipotent police force. Many scholars have been convinced of the same belief. It was not only the case of conservative professors who wanted to preserve this image of the police, which is useful to maintain and establish order, but also, more surprisingly, the case of many leftist scientists.

## Critical scholars and the power of the police: a critic that reinforces the myth

Like police forces, scholars are far from being a homogeneous group. Some researchers, especially in such disciplines as law or political science, are likely to defend the pattern of a powerful police force, because they focus their attention on the legal and formal aspect of its work and of its organisation. But many scientists working in social sciences, in spite of their critical positions against the police, have also spoken of police forces based on this image of an omnipotent power. Their goal was to denounce it, but paradoxically the critics have participated in strengthening the myth.

Especially during the 1960s and the 1970s, a vast majority of scholars were involved in diverse movements that protested against the political use of police forces. Although they were denouncing the politicians and police chiefs who were trying to control

society through their use of the police, they were sharing the same view: a powerful police force, able to impose its rules on the population. Of course, unlike the heads of the police forces, these intellectuals were not in favour of this type of society. These scientists had a different goal: they wanted to save democracy from this power, because they thought that the police were a threat to the rule of law. But by denouncing the use of the police and the strength of their actions in a Marxist or Foucauldian perspective, i.e. a tool used to maintain the power of the state and to preserve social order (Foucault, 1978), they unintentionally provided credibility to the image of a police force able to control the whole of society. In countries like France or Germany, many scientists, especially sociologists, have been involved in movements that reject the police. Paradoxically, whenever they have denounced the power of the government, based on their use of the police, they reinforced the politicians' and senior officials' views.

Why have all these leftist scientists been so naïve? It would be very interesting to develop this point, but it is not our main concern here. Many explanations could be taken into account. Ideologies were more important during these periods than today. Many scientists were involved in direct and concrete actions, such as demonstrations or street fights, where they were directly confronted with police officers. For example, the riots of May 1968 in France were a concrete illustration of this fight. The police force was on one side of the barricades and on the other side, social science students. For them, the police were a bad thing that they refused to study. It was a 'dirty' topic (Monjardet, 1996).

But one result at least is important to us: their political and ideological positions against the principle of a police force prevented them from properly studying police officers' work like they were studying the workers in big firms or other professions. In many European countries, no researchers even considered working in the police field for fear of rejection by peers. But, ironically, such attitudes were not a problem for the technocracy, which was fighting against these leftist movements, because at that time these discourses were not questioning common beliefs, i.e. their monopoly on police control. And even if these movements were violent and threatening, in fact these

scientists reinforced the image of the police as a tool for social control. Both parties, the technocracy and social scientists, were enemies, but they shared the same vision of a police force: powerful, homogenous and a pillar for the state.

## The scientific revolution of the 1980s

But things have changed. Inspired by scholarship in the United States and Great Britain, a more pragmatic approach was developed with the social sciences during the 1970s and especially during the 1980s in Western Europe (Ponsaers et al., 2009). By overcoming the traditional reluctance of social sciences, a growing number of scientists began to face these questions. Concrete fieldworks have discovered police practices, far from being so law-abiding than expected. They studied police organisation as a bureaucracy; with bureaucratic fragmentation, its own habits, formal hierarchy and use of street-level discretion. They understood that a police force is a system with its own rules, with conflicts inside and with practitioners who do not always respect official orders. Others social scientists focused their attention on the police's interaction with the public, observing that in many situations, the police officer on the street is bound to negotiate in order to maintain peace, to enforce the law or to preserve his/her own security. The main idea is that police officers have power, but not all the power. And that it is very hard to control their work.

Since the 1980s, the police force has been demythologised. For many social scientists, especially those involved in fieldwork, police forces are no more a mere subject of respect or hate, but a 'normal' topic for research in social sciences. As in some countries, this evolution may have produced a peaceful and fruitful situation, with rich interactions between police forces and researchers. But tensions often remain. Researchers are not always welcomed. The results of their studies are ignored or rejected, even if the street-level police officers and the operational level chiefs agree with the results, and even if some managers recognise their relevance. Sometimes, some governments even decide to forbid this kind of work. Thus, there currently (2012) is no fieldwork access for researchers.

When the researcher uses a pragmatic approach to reveal dysfunctions and pernicious effects, he/she is confronted by police managers, who consider policing to be their exclusive prerogative and area of expertise. They protect their prerogatives by keeping researchers away from policing matters. Patrol officers can also reject research outcomes, as it comes from 'outsiders' who are seen as non-specialist. For many, their view on their work is narrow-minded because they want to protect themselves: other people's expectations are not taken into account in their work, but they refuse to recognise it. As in other corporations, there are police officers who forget that they are not alone in society: they have to work for the people, and they have to work with the people. This proposal is more or less accepted among police officers. Even if many agree, some are reluctant to subscribe to this idea because they don't share the vision of the police as a public service that answers to — and is paid for by — the citizens, and because this 'intrusion' into their organisation is unbearable for them. But all police officers have to keep in mind that they are only one actor in a large system where the different types of population, with various views about the same environment, are also part of the system. When they forget this main point, they weaken their own power. Why? The police officers' efficiency relies not only on their own capabilities, but also on their ability to build a strategy in which many partners have a place. That is why a police officer needs new knowledge, especially in social sciences, in order to face complex societies. Real progress is not to consider the public as a thing to be managed, but as a partner (bad or good) with whom police officers must work in order to produce collective security. Otherwise, the lack of partnership produces collective insecurity. To avoid this drift, social sciences can be helpful. It is relatively easy to convince many police officers in the field that they can benefit from the results of research in order to improve their efficiency and facilitate their work.

One problem when using this strategy is that politicians in charge of police matters and police chiefs may feel that they are in competition with the researchers, because the latter propose strategies, which are different from the top-down model. When the researcher provides analyses of society and the police officers' work from a different point of view than the chiefs, he/she could destroy their legitimacy. The

scientists often risk revealing their lack of real power. When we presented the results of our first study on the French Gendarmerie, some captains were really afraid of the discovery that they had no real power over their troops (Mouhanna, 2001).

That is why these chiefs have to learn how to use research to reinforce their legitimacy. History shows us that this dialectic between the top-down approach and the pragmatic one still persists. The pragmatic way is undoubtedly more efficient, but it means more disagreement with police forces, with the practitioners and especially the chiefs, because it asks them questions that they don't want to acknowledge. And from my own experience, the problem is not so much between researchers and practitioners, but rather between field researchers and technocrats.

One other problem created by this empirical way of doing research into police matters deals with the question of myths. We noted that one source of a police officer's power is based on the belief that the police have a lot of power, more than actually exists. As we have underlined, this myth was reinforced through ideological leftist discourses against the police. But research based on fieldwork has often destroyed this myth by telling the 'truth', or simply by describing the limits of police action.

## Why the barrier remains between research and managers

Therefore, even though social sciences have made a lot of progress in their knowledge of police work, police strategies and police efficiency, police chiefs' mistrust is still present. One argument often used to criticise academic work is based on the idea of an opposition between the world of the managers and practitioners, who are supposed to live in reality, and the world of the social scientists, who are said to live in their books and in theory. And it is obvious that they are right as far as some scholars' work is concerned. However, now research is often carried out differently. More and more scholars are doing fieldwork; they are trying to understand the organisation of police forces and the police officers' work from inside. Thus this kind of opposition between the intellectuals' view and the practitioners' (i.e. police officers) is less and less relevant.

By pointing out this opposition, some police force managers try to protect their position. They feel that they are in competition with the social scientists because the latter reveal a world that doesn't fit with their own paradigm and that could weaken their power. Let us examine the top-down managers' view and how they present things when they are interviewed for the first time about their organisation. When the researcher who enters this field asks the chiefs to describe their work, they praise the virtues of their own system. In their mind, it is characterised by a strong hierarchy and servants who obey. They claim that police officers are following the rules. They assert that the structures are efficient, even if the chiefs recognise that some of their officers are lazy people. There is good cooperation between police officers, whatever their positions. The goals of the organisation are clear, there are definite priorities. There is no problem of information among the members of the organisation.

The reality that social scientists discover while doing fieldwork within the police does not meet this idealised representation. The top-down logic is not always respected. Many police officers, especially when they are street-level officers, are not ready to obey or even to follow the rules, because they have to face concrete situations. Risks, fear, weariness and doubt oppose orders. Sometimes, the chiefs don't have enough experience to give good answers to the real problems that their subordinates are facing. The rules are not relevant at every moment, and are often inadequate. Police discretion is precisely based on a police officer's ability to adapt the rules to the reality. As far as cooperation is concerned, it is not rare to observe a lack of communication between police officers in the same police district, or even in the same police station. There are conflicts inside police organisations as there are everywhere else. In fact, the goals of the police forces are not as clear. Police officers have to deal with too many priorities: orders from the managers and chiefs, public demands and their own interests. And they take all these elements into account when they act. After all, things are far from the ideal described by the managers, especially when these managers have a 'political' interpretation of the police officer's role, and no experience based on the work.

Of course, all members of a police force know about these problems, even if they prefer to avoid speaking about them in front of outsiders. In other words, they deny the reality. And they reject those who pretend to have a more accurate view, and especially when they have relevant analysis. That is why researchers are blamed and denigrated. As noted by D. Monjardet (Monjardet, 2008): 'researchers are criticised for being irresponsible, meaning "not under control". A researcher is free to criticise the institutions and this is an unbearable risk for people representing these institutions so they "protect" themselves from that risk by accusing researchers of being irresponsible.' Therefore the core issue is not about truth or reality (provided by research outcomes) but is about the control of information and the preservation of the myth (of a 'good functional police'). The more a researcher studies the real functioning of police forces the more he/she represents a (political) threat for the police hierarchy: more than if he/she only analyses the philosophy of the police, for instance. (Brodeur, 2001).

## Are police chiefs convinced by their myths?

Dealing with the question of reality, there is a crucial point: do police chiefs really believe in their official reports that describe an ideal organisation, from the point of view of the writer, or do they only pretend to describe reality? In other words, when the senior officials and the police chiefs react to researchers' analysis with aggressiveness, is it because these analyses are not compatible with their own view and generate a cognitive dissonance (Festinger, 1957)? Or conversely can police chiefs accept that the researchers reveal some of their 'strategies' that can be seen as some kind of manipulation?

A well-known example can illustrate this point: police statistics. Many actors (the mass media, many politicians and some police chiefs) consider that these statistics describe reality. If that were the case, the question would be: what kind of reality do the statistics describe? They don't give relevant information about the reality of crime (Matelly & Mouhanna, 2007). Firstly, because many crimes are not reported to police forces. Secondly, statistics don't give good information about police activity, because police officers do many things that are not entered in the statistics files. As a social scientist, the most important question is to

consider the statistics as a social construction, to ask why an organisation produces these statistics and to understand who is responsible for their production (²).

But the problem is then: are police managers and the police officers in charge of these statistics ready to question these official figures? It is very hard and very courageous to accept criticism. That is why many groups prefer not to allow researchers to study them. They don't want their view of the world to be upset. In order to act without too many ethical questions or too much complexity, managers often prefer to ignore the results or information that do not match their opinions. And it is easy to discredit researchers in order to avoid being held responsible. This concern, i.e. protecting their own view and their own practices, explains why there is such strong corporatism within police forces. Like others who belong to professions that fear public opinion, police officers often refuse to be confronted by certain realities, because it may oblige them to change their practices. For instance, statistics can be used to show that crime is decreasing, and that the clearance rate is increasing, even if people still feel afraid of crime. In France, in some poor suburbs, the crime rate was seen as decreasing because the local police station was closed at the beginning of the Sarkozy era (Matelly & Mouhanna, ibid). The police officers were happy because they disliked working in hostile areas and the government was happy because of the good statistics, which were shown to the mass media.

As a sociologist, when we tried to give more information about the police strategies and their pernicious effects in the poor suburbs, only a few police force managers were ready to hear the results of the research. In France, after the riots of 2005, the demand for more police presence and also for a different kind of policing in these poor areas was not heard by the top management. They preferred to refer to the good statistics and maintain satisfaction. And the hate against police officers is increasing, putting more pressure on local officers.

When social scientists try to help people to be more realistic, they are often rejected, because the cost is too heavy for the practitioner, who will need to do more work to answer all the questions raised by the scholar.

(²)  This reservation should also apply to statistics compiled by social scientists.

For the managers, as we have already seen, things are worse, because their relevance is questioned. They mainly prefer to adopt a short-term view, and to leave the problem for the next manager. They are not ready to accept that their politics could cause pernicious effects, what could weaken them. Some of them have built their careers on their ability to announce a new policy, even if the concrete effects can be discussed.

That is why social sciences are often not accepted, especially when announcing the failure of a new policy. Following the old tradition, the messenger of bad news must be killed. The results of social sciences are often rejected, not because they are too complex or useless, but because they reveal things that nobody wants to hear.

Another important question refers to the relationship between policing and politics (L'Heuillet, 2001). Policing is not only a profession, or a science, it is also a main political issue. In some countries, the police has become a tool in politicians' hands. Security is used in order to win an election. The new problem is that the results of social science research could be in competition with official communications because of the gap between official policies and the concrete results of these policies (Monjardet & Ocqueteau, 2005). That is why in some countries, research on the police is not allowed.

But in this case, police officers and police managers are sometimes trapped by politics and of communication: When they are a tool for political strategies without real evaluation of the impact of the policies, they are also the first ones who have to face the real problem. For example, they have to deal with the consequences of a 'zero tolerance' policy, which generates a break in the link with the population and therefore makes them feel more rejected by the inhabitants of poor suburbs. Even if it is not easy to integrate the results of social sciences into police work, it is often fruitful for a long-term view. That is why police practitioners and police managers have to build knowledge with the help of social sciences, among others, in order to participate in a public debate, not only with a corporatist view, but with an expertise that integrates different points of view. To do so, police officers and police managers need an outside view, outside of their organisation, and outside of their own country.

The present paper refers mainly to the situation in France at the beginning of the 21st century. If it would be irrelevant to generalise from this peculiar situation, it has to be said that the tensions between the scientists doing fieldwork and the managers always remains, more or less among the different countries (Barrio Romero et al., 2009; Ponsaers & al., 2009). In many countries, the openness of police forces to research is still fragile and is possibly at stake if they feel threatened by the results. That is why building a European network of researchers seems to be essential and the dissemination of knowledge should be organised. But the most important thing should be to create a 'European right to investigate', i.e. the right to carry out research inside police forces. Of course, some services have good reason to close their doors. But in some countries, the secrecy is more a tool used to protect the comfort of the corporation than a real need.

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# A brave police force deserves courageous academics

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(2009 Conference in Bad Hoevedorp)

## Science and policing in a fast-changing world

Science and policing used to be far apart. Policing was (and of course to a great extent still is) primarily about crime fighting and safer neighbourhoods, while academic research is about theoretically explaining things we do not yet understand. In the past, policing used to be only mildly interesting from an academic perspective: the police had some well-defined tasks (primarily enforcing the law) in a relatively stable world. However, technological and societal change has accelerated considerably in the second half of the twentieth century and this process does not seem to slow down, now or in the foreseeable future. If we compare the concerns and operations of police forces today with those just a decade ago, a totally new world of policing has emerged. The programme of this conference is a good indication, with issues like fundamental shifts in the function and organisation of policing, policing cyberspace, radicalisation, techno-policing, knowledge-led policing, private policing and dealing with diversity.

These issues have in common that dealing with them in an adequate fashion presupposes understanding technological and societal change. At the same time a police force is not a research institution and there is always an urgent need to act in the face of current societal problems. Hence, I would argue that an intimate relationship with the academic world is necessary for problem solving in a rapidly changing world. We need to be aware of what is happening around us and we need to be innovative, while at the same time the pressure to achieve concrete results is rising. And — perhaps most importantly — we need to organise critical reflection on our ideas and operations to prevent us from taking a wrong turn and sticking to it for too long. In an information and network society a police force cannot wait for directions from others about what to do. We are supposed to know what is needed to realise the expectations that rest on our shoulders.

## Academic research and policing: history and current state of affairs

As a police officer I first learned to appreciate the value of academic research as a consequence of my relationship with the Technical University in Delft. This resulted in hiring a group of people who are untypical for the police force and who still play an important role in our force with regard to technological development and intelligence-led policing. Today, a lot of strange characters are contributing to security in the Amsterdam-Amstelland police force, and (senior) officers regard it as necessary and normal to constantly educate themselves in connection with various universities. Luckily, the love of the police for science was not a one-way street. Science and scientists also discovered policing as a worthwhile subject. Police science has developed into a mature field with a growing number of students and

valuable publications. And the Dutch police — the combined 25 Dutch regional police forces — has truly become a 'reflective organisation' with a common vision (published in 2005 under the title *The Police in Evolution)* and a shared strategy agenda containing the leading themes for policing for the years to come. The relationship between science and the police is also very visible at the level of the different police forces. To illustrate this point I will explain the way we organised this in the Amsterdam-Amstelland police force.

## Science in the Amsterdam-Amstelland police force

On a strategic level we constructed a 'think tank' with a direct functional relationship with the top echelons of the organisation. We named the think-tank the Agora, referring to the (market) places in the old Greek city-states where matters of public importance were discussed freely and critically. The Agora is explicitly meant to be a critical forum and is supposed to contradict especially the Chief Constable whenever necessary. As you will understand, contradicting me is never necessary, but putting all jokes aside I honestly would recommend every Chief Constable or senior manager in a police force to organise his or her own independent countervailing power. At the Agora different insights and actors come together, starting of course with relevant research outside or within the police force. The themes of the strategic agenda of the Dutch police play a prominent role in structuring and further developing knowledge at the Agora. In addition, there is a solid working relationship with the Bureau of Management Information and Research of our police force: data are used to turn our strategic (and operational) decisions into information-based decisions, and research is performed to ensure that it is also based on field knowledge. The Agora is also the connection to the national and international academic community and more specifically to our 'joint ventures' with universities.

## Three chairs and related research

First, we participate in a Chair at Leuven University (Flanders, Belgium) under the title *Knowledge discovery from databases Amsterdam-Amstelland police force.* As the title suggests, this concerns advanced data

mining technology in order to utilise our data more effectively. In general, police forces have an enormous amount of potentially very interesting data which are only used when needed to conduct our primary task. However, these data are hardly used to understand the phenomena we are dealing with, while — as I said earlier — understanding the world and its consequences for police strategy and operations is crucial.

Second, together with the city of Amsterdam we participate in a Chair of the VU University of Amsterdam under the title *Security and Citizenship.* The fact that we cooperate with the city of Amsterdam in this chair is very important. As you can imagine, both the city and the police force share the ambition of making the city a safer place to live in, but the organisational logic to do so can be different. Both parties agreed that by funding this Chair they seek to be enlightened by and confronted with insights that might not be very welcome from an organisational perspective, but that do contribute to the increase of social security.

## Example of valuable research

To give an example: in defining strategic priority objectives there is of course close cooperation between the police force and the administration. Data play in important role in this, and there is a combined committee where the data are analysed to facilitate the identification, selection and strategic formulation of priorities. Prior to this, we had the intuition that the analysis of the data amounted to looking towards the future in the rear-view mirror: using data about what has happened to set future priorities. The research group Security and Citizenship was asked to look at what was — as it were — behind the data: which mechanisms are at work? They came up with the idea not to analyse crime figures but to research crime-inducing factors. This led to a map of Amsterdam showing where to expect a future rise of crime and which factors might be responsible for fluctuations in crime and public order in different areas. Depending on which factors were important with regard to which issues and areas, recommendations for the strategy and operations of both the police force and the administration could be made. Because the Chair — although financed by the city and the police force — is independent, the results (some of which were not

supportive of the views of the police or the city) could be made public and attracted a lot of attention in the media. This makes it harder to ignore the results, also the results that might contradict current policy. Science can function as a necessary — although not always welcome — impulse for critical reflection.

Third, in collaboration with the Police Academy of The Netherlands we are now working on organising a third Chair with the assignment to determine what the necessary and sufficient conditions are for research to have an impact on day-to-day policing. We believe this necessitates the development of a specific methodology, a specific way of doing research. Although we have no doubts about the value of scientific research, a lot of research has no impact on policing, even in some cases where it is evident that it should have consequences for our operations. The aim of this third Chair is to further strengthen productive relations between the academic world and the police sector, especially with regard to concrete police operations.

## Blind spots and science: Juxta

Except for these structural relationships with science it is sometimes necessary to come up with derailing initiatives that make critical reflection unavoidable. One of these initiatives was meant to strengthen the countervailing power of the aforementioned Agora. We called it Juxta — derived from the word juxtaposition — and one of the participants has given a poster session on this conference today. We invited twelve young and bright academics to come and work for us over an eighteen-month period to show us our blind spots. We selected them from approximately three hundred candidates on the basis of a critical essay on the aforementioned vision document *The Police in Evolution*. We selected people with for the police unusual backgrounds, so no one had studied law, criminology or administrative science. Instead they specialised in anthropology, media, philosophy, artificial intelligence, Arabic language and culture, experimental psychology or art.

They had a very intensive introduction programme within the police force, they were confronted with all aspects of our organisation and work. They joined officers on the beat, participated in investigations and

talked to all sections of the organisation on all levels. We gave them the explicit assignment to contradict and surprise us, to show us where we were wrong, and to annoy us. And, they lived up to their promise! The sessions with the Juxtas — as we lovingly called them — were always intensive and I constantly had to fight the urge to defend myself. It led to new perspectives and in the end also to twelve thought-provoking end products, mainly in the form of publications but also other media.

Their influence did not stay limited to the top of the organisation. We made sure that everybody in the force knew what Juxta was about, and people in the force were very interested in the concept and of course in the insights of the Juxtas. Various Juxtas had considerable influence on diverse issues such as neighbourhood policing, integrity policy or the use of specific information in dealing with victims. They opened up a hotline that every officer in the force could phone when he or she had a 'wicked problem', a lot of people called and were without exception impressed by the contribution of the Juxtas. It further strengthened the idea that science and police work are a happy marriage and that it pays to let outsiders take a look inside your organisation. But most importantly, to quote Oliver Wendell Holmes, 'a mind, once stretched by a new idea, never returns to its original dimensions'. Although we did not intend to recruit people for more than this project, more than half of the Juxtas currently work in our police force in regular positions.

And although Juxta was a one-off project, the 'spirit' of Juxta has not disappeared. Research and critical reflection has proliferated in the force, for example with regard to the aforementioned strategic themes. Explorations on these themes are performed by teams composed of a diverse range of people within the force who seek explicit interaction with 'outsiders' from the academic community or elsewhere.

## What have we learned?

What have we learned from Juxta? That we do have blind spots, that indeed it is important to focus on future-orientated police themes and that even if you do so, you still run the risk of lagging behind. We also learned how important it is to bring in new and diverse perspectives, that important issues are

mostly complex issues, and that you need to combine research with 'learning by doing'. But perhaps most importantly, we learned how fruitful it is when people dare to speak up, when they tell you how it is because they have thought about it, read about it, and studied it intensively. On some sensitive subjects the Juxta's ran into a lot of opposition, but they stayed loyal to their intention to show how it is from the perspective of an academic outsider. Sometimes this called for considerable commitment and courage, but in the end none of them regretted the investment.

## An urgent appeal

This brings me to an appeal I would like to make to police officers and scientists. As should be clear from my exposé, science is of crucial importance for current and future policing and senior and chief police officers are advised to facilitate strengthening the relationship with science in every way they can. Be brave and do not worry: the truth will hurt you. For the relationship to be productive, however, scientists should also be willing to stand up for what they believe. In a world of all-important images and fast-changing hypes scientists should be willing to forcefully defend the outcomes of their research, both within the police force, but also in the public debate. Of course I am aware that in post-modern times scientific truth has become illusive, and that academics are in the position to question the validity of their own findings, and that most of the time they are very hesitant to issue policy recommendations. The problem is however, if they do not do it, who will? And I am of the opinion that, although the scientific truth has become illusive, nonsense is still nonsense. If you are in science and run into nonsensical policies: please take a stand and speak up! A brave police force deserves courageous academics.

# Policing with science: a new evidence-based professionalism for policing?

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(2012 Conference in Lyon)

## Introduction

The advancement of policing by using scientific methods has been a central interest for CEPOL — the European College of Policing — for a number of years (CEPOL, 2006). Quite early in its life, CEPOL commissioned a group of European police officers and academics to explore the potential for a European approach to police science. This was an important initiative and reflected the fact that much of the scientific inquiry into policing that has achieved international prominence has been carried out in the United States or other Anglo-Saxon countries. An examination of the George Mason University 'Matrix' (Lum et al., 2011) listing of high-quality studies into policing will confirm that impression.

Yet, as those commissioning the CEPOL study well understood, applied science offers one of the most promising ways to improve policing (Weisburd and Neyroud, 2011). 50 years or more of detailed study of policing have produced a body of knowledge about how to police effectively, which is all too frequently unknown to the very practitioners who are best placed to use it. Yet, police forces across Europe are under huge pressure to deliver better performance with reduced resources. With these pressures in mind, Neyroud and Sherman (forthcoming) have argued that a more scientific approach to policing is central to building and sustaining police legitimacy in the future. They have suggested that 'police legitimacy may be established not just on the basis of effectiveness under the rule of law, but on a demonstrated mastery of a complex body of knowledge generated by scientific methods of testing and analysis' (Neyroud and Sherman, forthcoming: 1).

However, as the 'Review of Police Training and Leadership' (in England and Wales) reported (Neyroud, 2011), police training, whether in the UK or more widely in Europe and elsewhere in the developed and developing world, does not yet, generally, embrace a model of scientific education which would enable the police to build a strong science base into the existing experience-based practice. As Hanak and Hofinger (2006) had already shown, few police forces around Europe had embedded scientific approaches in their decision-making or their education. The review recommended the development of an approach that links learning with practice along the lines of a teaching hospital where the clinical practitioners provide teaching and link what they teach with their own practice (Neyroud, 2011).

There is both the opportunity and the necessity for a radical change in the police relationship with science and the scientific, academic relationship with the police. This article will explore both why this is an opportune moment for such a change, how the police should seize the opportunity and what a more scientific approach might look like. It will conclude with some reflections on the implications for police education and for pan-European institutions such as CEPOL.

## A challenging time for policing?

First of all it is necessary to examine why this might be a particularly challenging time for police services and why the police might need to consider radical change to respond and rebuild their legitimacy. For many police chiefs in the developed world it seems strange and ironic that police forces have come under such scrutiny in the last few years. After years of rising crime through the 1970s and 1980s, crime has been falling in the Western democracies. At the beginning of 2013, London and New York published recorded homicide rates that were last seen in the 1970s when the populations were lower and the wider demands on the police from serious crime and terrorism were considerably fewer. As Police Chiefs and the Coalition government in the UK have recently asserted, crime is falling and the public's confidence in the police has been rising. Figures from across many jurisdictions in Europe and North America would be widely similar.

Despite this, most countries in those jurisdictions have embarked on major transformations of their police. In England and Wales, since the Conservative-Liberal Democratic Coalition came to power in 2010, there has been the 'most radical change programme' since Sir Robert Peel founded the modern police force in the 19th century. Police numbers have been cut, police pay and conditions and police budgets slashed and proposals to change the totemic single point of entry recruitment have been published. But England and Wales is not alone: in Scotland, a new National Police has been introduced; in Norway, the fallout from 22 July 2011 has seen not just the removal of the police commissioner but the emergence of a radical change programme; in Sweden, there has been a wide-ranging programme to create a new national force; the Netherlands has changed from a model based on local forces in favour of a national force; across the Atlantic, Canada has commissioned the Canadian Academy of Sciences to explore options for reform.

Part of this rapid shift to reform can be explained by the need to reduce the cost of policing at a time when governments have had to face unprecedented reductions in tax revenues and pressures to reduce to public spending. Fogelsong and Gascon (2010) showed how United States' policing had effectively priced itself out of the market, presenting cash-strapped mayors and states with little alternative but to cut police numbers and, in many cases, to challenge police pay and conditions.

However, another part of the reason appears to be that police have failed to convince the public and politicians of the link between policing and the decline in crime. Hence, with crime continuing to fall and tax revenues under pressure to sustain healthcare and education and to pay for the subsidies underpinning the failed financial sector, politicians have turned on the police and started questioning what the public are getting for their money. They have also, either at local level in the case of Police and Crime Commissioners in England and Wales or in Scotland, Sweden and the Netherlands, changed the shape of police accountability to a more direct, intrusive political oversight. This new 'calculative and contractual' oversight (Reiner, 2013) provides a major shift from the more indirect, *ex post facto* models of accounting for actions. Politicians, to draw a parallel with a police interview, have moved from a passive role observing behind the remote glass screens and have put themselves firmly at the table, directing the interview.

Even the most well-rehearsed 'miracles' have not prevented critical inquiry. In January 2013, the New York Times published an article about the crime drop in New York (Tierney, 2013). Tierney documents how the scale and extent of New York's crime drop has generated a debate with much heat and little light between those who see the crime falls as a result of wider social factors and those who connect at least a major part of it to the actions of the police department. The debate is important because New York's crime drop has been both dramatic and the arguments about its causes highly influential in setting the terms of the debates about policing beyond New York. The continuing interest of the British Prime Minister David Cameron in the former Commissioner of New York, Bill Bratton, as a potential Commissioner of the Metropolitan Police (a major driver of the proposal to change the eligibility rules to allow 'foreign chiefs' (Home Office, 2013)) is undoubtedly connected with the perception that Bratton's brief two-year reign as Commissioner precipitated the crime drop.

However, in contrast to many such analyses, Tierney goes beyond the standard dialectic between critics and

supporters of the New York Police Department (NYPD). Instead, his main focus is on the work of scholars who have worked closely with police departments to test and refine strategies such as 'hot-spot' policing and targeted police stop and search. The article highlights a number of key points about this research, which has now been replicated and systematically reviewed; it was developed as a partnership between police leaders and university-based academics and has been shown to have a strong cost-benefit when applied as a tool for tackling priority crimes.

Tierney clearly illustrates why this is an important and opportune moment for the police to adopt a new approach to science. His argument, set out through the voices of those key scholars, is that police are in danger of losing an argument about their effectiveness by not engaging with the evidence about their own practice.

## An opportune moment for change?

After more than 50 years of research, the evidence about police practice has been transformed. Some of the early work set out to test the validity of the 1950s 'professional model' advanced by police chiefs like O.W. Wilson. Wilson (1950) had described a system of policing much influenced by scientific management and the idea of deterrence, in which the police should concentrate their efforts on general patrol strategies, responding rapidly to calls and investigating crimes and trying to bring as many offenders to court and punishment as possible. These arguments were substantially undermined by a series of studies that showed that general patrol strategies had very little impact on crime (Kelling et al., 1974 and Police Foundation, 1981), rapid response provided little preventative benefit and the police contribution to detecting crimes was marginal and subordinate to that of victims and witnesses (Greenwood et al., 1977). Yet Wilson's model of policing has remained highly influential, both with police leaders and politicians. The recent election literature from the Police and Crime Commissioner candidates in England and Wales and many of the elected Commissioners Police and Crime plans suggest that the old professional model, with its intuitive causal reasoning, is embraced by many PCCs — this is the old professional model, but new populist democracy.

In contrast, since those early studies, there is now a substantial body of work demonstrating how police can be more effective by deploying focused strategies, which have been thoroughly tested by experimental designs. Moreover, this body of work has now been systematically brought together and is available on websites such as the George Mason University's 'Matrix' site (Lum et al., 2011). The Campbell Crime and Justice Group, an international group of scholars who are linked through the Campbell Collaboration, has been publishing a series of systematic reviews of these studies, which have, in turn, been published in Europe by bodies such as the Swedish Crime Prevention Centre. Indeed, the Campbell Collaboration is hosted in Norway and supported by the Norwegian government. There is, alongside this, the emergence of what Cynthia Lum, who leads the work on the Matrix at George Mason, has called 'translational criminology' or a systematic and determined attempt to understand how to translate the lessons of more than a hundred key studies into real practice and real outcomes on the ground in policing.

## A new professional model?

A new professional model of policing based on the firmer ground of the evidence involves a very different approach to O.W.Wilson's model. David Weisburd, one of the key researchers has summarised the approach as follows:

- Police should focus efforts on high activity places and people. Such targeted strategies do not cause displacement, which is not inevitable at the micro- or meso- level when police focus their efforts.

- Police will increase their effectiveness with proactive problem solving (over simply focused approaches).

- Police should go beyond traditional approaches, like using law enforcement and arrest (Weisburd, 2012).

The most recent Campbell reviews (Gill et al., 2012) have also highlighted that whilst community-policing approaches, which are almost universally advocated by police chiefs and politicians alike, will not deliver crime reductions, they will improve confidence and enhance legitimacy.

The nature and style of policing that emerges from the evidence challenges many embedded practices in

policing and many views fondly held by the public and politicians. Moreover, the dissonance between historic practices and effective outcomes is such that it highlights the need for police to be much more systematic about testing their practice. As Weisburd and Neyroud (2011) have argued, such testing is neither routinely carried out, nor necessarily welcomed by police chiefs. There is not yet a scientific culture in policing to complement the strong emphasis on experiential learning and a tradition of socialisation and training in the organisation which is heavily orientated towards learning by doing and by copying inherited practices (Chan, 2003).

## The emergence of a new professional education

However, there is substantial evidence that change is taking place. In December 2012, the UK government set up the College of Policing in response to the recommendations of the Neyroud Review of Police Leadership and Training (2011). In contrast to previous 'colleges' of policing, the new one is intended to be a professional body, rather than a training body, charged with registering practitioners, setting the qualification structure, accrediting programmes and developing the knowledge base of policing through research. The college is committed to building a new partnership relationship with higher education.

A new relationship between police training and higher education is also very evident across a number of jurisdictions both in Europe and outside. National police colleges in a number of countries have changed from training establishments to universities, with several maturing to full university status and the award of Doctorates. Equally, some police forces, such as New South Wales in Australia, have externalised their initial training to universities — in their case Charles Sturt University. In Scotland, through the Scottish Institute for Policing Research, the Scottish police and Scottish universities have built a partnership for advancing knowledge about policing. A similar partnership — the Centre for Excellence in Policing (CEPS) — has developed in Australia.

There are some emerging features of this new landscape of police education that give some encouragement that, in the midst of largely top-down

reforms of structure, pay and budgets, driven by austerity, real change is beginning to happen to the 'profession' of policing:

- the educational qualifications and pre-qualification requirements for joining the police service are changing and becoming more stretching and more formalised at around Level 4 or the first level of higher education;

- the traditional basis of the training around knowledge of the law and some practical skills is being challenged by a new requirement for police officers to understand and be able to interpret the research relevant to their practice (Neyroud, 2011);

- police training is shifting to one of two models: a partnership with higher education; a transformation of existing infrastructure into a higher education institution.

There are a number of issues that this change throws up. Operational credibility is critical to policing. It is, as Neyroud (2011) suggested, important to the legitimacy of senior people in leading their subordinates. There is also widespread cultural resistance to the substitution of higher education-based knowledge for craft and experience-based knowledge. This resistance is not confined to the police service. In the UK, there have been similar strains felt in the nursing profession after the introduction of a mandatory degree-level qualification for nursing practice. There have been regular stories in the British media about nurses being too educated to care. The stories prompted the Royal College of Nursing to commission a review of the approach. The subsequent report of the Willis Commission (2012) comprehensively rebutted the criticisms of the higher education approach and reaffirmed that nurses could only be effective in their practice if their caring skills were supported by scientific knowledge. The Neyroud Review made a similar case for policing.

## Creating the new profession?

It is not easy to change policing. Although it is a relatively new occupation in its modern form — no more than 200 years old, it has developed a strong culture and traditions, within the framework of national or local governance. Many studies of police have concluded that little fundamental change has resulted from the many attempts at reform over the

last 25 years. Peter Manning observed, '… reforms have had little operational or structural impact in spite of the widespread publicity and funding that they have generated' (Manning, 2012: xvii). He included reforms such as community policing and Compstat amongst those he analysed. He suggested that the reason for failure to make lasting change is that the reforms were not systematic and were largely top-down. Their impact on the frontline and the real work of policing was, therefore, in his view, necessarily limited.

However, there are a number of new ingredients to the reforms of police currently being pushed forward. The financial crisis is driving a much more systematic approach. Whether it is the Coalition's approach in England and Wales, the new Scottish force, the new Dutch National force or the new Swedish force, the political drive has been to make policing both more financially sustainable and more effective. This has pushed structural change to make a more efficient structure in almost all jurisdictions apart from England and Wales and closer democratic oversight.

But there has been a debate about the professionalisation of the police service, which has provided an opportunity to reconsider recruitment, education, training and promotion systems. In England and Wales, this has produced an opportunity, following the Neyroud Review, to test the development of a full-blown professional model — qualification, accreditation, registration and continuous professional development — not just for the senior ranks, but for all those working in policing. Whether this will produce a template for others to draw from remains to be seen. It is early days because the College of Policing is in its infancy. The first steps are, however, promising. The first Chair of the Board of the new body is a distinguished academic and educator, a Vice Chancellor of a major higher education institution. The first Chief Executive is a chief constable with an established reputation for sponsoring experimental research. Its membership has already been agreed to span not just a small group of senior officers at the top but the whole workforce, which is, itself, a major change for a police service that has traditionally been split into frontline, middle management and chief officer groupings. In order to engender real reform, the new professionalism in policing has to be a professionalism of the whole workforce. Only through such a wholesale commitment will this wave of police reform overcome the weaknesses that Manning has identified in every previous attempt.

Finally, for CEPOL, this emerging new professionalism offers an opportunity to migrate from a network of training colleges to a catalyst for translation of research and new approaches to training and education across Europe. A mission centred on encouraging the testing of practice, sharing the best evidence and ensuring access to the best tools for supporting police officers would make CEPOL a key driver of change in European policing.

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# Chapter II: Comparative approaches — introduction

**János Fehérváry**

The comparative approach as a distinctive way of analysing and explaining social and political developments is an important instrument for police research of researching the police and policing, in particular in the relationship between police forces and other institutions charged with police tasks on the one side and society and politics on the other side. In times of increasing Europeanisation, the internationalisation and globalisation of police tasks, subjects, networks and instruments, systematic and scientific comparison is an essential tool for generating knowledge and developing best practice models and strengthening cooperation.

The authors of the following three contributions in this chapter use different research designs in comparing different police systems and policing processes and instruments in Europe (and beyond). They show variations in the application of the comparative approach according to their perspectives and interests.

**Sebastian Roché's** bold and ambitious essay picks up from a central point of discussion argued in the first chapter: what is the police, and what is or what shall police science be? Starting with a historical review of the conceptual development of the key terms, and in critical reference to the 'major thinking tide' of the 'evidence-based' approach, Roché aims to progress our understanding of police (and police science in particular), by applying a strictly comparative, taxonomic perspective to the object of interest: police. By discarding attempts to discover the essential meaning of 'police' by start of definition, he instead favours approximation through systematic comparison of the multifaceted manifestations of police organisations. Consistent with his methodological taxonomic approach, 'police forms', 'morphologies' and 'ecosystems' are introduced as central methodological notions. 'Polity', 'doctrines' and 'accountabilities' are further chief analytical tools, rather rooted in political than life sciences. In the subsequent, largely empirical part of the contribution, the author strives to demonstrate the potential merits of his approach by applying his proposed methodology to a sample of six countries of diverse size and stark variations in the configuration of their innate police forms (France, India, Spain, Switzerland, Turkey, and the United States). The reader is taken along an extended exercise of categorisation, comparison and analysis, resulting in some noteworthy insights and discoveries — a possibly blatant, but often neglected one is that, seen from a European, international or even global level, there is such an astonishing variety and diversity of existing 'police forms', that for having a serious debate about 'the police', may be every discussion should start from second thoughts. Taking a consequent comparative-phenomenological position and looking at police forces as 'organised life forms' is certainly a fresh, non-orthodox path towards an advanced understanding of police forces and their actions. Of course a lot of questions are raised in the course of the argument, and Roché is the first to admit from the outset that his is a long way. Nevertheless, this is certainly a distinct approach in police science and noteworthy not least as a complementary building block of theory in the face of more traditional essentialist contributions.

**Cyrille Fijnaut** exemplifies the comparative approach by placing it within a historical context. He describes the background, analyses the situation and explains the relevance of a comparative approach in police research for policing in Europe as such and in particular for police cooperation. He shows that the history of police/policing in different countries in Europe had a strong impact on the development of police/policing in other countries or parts of Europe. Although in all European countries many reforms of the police system and organisation took place during the last two centuries you can still find police models in several European countries with roots in past history (e.g. the model of the French Gendarmerie). He states that '… in a European context, policing has never been just a national issue, because it always had been influenced highly by developments in other states.' He reveals that these developments had a major influence on cross-border policing, cross-border cooperation and the harmonisation of policing in Europe. In the second part he deals with some aspects of the ongoing development in cross-border cooperation. In particular, he attaches great importance to the influential role of conventions. He describes the development of cooperation in specific areas of policing (e.g. cooperation of traffic police — TISPOL) and special police operation forces — ATLAS) and in a European region (Euroregio Maas-Rhine). In the third part he presents a brief future perspective on the Lisbon Treaty (signed by the EU Member States on 13 December 2007, and entered into force on 1 December 2009) and on the report of the '*High Level Advisory Group on the Future of EU Home affairs policies*' (17 January 2008) and their impact in the field of police cooperation. In the final part of his paper he gives an analysis of the current situation of comparative research in Europe — with different obstacles — and he proposes some ways to facilitate it.

The third paper in this chapter by **Gabriele Jacobs, Kate Horton** and **P. Saskia Bayerl** presents the central ideas, the used methods, the project structure and the outcomes of a long-term and complex comparative research project. COMPOSITE (Comparative Police Studies in the EU) unites researchers and practitioners from 10 European countries and 15 institutions to research complex issues regarding organisational changes in police. The research is carried out by a team of researchers belonging to different cultural areas and different disciplines operating as an international network. The added value of this network-method for police science is an achievement of a better understanding of cross-national phenomena in the field of police and policing. It can help to learn from each other with a view to convergence, common concepts and harmonisation (e.g. of training, police strategies methods, communication, equipment). The COMPOSITE project can be seen as a serious effort to overcome the situation described by Fijnaut in the first paper of this chapter where he deplores: 'there is no coherent, consistent, long-term building of a body of knowledge about what is going on in the field of policing in Europe and particularly related to cross-border police cooperation.'

Together all three papers demonstrate the distinct theoretical relevance and practical value of comparative research for the development of police and policing in Europe and particularly of police cooperation in Europe and beyond.

# Police science: science of the police or science for the police?
## Conceptual clarification and taxonomy for comparing police systems

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France

(2012 Conference in Lyon)

Recently, a revival in police science is observed in several parts of the world. I say a revival since police science was born in the early 18th century in France and in Germany. French police commissioner Nicolas Delamare (see Napoli, 2003) as well as Germany thinkers called 'caméralistes' developed that notion. In fact, with contemporary vocabulary, is would be labeled 'political science' or 'government science'. Police science of that time was one of population, religion, roadways, trade, agriculture and finances. But also it also was one of happiness of the public (*félicité publique*). Early in the 20th century an academic journal was published under the name 'Police Science'. 'The application of science to the detection of crime' (Goddard, 1932: 165). It started to be published by Northwestern University in 1930 but almost disappeared two years after. The *American Journal of Police Science* ([1]) was absorbed by the *Journal of Criminal Law and Criminology* as soon as 1932. There was apparently not enough interest for police science in the academic arena to render the journal sustainable. Police Science as distinct from penal law and criminology will resurface in the Journal of Police Science and Administration in 1973 (Kaminsky, 1995: 20).

More recently, in the United States soon followed by Britain, academics have raised the prospect of a new age of policing that would be based on knowledge and systematic use of evidence for deciding what is the right thing to do for police services (among early committed academics and organisations in the UK see for instance

the seminal work of Sherman *et al.*, 1997, the work of the Campbell collaboration and works sponsored by the Home Office in the UK). David Weisburd and Peter Neyroud (2011) spoke of a new paradigm. In Latin America, police science is being recognised as an important goal for the government of Colombia and an international conference was organised on this very topic in 2011 together with the launch of an international network by the police academy of Bogota. In Europe, CEPOL has not spared its efforts to popularise the notion of police science by publishing reports as of 2007 (Jaschke et alii, 2007, printing a bulletin (CEPOL European Police Science and Research Bulletin) and organising a conference in Lyon in 2012.

## Introduction: science and police

In the late 20th century and early 21st century, the term 'police science' as used by the administration and academia has a more restricted sense than in the early 18th century. It is very much focused on public order and public safety (that continental Europeans tend to name 'public security' although the word safety also exists in languages derived from Latin). This science would be a kind of engineering science that would help police to be efficient and display efficacy in their methods.

Still, there is no shared definition of police science. What exactly is police science? Should it be limited to the engineering of police methods and organisation? And how could progress towards science in policing

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([1]) http://www.jstor.org/action/showPublication?journal-Code=amerjpoliscie2.

be made when we have no definition of the police themselves, of the object or subject of the science? What are the police? Are they just the ones that claim 'we are the police' in a given country at a given time, as typically do public national forces in continental Europe? This really seems a very empirical and conceptually week definition of police that might not be sufficient for establishing them as an object or subject of a science.

Police definition has been and still is very much debated since Bittner tried to unify 'police' through the use of physical force (1978). But is it a good idea to try to define in a monist way 'something' which is extremely multifaceted, variable even when considered in one country only and even more across countries? For example, J-P Brodeur has highlighted the dual nature of police as a secret organisation on the one hand, and a public one on the other (1983). Discovering the unity of something that happens to be or because it is called with a similar name (police, polis, policia) seems rather a utopian idea to me. It is striking that police needs an s as in polices — more in certain countries than others though, that the notions of police network, plural policing or policing web has emerged. The word policing (which does not exist in Spanish or French) blurs more than it brings a solution. What is the definitive connection between issuing a ticket for unlawful parking, investigating human trafficking and spying on other governments? Were Reiss and Bordua (1967) not right when they concluded that policing cannot be the same for the various groups constituting a society, that law enforcement is socially biased? What if police is not, never was and never will be 'one thing'? What if the quest for the essence of police was misleading from the start? What if, on the contrary, what matters for understanding police is who installs the police as an organisation with special operational powers? And how is the police (whatever its names and functions) tied to its environment?

We are not even attempting here to propose a new substantial definition of police or to suggest a new theory of police. We rather try to come with some elements of methodology for understanding how organisations whose names are police do develop themselves and display various profiles across national contexts (without being able to rigorously decide which should be included in a review since that would entail having a definition for that purpose).

In this chapter, we contend that there are two main avenues in police science: 'science for the police' and 'science of the police', the latter being today an orphan of the efforts of the scientific community despite its critical importance. We also support the view that a police science cannot be established without a cross-national approach that constitutes the precondition for understanding what 'police' are. We believe that such an effort should be conceptually guided. In fact, as many scholars have already noted, each country has such idiosyncratic conditions that it proves theoretically very risky to generalise on the basis of a few cases of forces, a fortiori if studied in the same country or in the same cultural area. Most of the production of knowledge is centred on local studies or national studies and is very rarely about the comparison of 'police' in different national settings, although exceptions exist, specifically the notorious David Bayley (1975, 1979, 1985).

Forging a comparative methodology for studying 'police' requires scholars to discuss and perhaps agree about the key notions that can guide empirical works and to develop names for and measures of the various dimensions that constitute 'police'. This also necessitates gathering observations about those 'objects', to invent a taxonomy and populate it with 'police forms' so that we can compare them like early taxidermists used to compare birds or butterflies through their physical features (weight, length, size of eyes), and, possibly, link those to their behavioural patterns. We would need to agree about how to describe police forces. Such observations by naturalists paved the way for the theory of evolution of life forms and I believe that police science cannot be consolidated without a description of 'police forms'. A taxonomy of police ecosystems would also be very useful (the institutions with which police interact).

The description and comparison of police forces and their environment rests in its infancy at present and it will take long before it reaches adulthood. Our contribution in this chapter is therefore modest and proposes to remind of some of the challenges of undertaking a systematic comparative approach to police, to introduce the notions and definitions that

we believe are indispensable, and to illustrate our approach based on some examples of how definitions and the related measurement of aspects of police forces and their environment can be used based on case studies.

In order to compare policing, we assume that an emphasis must be placed on the links that unite 'police' and their environments, both social and political. And we contend that such links have structuring effects on the work of the police. We think of those links as defined by three broad notions: the polity, the doctrines and the oversight mechanisms.

Such a perspective certainly contains an academic aim of producing knowledge. In addition, it permits offering public authorities that are in charge of policing a new view on the administrative organisations that they are commanding and controlling (in centralised states) or managing (in decentralised polities).

## Science for the police or science of the police?

After the 18th century view that confounded police science with government science was abandoned, the more vivid definition of police science rests with the 'evidence-based' approach. Based on a medical metaphor, its proponents offer a more professional view on policing in the classic sense of a value-free orientation and a decision about what works and what doesn't that stems from the observation of actual policing practices with rigorous methodology. The medical inspiration is overtly claimed by some of the most famous pundits (Sherman in his 1998 lecture at the police foundation; for criticisms see among others Thatcher) and perspire when reading the compilation of quantitative meta analyses (for a recent example, see police legitimacy: Mazerolle, Bennett, Sargeant, Manning, 2013). It certainly constitutes an important current in criminology, with its journals, think tanks and intellectual leaders. We do not intend to discuss the principles that lay beyond such an endeavour (such as: what are the implications of a more efficient police which are not in themselves a neutral factor in a just society? or to what extent can the police be confounded with medicine?). Every major thinking tide has its critics.

Our main and only point here is that the evidence-based approach is an engineering kind of science. Contrary to critical criminology, is does not express outrage vis-à-vis police racism. It rather tries to measure the existence of bias in policing and compares the effect of training curricula on the importance of ethnic imbalance during stop and search. It does not portray private property as a theft (as did Joseph Proudon, 'La propriété, c'est le vol', a French 19th century intellectual), but rather tries to determine if a 5 % increase of street patrols reduces (and to what extent) the frequency of burglaries in experimental neighbourhood compared to control ones.

Evidence-based science has not yet focused much on organisational features of police forces. Perhaps the COMPSTAT study is a borderline one since it touches on police interventions and police organisation (e.g.. Willis, Mastrofski, Weisburd, 2007). Evidence-based science is first and foremost a science for the police. It is for the benefit of police chiefs and of police forces. And possibly for the benefit of those overseeing the police. It would be unfair to deny that citizens might indirectly enjoy those benefits as well, for example it they are less often burgled after more efficient methods are implemented. Science for the police is meant to be an applied form of science. It has a normative nature in the sense that it is meant to say what is good and what should be done (or what shouldn't). In any case, what is learned is meant to cause a change for a better functioning police not a better understanding of why police services change (or don't), what policing means and how police organisations develop, grow in size and gain more advantages and resources for their constituent units and police officers.

But should evidence-based science be restricted to science for the police? Another avenue is also possible, which is distinct but does not oppose the first one.

Science of the police would mean studying police forms in their environment in order to better understand their development and their behaviour, for example how those forms compete for survival and interact with their environment (for accessing more resources or for other purposes). Three subjects are central to the science of the police: police forms development over time in different settings, police acquisition of resources (an organism needs to feed itself in order to survive) and police

determination by their environment. The links between police development and political development began to be comparatively studied by Bayley (1975) almost forty years ago, but he had few followers.

It is not a normative approach in its essence, but it would be unfair to conceal that it can be used in a normative framework (in fact, it is within such a framework that I started to be interested in the taxonomy of forces, when my responsibility was to measure the distance between a given police force and international standards of democratic policing, whatever this means). The police are usually not interested in the science of the police, with notable exceptions of course, since a police chief is interested in 'doing better' in a given situation and in a given organisational environment. Explanations of how and why a force will change over time is not part of his/her primary concerns, at least in the countries in which I worked. Reckless politicians might be interested in the science of the police, and interested to the point that it is not taking too many odds in order to change a police force.

I explained that science *of* the police is not to be confused with science *for* the police. However, systematic and rigorous observation can be mobilised for the benefit of science for the police as well as for science of the police. There are benefits to studying the programmes in order to decide rigorously on 'what works'. However, equally important is to look at system level. There are some isolated articles advising to do so (for example in relation to the juvenile justice systems, see Smith, 2005). More generally, for the purpose of understanding police-related changes, it will be beneficial to observe the links to the system in which a form develops itself.

## Comparative study of police forms: challenges ahead

There are a number of technical roadblocks in getting to the destination outlined in the introduction. And these obstacles are, we believe, even more obvious when adopting a comparative approach since the definition of a multifaceted organisation, police, cannot only be found in one of its actual manifestations. What police are cannot be taken for granted in a comparative

perspective. The differences stand out and show their true colours.

The first difficulty resides in the absence of shared definition of what 'police' could be. It has been observed by historians or sociologists that their forms vary historically and geographically. They can be diffuse in nature or vested in a specialised profession or corps, with a mix of public and private services (the balance between these two varies from country to country, Johnston, 1999). The professionals can be civilian or military, as in countries with a gendarmerie or even pure military forces carrying out internal security duties. The forces can be local, regional, or national, or a mix of all these. In some countries internal security and external security are mixed together, as in eastern Turkey, which often happens when the borders are not fully secured or when some nations claim cultural recognition across state borders. In this case, the gendarmerie fights terrorism as an army and undertakes more civilian policing of rural places. The missions consisting of prevention, deterrence, detection of crime and protection of public institutions are organised differently in almost every state. These are just examples of how complex finding a definition can be.

Missions of police forms, often subsumed under the term 'safety' or 'security' are diverse and changing over time. Every attempt to count them ends up with lists of more than a dozen tasks (Bordua, Reiss: 1966: 78). There is a need for categorising them. For example, sociologist Dominique Monjardet (1996) proposed differentiating between 'police of sovereignty', 'high judicial police' and 'police of quietness' meaning the daily policing work based on the French case study. Such endeavours do not provide a definition, but help to depict the complexity of police of which shape, organisation and functioning display important differences.

There are two widespread definitions of the police. The more popular element of definition by the 'legitimate use of physical force' as did Bittner (1970: 131) or Bayley in the third volume of The Enclyclopedia of Crime and Justice (1983: 1120), is not fully convincing. Canadian sociologist Paul Brodeur (1994, 2011) denied in detail that such a notion could be sufficient or even valid for specifying what police can be. Let us simply add to the

discussion that in authoritarian regimes, the police do not use force for maintaining order and security since the purpose of police in such cases is to create a sense of insecurity in the public. In addition, it must be said that the use of force is not necessarily perceived as legitimate by the public, as we witnessed recently during the Arab Spring in Tunisia or in Egypt. Other scholars insisted on their capacity to define exceptions in the maintenance of order (Manning, 2010: 80).

According to me, the best starting point remains the work of Bayley, but not when he relates police and the use of force, rather when he takes a larger view. He sees the police as a corps that is instituted by an authority (Bailey, 1985), which clearly opposes the police as a force that established itself as a power, as the army does in some countries. It might be because he adopted a comparative point of view deterring him from choosing too restricted a definition. The police serve a higher power. In democracies, that power is meant to be the people, in autocratic regimes the President or the king. Bayley reached this very stimulating conclusion long after the French revolutionaries drafted their Declaration of the Rights of Man and of the Citizen in 1789, which arrives to the exact same conclusion although it is stated in a normative fashion. Article 4 states that: 'La garantie des droits de l'Homme et du Citoyen nécessite une force publique: cette force est donc instituée pour l'avantage de tous, et non pour l'utilité particulière de ceux auxquels elle est confiée' (The guarantee of the rights of man and of the citizen requires a public force: that force is instituted for the benefits of all, and not for the particular benefit of those to whom it is entrusted). This article encapsulates the general principles of a democratic police: they are set up for servicing the people and protecting their rights.

Bayley's emphasis for defining the police is on the link of forces with a superior authority. This authority could be the people or the government, be it democratic or tyrannical. It is the environment of police. Based on that premise, I propose that understanding the different types of police forms is precisely that: to make sense of the links that unite a force or a series of forces to their social and political environment. Manning (2010) implicitly followed the same path, however he focused on what the police do when he tried to give a definition of police as dealing with 'exceptions' that

is in relation with the dependence to their superior authority (²). What Bayley indicated is the 'intermediary role of the police'. Police have a broker function both for inputs and outputs of the political system. This is why it is so important to theorise the link of the police to their environments. The affiliation of police forces to government, a critical element of police — government relations, has not yet been systematically analysed, neither at state level nor, and even less, in a comparative fashion.

Years ago, political scientists D. Easton and J. Dennis stated that the police are marginal to the heart of political science works and lack a serious analysis of their function in political systems (1969: 210). Since then, some authors have started to collate monographs on aspects of these relationships, but without a clear conceptual framework (Bear, Murray, 2007) or limited to one country without proper intellectual equipment for comparative research (Loubet del Bayle, 1992, 2006). Research has been centred on a few English speaking countries and termed ethnocentric and chauvinistic by British and American academics themselves (Mawby, 1989, introduction). The quest for an analysis of their functions in political systems appears still unfinished. I believe that it is a critical element for science of the police.

At this point, we propose limiting ourselves to observing some public forces, i.e. forces that are set up by a higher authority, in a selection of countries with two objectives in mind: to determine and measure their main characteristics, their mutual relationships and their relationships with their environment. The reason for including the characteristics of the forces in the review of the dimensions of their relationships with their environment is that those characteristics possibly shape that relationhip, at least in part.

From an empirical point of view, there is no database gathering characteristics of the police forces in different states, even in democratic regimes. Certain

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(²) The police as an organization in Anglo-American societies, constituted of many diverse agencies, are authoritatively coordinated, legitimate organizations. They stand ready to apply force up and including fatal force in politically defined territories. They seek to sustain politically defined order and ordering via tracking, surveillance and arrest. As such, they require compliance to command from lower personnel and citizens and the ability to proceed by exception' (2010: 79-80).

organisms as OSCE offer partial descriptions of the missions of the forces, but they are usually based on the legal definition in a given country and are not systematic across countries. We state that such a cross-national description necessitates prior identification of what exactly should be measured in police forms, what criteria are preferred in order to measure and compare forms (the measurements and the units of measurements). This is why concepts are indispensable for a comparative science of the police.

## Methodology

How to navigate the many challenges along the journey to comparative police science? We clearly don't have a full answer to that question and our ambition here is only to propose concepts and illustrate that they can be useful. For the purpose of comparing police forms, a few concepts are needed.

We propose four basic concepts based on a first work to gather descriptors of police oversight mechanisms (Roché et al., 2010) and on a work on key notions for reengineering a police system (Roché, 2011) both prepared in the framework of international technical assistance for security sector reform.

We assume that police forms evolve inside a social and institutional environment. It is constituted of civilian government, the army (in some countries the army is a branch of the state together with the legislature, the executive and the judiciary), of civil society and of other actors (independent authorities or NMIs, the media for example). We intend to describe the traits of police forms (the characteristics of the entities, forces or services that do policing) and the nature of the links of police forms to their environment. For example, when British police chiefs talk about police independence, what does it mean and how can this be conceptualised and measured (how independent and from what?) so that Britain can be compared to other countries?

### Selection of reference countries

The scope and complexity of the work is such that we would like to trial our approach on a limited set of states and with simple indicators for assessing the existence of the links. It is beyond our capacity to include all states or even a rigorous sample of states since we don't have a hypothesis for designing such a sample. We will select contrasted case studies, with enough distance between them to allow observation of various traits and organising principles.

The principle guiding us for inclusion of case studies is diversity: diversity, as far as the polity is concerned, but also as far as the police system features are concerned. We know that there are different types of polities and police systems as well, and we intend to account for some of the diversity of both polities and police forms.

We have combined four criteria: size (population) and type of state (federal and unitary), fragmentation and type of forces. The state may be:

- a symmetrical or asymmetrical federation, a unitary state;

- a large or small state as measured by population and geographical squared mileage;

- characterised by very fragmented police systems or with more unified police systems (the fragmentation of a system is indicated by the division of the number of forces by the resident population of a nation state);

- characterised by police forces only, or with police combined with gendarmerie (a mixed system often called a 'dual system').

**Table 1**
Countries included in the study

| | Population (in millions) | Polity | Name of member unit | Fragmentation of police system | Military status police force (Gendarmerie) |
|---|---|---|---|---|---|
| India | 1 115 | Symetrical federalism | State (28) | Moderate | No |
| Spain | 46 | Asymmetrical federalism | Autonomia (17+2 cities) | Low | Yes (Yes) |
| Switzerland | 7.7 | Symmetrical federalism | Canton (26) | High | No (Yes)* |
| USA | 308 | Symmetrical federalism | State (50) | Very high | No |
| France | 67 | Unitary | State (1) | Very low | Yes (Yes) |
| Turkey | 75 | Unitary | State (1) | Very low | Yes (Yes) |

\* A gendarmerie is found in Switzerland, but its status is not military.

We will also make reference to other systems, the United Kingdom or Nigeria for example, when needed. Our ambition in this paper is not to be as systematic as we should be, but has to be limited at this stage to provide examples that are a source of inspiration for designing a comparative approach.

Federal systems are very heterogeneous. The United States is a large country (9 million km$^2$, 308 million inhabitants). It is a symmetrical federal system with a very fragmented police system without a police force with a military status. Switzerland is also a symmetrical federation, but substantially smaller (41 000 km$^2$, 7.7 million inhabitants), with a high fragmentation of police. There is a force named the gendarmerie, but without a military status. India is a vast state (3.2 million km$^2$, 1.2 billion inhabitants) and a symmetrical federation with a system that is moderately fragmented and without a gendarmerie. Spain is a middle-sized nation (505 000 km$^2$, 47 million inhabitants), an asymmetrical federation with centralised police forces, a civilian and a military-status police. France has approximately the same size (550 000 km$^2$, 66 million inhabitants) but with a unitary state and centralised police forces, a civilian and a military-status police. Finally, Turkey is in the same category as France (783 000 km$^2$, 75 million inhabitants) with a unitary state and centralised police forces, a civilian and a military-status police. Turkey has adopted an administrative system that is rooted in the French tradition.

As we will see below, this very general description doesn't render justice to the differences between the most comparable countries. Police forces are structured (and operate) differently in different countries even if those countries live under the same type of political order. For example, federalism doesn't entail a well-determined and specific type of police system. When one refers to a 'federal police force' it is done so in order to point at the type of police force, not at the arrangement of the police system itself. Federal forces are mobilised within their jurisdiction, which is usually given by the nature of the crime committed (for example a crime against a federal official) or the place where it is committed (for example federal buildings or the federal state of Mexico City of Washington D.C.).

**The five concepts for comparing police**
The work below draws on previous empirical and conceptual efforts (Roché 2011, 2013). In order to describe the main distinctive features of police systems that can be found around the world, and to determine how they compare to one another, we propose that it is necessary to look at:

- 'police forms': the traits of a police form are size, means for connecting them to the political system by ministerial affiliation for example, and police operational powers in particular remit (national, local jurisdiction);

In addition, one needs to study four aspects:

- polity or structure of political powers: type of regime, distribution of powers to the various levels of government (federal, state, region, municipalities) and the *de facto* power of organisations (for example of the military in policing work);

- police ecosystem, or the mutual relationships of all police forms at the nation level;

- police doctrines (operational strategy for implementing a policing policy);

- police accountability mechanisms, which are also very diverse (political accountability, performance management, inspection).

The reason for selecting those four dimensions is that firstly they are critical for designing the relationships of police forms with their environment and secondly that they seem to be empirically independent bricks or elementary elements that can be combined to define 'what the police are' in a given place at a given time. We contend that 'what the police are' can be defined by the relationships of each form with their instituting or monitoring authorities. The four types of bricks are different in nature:

- For a given type of polity, various traits of police forms can be found. The architecture of a police system is not given by the polity: centralised police forms can be found in federal polities; civilian or military status police forms can be found within the boundaries of the EU.

- Even in lookalike police forms (let's say centralised forces with a military status), substantial differences in doctrines can be found.

- Doctrines with similar aims are found in contrasting polities, and in various police forms (large or small, central or local).

- The degree of centralisation of a form (and possibly of a system) is not only tied to the institutional architecture but to managerial strategies of the governments.

- The nature and modalities of the oversight over police forms is not dictated by the architecture of the polity or the degree of decentralisation.

- Furthermore, it is for example possible to change the oversight mechanisms without impacting the polity or the traits of police forms or the doctrine.

## Comparing police: measurements of morphology in selected states

We will now provide a definition for each of the four core notions. They all are multidimensional and require therefore to identify their main dimensions. We will provide examples of measurement for each dimension.

### Police forms, police ecosystem

A police system is composed of multiple police forms, which together comprise the totality of agencies explicitly and exclusively (in the sense that policing is their sole or dominant mission) tasked with maintaining internal public security and order. These forces may or may not be linked together operationally or in terms of control by higher civilian authorities.

The notion of police form is useful since it doesn't fully overlap with the legally defined notion of police force or policing agency or police service. Legal definitions are usually taken for granted by academics. An illustration can be drawn from France. The police of Paris are a central state one. They do not exist legally as a force since there are only two national forces in France, the Paris police being part of the national police. However, based on empirical observation and not on law, it is observed that Paris police are a force as such. It has independent command and control, and internal oversight, as well as other features of a national force (including its intelligence services). We use the notion of police form as a generic term for describing the observed reality.

What distinguishes a police system from its constituent units? Police forms are the basic unit of observation in our methodology. A police force exists if a set of agents (whose function is defined) that operate within an organisation with a line of command and control, and in a geographical jurisdiction. It generally has a mechanism for controlling and sanctioning the agents, even if rudimentary. Forces report to the public authorities in charge of the police (police authorities). Often forces undertake various types of missions. They can be, for example, very specialised, or of private or public nature (or of mixed nature), legal or illegal, civilian or military etc. Thus, we can say that a nation's police system is a set of police forms plus the relationships among all the constituent police forces within a given territory.

As we express above, there is no shared definition of a police force, and even if we use the one by Bayley, it does not solve the problem in full. Now, we propose to discuss traits of the police forms. More precision is often needed, for example we could decide that police forces shall be distinct from armed forces in that the former are assigned with the mission of maintaining internal public order and order. However, in various countries this is not fully the case. Interestingly, police forces are rarely defined in the national laws. In addition, there often are few published analyses in undemocratic regimes or even in regimes in transition. For public forms, elements contributing to the definition of the civilian versus the military nature of a force such as the ministerial affiliation, the employer of agents and the missions, are sometimes specified more precisely in democratic regimes.

We believe that the morphology of the forces should be determined. How can the police forms be described with a limited number of traits which themselves will be quantified?

There is a very large number of organisational traits for each police form and each of these is multidimensional, for example the opposition between the military versus civilian status of forms. At system level, one can see two traditions in Europe, the Anglo-Saxon, built against the French model, where public forces are of civilian nature since such countries excluded the possibility of having a gendarmerie. This tradition is reflected in international norms and standards where a clear division is sought between the role of the army (defence) and the police (internal public order and security).

Based on our small sample, we found that several countries have a gendarmerie: France, Spain, Switzerland and Turkey. But, clearly, looking only at the tag that is put on the force does not suffice to grasp its nature. At force level, at least two dimensions must be taken into account for defining the degree of militarisation: the militarisation of the status of the personnel and the militarisation as stemming from ministerial affiliation. As can be seen in Table 1, Switzerland has a gendarmerie, however its personnel are fully civilian and it is affiliated to a civilian governmental body. This means that the gendarmerie in this country is in fact a police force that is identical in all means with a civilian one. At the other end of the spectrum, the Turkish Jandarma is found. This force is composed of soldiers (and conscripts), commanded by a land force general, and it is affiliated to the general Chief of Staff (a military entity which does not report to the Ministry of Defence). It is the most militarised force in our sample. In the middle are gendarmeries made of gendarmes that are distinctly trained against other armies (land forces in particular) and that are affiliated to the Ministry of the Interior in Spain and France both in functional and organisational terms, and of Italy where the Carabinieri are functionally under the Ministry of the Interior but not organizationally. Their resources are provided by the Ministry of Defence, but the command and control line lies with the Ministry of the Interior.

We are here primarily concerned with the public subsystem and its structural features. When observing a force, we leave aside the external control, the content of the training processes, the management as far as performance and 'value for money' is concerned and limit ourselves to reference to the traits of each forms. We only include here the appointments and revocations of the top heads of forces since they are an internal feature of the form, despite the fact that it is set up by the political environment.

In order to properly compare the forms, we need to use a series of measurements of characteristics. We need to establish a taxonomy of police forms, similar to catagorising life forms in the sea for example. Some are very big in size, some are small, some are solitary and others, social fish. Fish live in the sea with other animals that also can 'swim' alike them, without being fish, for example dolphins. And biologists can differentiate between fish and dolphins because of certain criteria, such as the respiratory system.

## Features of forms and of ecosystems: the challenge of description

One of the first challenges of social scientists in the current state of knowledge is simply to describe 'what we see'. We observe that there are a very large number of important organisational traits in police forms and police systems. And, when studying them, we found that each trait is multidimensional (see below the example of militarisation). Comparing forms and systems implies that we are able to identify those traits and build an index or scale for measuring each of them (for example a militarisation score). A table of core features or fundamental features of police traits needs to be designed and tested.

The main features of forms are listed in Table 1. This table is composed of very frequently discussed elements in the police literature. It is by no means a final list of fundamental traits of police forms. I propose that there are seven core traits, and that each of them is multidimensional. Those traits for each form are:

- *Status* (military versus civilian)
- *Nature* (public or private)
- *Shape and characteristic of the top levels of the hierarchy* by which the form is attached to its political environment (the hook or attachment point)
- *Shape of the command and inspection system*, which is a kind of nervous system of the form
- *Size* of the force
- *Centralisation*
- *Jurisdiction*
- *Professionalisation* (literacy, specificity of training).

I understand that many other elements could be added and I am geared here with including as few traits as possible. For example, an important element to be added is how a form feeds itself and reproduces itself and I contend that the limbs or organs that equip forms are critically important to be integrated.

I agree with Bayley when he observed that some commonplace notions such as centralisation or decentralisation are not very useful for comparative purposes of governance (1979: 219). A decentralised force like the NYPD can in effect be larger in size than the centralised force of a small country, with less inhabitants.

Another example can be used to illustrate the problem. Some countries, like France, have a centralised police system in which a very large force is independent from the two main and centralised ones (the national police and the gendarmerie), namely the police of Paris. But is the police of Paris a centralised or decentralised force? There is no answer to that question because of the flawed conceptual framework for asking it. However, until such notions are replaced, we are tied to using them.

The main features of a system can be described with a combination of measures of the forces as displayed in the table below. I cannot discuss all the difficulties that are related to the use of notions and related measurements. My focus is now to insist that features can be observed and measured at force level or a police-system level, and that the two levels should be carefully differentiated. For example, a force can be more or less militarised. But then, a police system is more militarised when both the affiliation and status of forces are military, but also when the size of the military police forces is bigger than the civilian units.

As another example, we can look at the fragmentation of systems and compare the United States and France, two of the most opposed police systems. In France there are a national police, a gendarmerie and a Paris police force (totalling 230 000 personnel) as well as 3 030 municipal forces with only 13 098 personnel [3] (two thirds of municipal authorities do not authorise their agents to bear arms) for 66 million inhabitants. In the United States we find 17 800 forces for a population of 312 million. The fragmentation index can be computed as the number of armed forms divided by the size of the resident population. This method shows that the United States has a ratio per 1 million population of 57 forces and France of 15.

[3] See the ' Information report ' by the joint mission of the French Senate and Parliamentary Assembly. Mercier Michel (2000), Pour une république territoriale: l'unité dans la diversité, Rapport d'information 447 Tome 1 (1999-2000) — Mission Commune D'information.

**Table 2**
Example of traits and measurements of police forms and of police systems

| | Force Level | System Level | Example of the indicator at system level |
|---|---|---|---|
| **Status:** civilian/military | Degree of militarisation of a force | Militarisation of the system | Score of a country based on all dimensions measuring militarisation |
| **Nature:** public/private | Degree of public control on a force | Share of public forces in the total number of agents | Ratio of public versus private agents in a country |
| **Attachment point (hook) to political environment** | General director, Commander with fixed-term mandate (or not) | Number of hooks, existence of notions of political neutrality, political independence | Proportion of hooks under civilian authority |
| **Existence of control and command line** | Hierarchy and inspection system are functional | Proportion of forces which have a functional hierarchy and inspection | The head of the force can appoint or revoke an agent (staffing of central inspection divided by total staff) |
| **Size/ Fragmentation** | Number of agents and/or budget of force | Number of forces Coordination mechanisms | Number of forces per 10 million population (see graph) |
| **Centralisation** | Degree to which a force reports to the central powers | Degree to which forces/agents are mainly affiliated to the central powers | Percentage of public agents that operate in forces mainly affiliated to the central powers |
| **Powers** (operational) | Degree to which a force possesses powers | Balance of powers between forces | % of agents without powers in force A compared to force B |
| **Jurisdiction** (geographical operational power) | Geographical and criminal based Gendarmeries' natural habitat is countryside | Preeminence of a force, mutual geographic exclusion | Percentage of the population in jurisdiction of a force |
| **Professionalisation** | Proportion of agents with education and proper training | Share of agents that are specifically recruited and trained for policing duties | Literacy of agents, presence of conscripts, specific training curriculum |

I have asserted that each trait is multidimensional. For the purpose of clarity, I will now take the example of militariness (the degree to which a police form is militarised). A first proxy of militariness is the use of a label, most often 'gendarmerie', a French word meaning armed men. However, such labels cannot be trusted at face value. In fact, some forces like the ' 'Gendarmerie Royale du Canada' only include the word gendarmerie in French, and not in English (its name being the Royal Canadian Mounted Police). Which name should be used in that case for the purpose of classification of the form? More importantly, the gendarmeries of Switzerland, Turkey and the southern European countries (France, Italy, Spain) appear to have little in common when compared on a systematic basis. Firstly, the affiliation of the form has to be assessed, together with the status of the personnel and the legal procedures guiding the work of the agents as well as the legal liability of agents. Those variables can be represented in a two dimensional space (Graph 1): one refers the affiliation of the force, the other to the status of the agents. The two most

opposed forces are Switzerland and Turkey (Jandarma). In Switzerland, the name gendarmerie is the only link to militariness. In fact, the form is affiliated to civilian non-army bureaucrats, answering to elected politicians and composed of civilian agents bound by civilian (non-military) procedures and codes. At the other end of the spectrum, the Turkish Jandarma is the fourth army of the country, it is affiliated to the general chief of staff who is acting as the head of a constitutional power and does not answer to the Minister of Defence. The gendarmerie protects borders, fights a domestic war against the terrorist organisation PKK, and does rural police work at the same time. It operates under military codes of procedures and the agents are liable to military courts. In the middle, the continental European forces are found: the personnel has retained a military status (for working hours, pensions) but is placed under civilian rules and procedures as well as administrative and political civilian authority which makes them 'civilian police forces'. They are integrated in the Ministry of the Interior (to a varying degree though) rather than the Ministry of Defence.

Analysts such as Llorente (2006) have noticed the changing ministerial affiliations of the police — between defence and interior — in Latin America and suggested that such changes have an important impact on the degree of militarisation of the police. It is likely that the ministerial affiliation is important, but that the locus of control is equally so (what is a form hooked to). If the internal security sector for a large part is in the hands of soldiers instead of politicians, as it is the case for example in Turkey with the gendarmerie, the evolution of the police system and police doctrines will probably be much slower. Ministerial affiliation can be only formal, and not imply a real civilian locus of control.

## Comparing police: relation to their environment

Each police form has features of its own and is developing in relation with other forms, larger of small, of various statuses. All these forms are themselves part of a larger ecosystem which structure is politically determined.

I propose to divide the relationships of police forms to their environment between the social environment and the political environment. Most often, the political environment defines the relationship of the police with its social environment through different principles, as stated in legal documents (constitution, police laws, police doctrines, police ethics guides). These principles embody national traditions that can be substantially distinct even among democracies. There is also a set of mechanisms that permit civil society to be heard: direct election of police chiefs, of authorities to which chiefs are accountable; consultative mechanism for example. However, the social environment can influence the political spheres, mostly via elections in fully-fledged democracies or even in delegative democracies (O'Donnel, 1994).

### Polity, power relations and police

The authorities that institute police forms are doing so based on legal provisions in core legislations or based on power relations (*de facto* exercise of power). It should be noted that not only legal authorities establish police forms.

The police forms are instituted by and report to a higher authority that can be monopolistic. However, sometimes in a given territory various authorities compete with one another. This can be observed in countries were rivalry occurs between civilian authority and military ones, for example in Egypt or in Turkey. There can be competition between civilians groups in unstable environments but also in stable ones, like in Spain between the central and local levels. The case of the United States where police chiefs can challenge mayors and run for election there is another type of competition which has not been studied comparatively. In France, such a possibility is explicitly ruled out by law since a line is drawn between the work of administrations and forces and the political sphere: a former police officer cannot run for any elected mandate in a municipality over which he/she had jurisdiction during the previous years.

Since the police are established by superior authorities, the political framework of a country might be an important element in understanding the development of police forms. What defines the polity of a country? A polity is usually defined as a civil order, the form of government of a social organisation. It is generally accepted that there are three forms of government structure: unitary governments, confederations, federations (approximately 24/200 states). In unitary states and even more in strictly unitary ones all power resides in the central government. Conversely, in federations sovereignty is constitutionally divided between a central governing authority and constituent political units (often states or provinces).

How much determination of the nature of police forms and of police systems stems from the constitution that set up the polity? The constitution has two potential main effects on police since it decides:

1. the limits within which police forces will exercise their operational powers, and the limitations that shall be put on the police forces;

2. the allocation of competences to the different governmental levels (what level is in charge of what kind of police).

A constitution often starts with listing the fundamental rights, the freedom and liberties that no state organisation and in particular the police can jeopardise

through its actions and procedures. The importance given in constitutions to these rights and the inclusion (or not) of all human beings is critical since the highest courts will eventually refer to it. If not guaranteed at the constitutional level, the freedom and liberties might lack the necessary legal support for their full enforcement. Those rights will act as a guiding principle for all public services, including the police forces. And since police powers and police actions are by definition limitative of liberties, the impact of those guarantees is decisive for police forces.

With regard to the mission of the policing forces, the constitution of Spain, dating back to 1978, clearly assigns a duty of protecting the citizens and their rights to the national police and the Guardia Civil, the two national forces. In fact, security is defined as an 'exclusive competence' of the central state by the core document. A strong emphasis is put on the rule of law and the disciplinary system for the national forces.

The United States' constitution is also a short document. It does not mention the criminal justice system or the police. It only mentions that the judicial power rests in a Supreme Court that has the power of judicial review. Many important phrases and terms in the constitution that govern law and criminal justice are written in a general and often imprecise language that has no specific meaning until placed in a social context. The central principle is that the government, despite all its powers, cannot enter people's private spheres without a compelling and verifiable justification.

However, those guarantees do not constitute a distinctive feature of federal states when compared against unitary ones. A unitary state like France has a declaration of human rights in addition to its constitution so that the document has the highest value in the legal system. Moreover, the protection of basic rights doesn't correspond to a shape in police organisations. Are there specifications about police forms in constitutions?

It is possible, but rarely observed, that the constitution also assigns duties and responsibilities to the public policing forces. In Spain, the recent constitution (1978) requires such provisions to be elaborated in detail in an organic law. The organic law (a law ranked between the constitution and regular acts of Parliament)

organises in detail the duties and responsibilities of the national forces, their ministerial affiliation, the rights of the agents working in the force. All forces, whether they have a civilian (national police) or military status (Guardia Civil), are housed by, and accountable to, the Ministry of the Interior. As a consequence, neither the Ministry of Defence nor the army can have a role in internal security.

What the constitution systematically does is the 'distribution of competences' or 'distribution of police powers'. It means that the legislation declares what authority is legally entrusted with the competence of establishing police forces, developing police forms. The multi-level organisation of police competence and powers is specific to federal systems when unitary states recognise only one owner of such power.

In all our case studies, the distribution of police powers is established by the constitution. Distribution is often but not always presented in lists of competences. Let's take a number of examples. In the case of India, there are three lists. The first specifies the power (competence) of the union, the second of the states and the last one — the shared power. Such a list exists also for the United States. The 'delegated powers' are those delegated specifically to the national government.

The Indian constitution lists the powers (competence) and functions of the central government and state governments. Three lists are distinguished: the Central List, the State List and the Concurrent List. According to Article 246 of the constitution, parliament has exclusive power to make laws regarding matters enumerated in list one. State legislatures have exclusive power to make laws for the state regarding any of the matters in list two. Both parliament and state legislature can make laws on subjects specified in list three. However, primacy is given to Central Government (Union) laws over state laws. This clearly indicates that the Union Government has supremacy over the state governments in matters related to legislation. Experts note that this supremacy exists not only in legislative powers but in administrative and financial matters also (Ramakantan, 2008: 2). The predominance of national laws (whenever national and state legislation overlap) or national bodies (whenever federal and state supreme courts disagree) is not specific to India and applies to Switzerland for example. However, more

counterweights are found in Switzerland, the cantons being protected against an 'over-legislation' by the confederation.

Switzerland vests the administration of justice in the member units (cantons) but the legal penal framework (penal code, penal procedure) in the federation. The cantons can establish their own police forces as they wish as long as they comply with federal regulations, including the penal code. The country has no formal list of police competences and regulates the division of competences between the federal and the local level using the so-called 'principle of subsidiarity' (Articles 3 and 5 of the Federal Constitution). According to this principle, all powers not explicitly assigned to the federal level belong automatically to the local level. This translates into the existence of a single list defining crimes dealt with by the federal police. These crimes in Switzerland are defined by law, not the constitution. All other crimes are assigned to the cantonal police.

There is no list of competences in the Spanish constitution. Instead, there is a list of police powers to be distributed between the two national forces. Distribution of competences is based on agreements between the central government and the member units on an ad hoc basis. The reason explaining this situation stems from the fact that the constitution establishes a balance of police competence that is clearly favourable to the central level since policing is defined as 'an exclusive duty' of the central government. However, it does not clearly discard an involvement of other public forces in internal security. Based on this possibility, some member units (called 'autonomies') have set up their own forces (see the section below).

An opposite situation is found in the United States where the balance of competence is clearly favourable to the local level. There are federal duties related to policing, but those are far more limited than state and local ones. The maintenance of peace, conduct of orderly elections and prosecution of unlawful actions are all state responsibilities, pursuant to the states' primary job of exercising police power and maintaining law and order.

In Switzerland, the balance of policing competencies clearly favours the local level as well. Federal responsibilities are mostly limited to terrorism and organised crime. There is no uniformed police at the federal level, thus public order and investigation of crimes is entirely distributed to cantons. Cantons can themselves further devolve policing powers to municipalities, which is the case in a majority of cantons.

In summary, the constitutions seem to offer only a few criteria, not for deciding police forms but for distributing police powers. It seems that constitutions do not shape in all respects the police forms and police system of a country. And, a closer look into police forms within different countries displays how little influence a constitution has on police forms.

**Polity and police forms**

In section two we introduced a number of traits for characterising a police form, and also a police ecosystem. We can now empirically investigate the relationship between polities (federal versus unitary) and police systems in order to better understand if the former determines the latter. There are various reasons to be dubious of any determinations. Firstly, virtually no precise rule concerning the establishment of the police system can be found in constitutions since neither federal nor unitary systems were invented for the purpose of providing 'good policing'. Secondly, local conditions affect the development of police systems after police powers are distributed.

After competences are vested in a level of government, organisation of police forms lies within the concerned authority. Very often, four levels are observed: the federal, the member unit (state, canton, *autonomia*) and the municipal one for cities and a territorial unit for the countryside (sheriff in the United States, gendarmerie in Spain). In each nation, those levels of government have their own specific domestic dynamics, which can be influenced by elements as distinct as a democratic revolution, external violent threats, or aspiration of a people towards more sovereignty as in social movement for autonomy of regions of a state.

We noticed that the organisation of public police forces cannot be deducted from the overall polity. I will only provide examples of diversity that are found, while accepting the fact that further research is needed based on a larger sample.

For example, there are two central forces with shared ministerial affiliation in Spain. Both the National Police and the Guardia Civil (a policing force with a military nature) are under the authority of the central Ministry of the Interior. Those forces operate throughout the country at all administrative levels and constitute the main forces on the ground despite the fact that the constituent units of Spain have their own government. This kind of distribution of police powers is usually found in unitary states, as in France or Italy. In fact, in federations like Germany no such locally operating national forces exist. And they cannot be found in India, Switzerland or the United States.

Some countries have an extremely fragmented police system, while others tend to have only two main forces or even sometimes one. Usually, unitary states have less policing forces. However, Nigeria, a federal state, has one single national police operating throughout the country (4). Among democratic states, almost none have only one force that operates throughout the country for all purposes.

Even within federal states, a lot of variation can be found. India represents a mixed example: police force there is a national, but policing is also divided into as many forces as there are states and directed by the Ministry of the Interior of the member units (not the central government). The Union Government establishes its own distinct forces in line with the powers bestowed by the constitution.

In other words, it is not possible to determine how a police system is organized simply by taking into account the federal or unitary nature of the polity. Over time, the police forms develop while the levels of governments also evolve in their mutual relations. What do we find if we try to depict the panorama at a given time? At one end of the spectrum, one can find countries like the United States and Switzerland. Their political system and their police system are extremely fragmented. At the other end of the spectrum, one can find a quasi federal state like Spain and a unitary one as France with two forces accounting for more than 90 % of all police personnel operating in the country. Of course, when comparing countries the size of the forces is negatively correlated with their number.

(4) See: www.cleen.org/policing. %20driver %20of %20change.pdf.

Even within a federal polity, the police system can be more or less decentralised. Decentralisation is the process of dispersing decision-making governance closer to the people and citizen (Dubois, Fattore, 2009). Political decentralisation aims to give citizens or their elected representatives more power in public decision-making. Is it found that both unitary and federal polities can be more or less decentralised. A more centralised system is meant to be more homogeneous and a more decentralised system is geared towards heterogeneity. Again, decentralisation is a multidimensional notion.

When it comes to decentralisation of police forms, a number of indicators should be taken into consideration:

- are the recruitment and appointment of local police chiefs decided nationaly or locally?
- are police staff dependent on federal, constituent units (state, canton etc.), or municipal levels of government?
- is police training standardised over the national territory?
- are the various laws and regulations related to police (penal code, standards for ethics, discipline as previously listed, Roché, 2011: 43; box 5) unified at central level?

A national force is a force which responds to the central authorities with jurisdiction over the entire country concerning the majority of crimes that can be committed. Most countries do not have such a force. However, nations can take steps towards a more homogeneous police service by establishing a police corps (recruited and managed, even if not operating under the authority of a central government) or police standards for selection and training.

No such national force is found in the United States. There is not even a definition of a federal police peace officer. Similarly, in Switzerland, there is no national force of this kind. Since 2003 the police profession has been recognised on a federal level with the introduction of a federal certification and unified basic training. Municipal police generally receive a shorter non-federally sanctioned training (3 months) which is provided in various local police schools. Four training centres are to replace the old cantonal police schools and training will be standardised. However, the current system remains largely fragmented. There is

no higher- level police academy in Switzerland which could be compared to the Police Leadership Academy of Münster in Germany for instance. All recruitment/ training is done locally by cantonal police forces or municipal forces. On the contrary, there are two national forces in Spain (nationally recruited, trained, appointed and managed, for all ranks of the force).

In India, an intermediate situation is found: the 'All India Service', i.e. the Indian Police Service is recruited, trained and managed by the central government and provides senior officers to the State Police Forces. It is not a national force in the Spanish sense (a national service operating at all ranks locally and under the direction of the central government). However, there is a national body of police chiefs and middle-rank managers.

We have elaborated the following chart by comparing a quantitative indicator, the 'percentage of police agents that belong to the central level'. Not all are federal police, since in India such a notion is not in use. In Spain, the police and Guardia Civil also are central forms, but not federal with the attached division of powers.

Simply put, we find that the proportion of central or federal forces can vary vastly from 10 % in the United States to 100 % in Nigeria. Federalism can shelter police forms that are very local or very central. In addition, we found very large or small forces, the smallest being usually local forms and the largest, national ones (rather than federal ones).
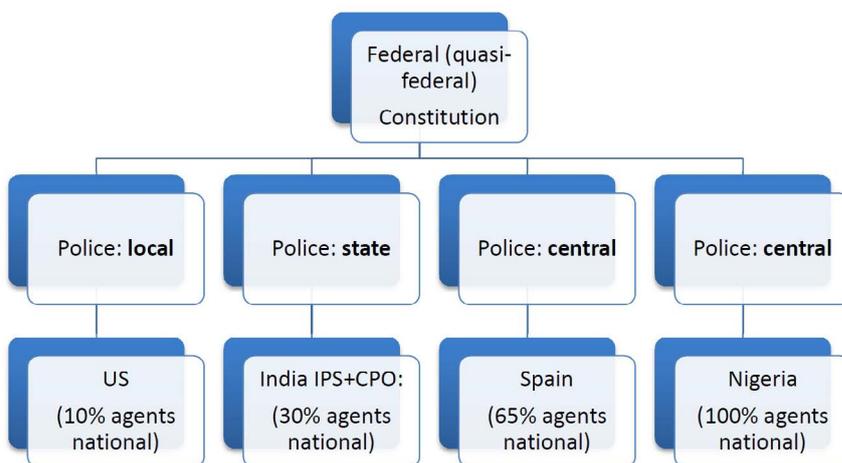


**Figure 1. Polity and percentage of forces operating under central government**

Additionally, a large variety of forms in terms of their nature were observed: some countries have forces with a military status (gendarmerie in Spain), or without a military status (gendarmerie in Switzerland); others have armed forces (Central Police Organisations in India) whose status is opposed to civilian state police; finally only non-military forces are found in the United States.

We have not reviewed all the main traits of police forms. However, based on our overview, be it of local or central nature, of size, or of nature we find to say the least vast variations in police forms. Given these facts, it would be difficult to contend that police organisation stems from polity.

**Polity and police systems**

After observing variations at the forms level, we will now briefly do so at police-system level. We propose here to dividing the police systems into three types: centralised, decentralised and distributive. These are ideal types.

The below table indicates, for a selection of states, the main levels of government that have police powers (measured by the number of agents in the forces). It displays the level of government that recruits local police chiefs: in the United States or Switzerland they are recruited locally, in other states centrally or in a mixed way (Spain). The jurisdiction of police chiefs is presented on the last line, being one of the most

important of police operational powers. Two patterns are visible: the nations for which municipal-level chiefs have municipal jurisdiction and those for which local chiefs have a larger jurisdiction. This is because the form was established at a higher level than the municipality (the central government of a constituent unit of the federal government).

**Table 3**
Appointment and jurisdiction of police chiefs operating locally in selected states

|  | USA | India | Spain | France | Switzerland |
|---|---|---|---|---|---|
| Main level | Municipal | State | National/ Autonomias | Central | Canton |
| Chief recruited | Municipal | Federal | National/ Autonomias | Central | Canton |
| Chief jurisdiction | Municipal | State | Autonomias | Province | Canton |

We use a chart to represent three ideal types. The centralised type is the most obvious. In the centralised system, the central forces are the most prominent forms (bigger in size, with the largest power for investigating). The appointment of police chiefs is done at the central level. The 'hook' of each force is unique, and the force meant to be administered from the center. The French police system falls into the first category, as does the Nigerian police system. In France, the local chief answers to the central director and is locally in a position to instruct any municipal force: there is an imbalance of power to the benefit of the locally appointed national chief of police.

## Challenge of description of networks & systems

**Figure 2. Ideal types of networks representing police ecosystems: centralized, decentralized, and distributive.**



centralisé — National appointment at local level — décentralisé — Local appointment at local level — Distributif
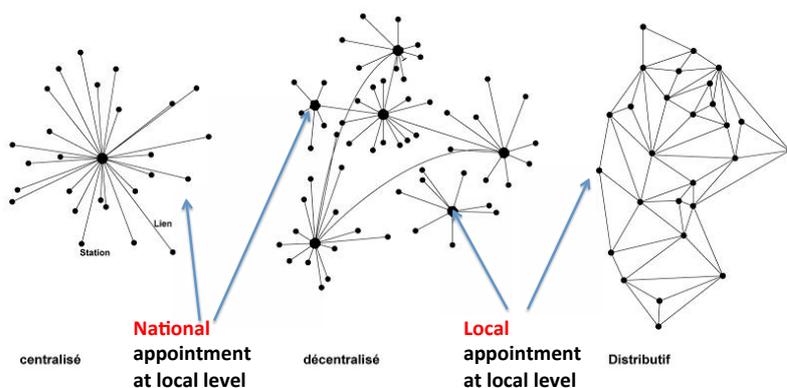
The decentralised model is an intermediate situation. Local chiefs of forces are appointed by national authorities, as is the case in India. Alternatively, local chiefs can be appointed locally. Or, such a system can be a mix of the two solutions, as observed in Spain: there are national police chiefs operating locally (the local heads of police and Guardia Civil that have national jurisdiction) coexisting with local police chiefs operating locally (the local heads of the police forces of *autonomias* and municipalities). In the mixed decentralised model, there is no hierarchical link between the national chief operating locally and local chief operating locally.

Finally, the last model is the distributive one, which as an ideal type has no centre. All local chiefs are appointed locally. The United States and Swiss case studies are probably the closest to the ideal type.

A proliferation of agencies can be found, and the various forms are independent from one another (in terms of status, training, communication system and hierarchy). However, they are free to cooperate or compete for innovation for example.

### Conceptual conclusions about the polity and the police

This basic attempt of a comparative approach leads me to propose a number of conceptual operations.

Firstly, 'police powers' is a polysomic notion. The terminology should draw a line between the notion of power to establish a police form and the operational powers of a police form. We will use 'police powers' for the power to set up a form of a higher authority and 'operation police powers' in reference to the powers that a given form can use when carrying out operations. For example, a government can establish various police forms with distinct police operational powers for each.

Secondly, another distinction based on the above needs to be introduced. It relates to the polity and police forms:

- distribution of powers entails more or less competence for levels of governments, and is distinct from decentralisation of police forms as organisations;
- the form and degree of decentralisation of a police system does not automatically stem from a federal versus unitary arrangement.

Although not systematically studied, I think that this distinction was well perceived by Bayley when he wrote 'British liberty does not depend, and never has depended, upon any particular form of police organisation' or 'We do not accept that the criterion of a police state is whether a country's police force is national rather than local — if that were the test, Belgium, Denmark and Sweden should be described as police states' (1985: 212).

In countries where the state is a national entity (unitary states) and the police an arm of the central state, it is often believed that the nature of the police is to be confounded with the nature of the state. Comparing countries obviously unveils the fact that the 'nature of the state' or polity does not allow prediction of the specification of police forms and the organisation of the police forces, the police system. The notion of distribution of powers relates to the role of various levels of government as defined by law. The description of police forms belongs to the sociology of police that clearly indicates how the form can develop in multiple different ways.

It seems to me that each country is a syncretism that combines three elements into a unique police construction:

- distribution of police competences to the different levels of governments;
- policing operational powers given to each force or service;
- the hook: codifications of police — government relations for operations (neutrality, independence);
- a more or less centralised organisation of policing forces, with a possible territorial division of powers among forces (a central force working at the local level or a central force working at the central level for example).



**Figure 3. A police system in a country is based on four core elements**

Finally, we suggest that the architecture of a police system derives from a combination of these two basic elements: elements 'external' to the police form (for example, the vision of 'big government' as good or bad, or a competition between different levels of government), and internal elements to the police form (for example, the defence of the interest of the agents of which the force is made by professional organisation).

In Section 6, we did not include any reference to the power relations between the police form and its environment. It seems that further research is needed on that important aspect. Contrary to the 'principal agent theory' which takes a normative stance, empirical evidence suggests that police forms influence governments in many ways. Two major avenues for research could be:

1. the study of police forms as issues at stake for superior authorities (for example do civilian authorities and military authorities compete for the provision of policing?);

2. police dependence vis-à-vis superior authorities.

The dependence (understood as a mutual relationship) between the government and the police seems of particular importance. A number of practices tend to insulate the police from politicians (for example the notion of 'operational autonomy', which does not exist in France or Turkey), but also the characteristics of the office of 'chief of police' (which can be held by professionals for a fixed term mandate as in the example of Chile after being appointed by civilian authorities, see Frey, 2013). The right to unionise probably strongly impacts the dependence (although members of police also find indirect ways of influencing governments, through associations of retired personal for example). Finally, countries where a neo-corporatist model prevails at local or central level could well shape the dependence specifically in the sense of the exclusion of the clients or users of police from the definition of police resources or police priorities. In such countries, the police are institutionally given a stronger voice than the public, as exemplified by the French case study.

## Accountability and doctrines

Our initial intuition is that a police form development is dependent on relations with its environment. The major elements that we identify are the polity and possibly the structural arrangement that define government — police relations (dependence, neo-corporatism), but also the police doctrines that tend to gear police chiefs towards the needs of local communities and the accountability procedures and mechanisms.

Again, we state that such notions are independent basic bricks defining what police actually are and deliver: doctrines are meant to guide the day-to-day work, be a continuation of legal orientations turned into strategic choices (not to be confused with daily rules and procedures), and accountability procedures and mechanisms are the formal links that police forms have with the diversity of oversight bodies, be they executive branches of government, legislature, the magistracy, non-majoritarian institutions and other administrative bodies.

In this chapter I will only briefly deal with these two important issues, which are subjects of their own and have attracted a lot of interest from academics. I will try to indicate ideal types and examples more than provide a comprehensive view of such complex issues.

### Police doctrines

Police doctrines as such are neither determined by the type of polity, nor by the type of police system. However, doctrines and implementations can also shape the relationship with the environment. And they can explain some traits of police forms since the police have to adapt in order to undertake to new functions (for example by establishing new organs, new departments, new communication lines) or expand existing ones. They can even modify how their natural habitat (for example when using small neighbourhood police stations).

In contemporary police reforms, the principal innovation often resides in the introduction of a concept of public security, a paradigm that goes beyond the traditional view centred on police efficiency as measured by clear-up rates or arrest rates. New police doctrines have been produced in order to meet this challenge.

Police doctrines are meant to contribute to democratic policing or the good governance of the police system. However, a police doctrine is a dimension of study that should not be considered independently of the type of police system and the type of polity.

The police system is made up of the forces operating in a given country. Not all its constituent forces necessarily have the same doctrine. For example, the Chicago police department and the Los Angeles police

department have different policing policy orientations and doctrines.

Across different countries with different polities and different police systems, similar police doctrines can be found. For example, many governments (central or local) have decided to implement community-orientated policing doctrines (CoP) or proximity policing (PP), the former is mostly found in the United States and the United Kingdom, but also in Latin America countries, the latter in continental Europe.

Police doctrines are rarely studied in a comparative way. There are some attempts to compare them across American cities (Skogan, 2006), but not systematically across nations. The best example is the most world famous doctrine is 'community policing' or 'community orientated policing'. When comparing countries the differences in meaning and practical implementation of a doctrine are striking. In addition, the names used are not identical: some refer to 'community' (the United States) and some to neighbourhood (the UK in the last decade), some to proximity (France, Spain Switzerland, for the French case study see Roché, 2005).

Operational elements in community policing have been compared by some scholars (see Sherman and Milton 1973, Tuffin et al. 2006 for examples and a review as well as useful summary tables provided by Mackenzie, Henry, 2009). However, we are more interested in the links to their environment. Two core elements in community policing are the consultation of civil society and the setting up of partnership of police forms with various institutions (depending on the mayors' office, schools, NGOs and municipal police — in countries where the police is centralised — or others).

The extent to which doctrines will affect the police forms can sometimes be inferred from their very name. In Turkey, the law establishing it in 2009 was labelled 'police supported by the community' and not 'community-orientated policing', which means that the objective of the law is to strengthen the police, not the opposite. Continental European forces do not refer to communities but to proximity, as the communities do not have legal existence and are perceived as a challenge to the central state, which is in that case the entity that establishes the police and implements the new doctrine.

The dimensions of community policing should be identified and compared systematically. We identify a series of them: new positions are created, new organs (high-visibility patrols for example), or the police organs are reengineered (as in France in 1997, all police departments were modified at the local level), police habitat is changed (with new small and more accessible stations). Some of these organs are mixed in nature (half police, half something else) and their meaning depends on the partnership coordination mechanism. In fact, since the police are mainly municipal in the United States, coordination implicitly means a job to be done by the mayor. Not so in continental Europe where the traits of police forms are different: they are big forms, most often centralised. Coordination doesn't mean that the police service will operationally coordinate with another service, but that the entities establishing the forces will have to cooperate (the mayor as a police authority, the head of an Autonomia (region) in Spain, the governor that represents the state locally and others).

The size of the organs for police accountability to local civil society would be very interesting to compare. For some forms, the organs can be limited because the main police form operating locally belongs to the local superior authority, as in the United States or, on the contrary, because they are reluctant to report to those authorities, as in France (non-municipal police are reluctant to report to mayors even if proximity policing requires them to do so).

**Table 4**
Relations with environment of police forms entailed by community policing

|  | Origin | Existence / Importance of the doctrine | New police traits (functions, habitat) | Partnership coordination mechanism | Accountability of police to civil society/locally elected leaders |
|---|---|---|---|---|---|
| **USA** | Local | Yes/Locally defined | PR officer Local police stations | Mayor's office | To the mayor |
| **UK** | MIxed | Yes/Strong (official national doctrine) | High-visibility patrols Local police stations | Police Commissioner | To police authority (now PCC) |
| **France** | Central | No/Weak | Local police stations | Mayor with Governor (préfet) | Weak (information from the mayor) |
| **Turkey** | Central | No/Weak | PR officer | Police chief of province | None |
| **Spain** | Central | Yes/Strong (official national doctrine) | Local police stations | Mayor with Governor | Locally elected leaders |

## Accountability

Accountability is an additional very complex, debated, not agreed upon notion (Mulgan 2011). It has gained substantial grounds in the last decade and has pervaded police research as well, very often on a normative basis. Proper accountability is understood in development agencies as a proxy for 'good governance'.

Accountability of police usually means very different things. It can be about the liability of agents; the fact that any police personal whatever his/her status can be brought before a penal court. The management of complaints can be very important in that respect and some studies have set criteria for assessing its performance (Stenning, 2000).

Accountability of police also means that the government-elected or appointed office in charge of the police (be it the mayor of the Minister of the Interior, or any other) can be asked to explain himself/herself before parliament. This notion of accountability in fact refers to accountability not so much of the police but of the political office instructing the police: the holder of police power as defined by law. There has been some comparative assessment of parliamentary oversight, but not specific to oversight of the internal forces. Criteria have been defined and qualitatively assessed in order to rate the quality of parliament control (Bertelsmann Stiftung ([5])).

Accountability is used in relation to the authorities that verify that the tools and mechanisms used by police

are legal: the police are accountable for what they do as a department, as a form as a whole. Here what is overseen is in fact the usage of 'operational police powers' to use the terms that we have proposed. Very often, continental European countries have vested such power of holding police accountable to non-majoritarian institutions, to ombudsmen or defenders of rights. These guarantee that the rights of citizens are preserved when in contact with an administration. It is administrative external and independent oversight.

Accountability is also a term that can integrate the command and control line, the means available to the chief of police for ensuring that his/her policy is properly implemented. Here accountability is an internal procedure carried out by audit or inspection departments. It pertains to administrative and internal oversight.

Finally, accountability also means value for money and efficiency of every agent and of a force as a whole. Courts of accounts or managerial units carry out such duties.

Accountability rules can have a major impact on police forms since they decide which resources are available to police (conditionality resources), and they impose new processes and new bureaus within police forms. I am limiting myself to two objectives in this chapter: presenting a comparative classification of administrative oversight mechanisms and presenting two opposite ideal types for political accountability of police forms (France and the UK).

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([5]) See http://www.sgi-network.org/index.php?page=indicator_ quali&indicator=M11_3.

Administrative oversight can be of an internal or external nature, the appointment procedures can open doors to non-police members or not, and might be more or less authoritative, i.e. be constitutionalised or not, with parliamental consultation for the appointment of a head, reporting to parliament rather than only to a higher level of a police form, have more or less powers (for example to obtain documents, to recommend changes), and finally might be more or less independent from the police (it may have to ask specialised police services to investigate certain matters or even have its own investigation teams, therefore increasing independence from police personal and services).

I propose to place the oversight bodies in a two dimensional space, one being the opposition between pure police and pure civil society oversight, and the other the opposition between strong and weak authoritative bodies. The UK emerges among four countries as the one case study with the stronger investigative body, which might be surprising given the criticism addressed domestically to the IPCC. The IPCC combines the authority to investigate cases of police misconduct by its own team and is not only composed of police staff. Noteworthy, in the inspectorate of police forces since October 1993, following the Citizen's Charter principle that Inspectorates should include a 'lay element', two HM Inspectors were appointed from non-police backgrounds. And it has a 'parliamentary dimension' with the approval of the head of the inspectorate.

At the other end of the spectrum we find the case of Turkey. 'Human rights boards' accept complaints about violations of all types of human rights in all sectors (health, education, police for example). Their members can be laymen (non police) but those local boards are internal to the Ministry of the Interior and chaired by governors. In addition they have very limited capacity. Being local boards in a centralised system makes them weak entities. In 2013, a 'defender of rights was established' but is not routinely functional at the moment. Internal investigations are carried out by a police board. Parliament is not consulted for the appointment of its head and it only comprises police or Ministry of Interior personnel.

France and Spain are intermediate cases in which defenders of civil rights are constitutional bodies (in France only since 2012), but without authority to investigate cases by themselves. The inspectorate system of police is not open to non-police members. Only the inspectorate of administration (IGA) includes some high-level civil servants who are not police but still appointed government officials who depend on politicians for their career. Parliament appoints the head of the defenders of the people in Spain which provides him/her additional independence from the executive branch, but not in France where the President of the Republic appoints him/her.
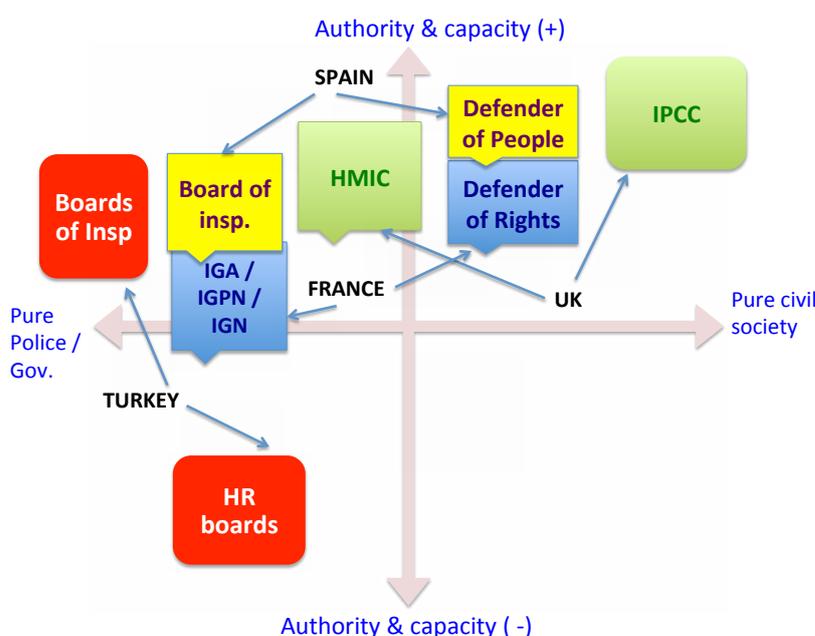


**Figure 4. Two dimensions of oversight in selected states**

Let's now briefly consider political accountability. Europe, France and the UK have the most opposed police systems. When looking at the traits of forces we find numerous small ones in the UK, and few large ones in France, the political hook (or attachment point) is local in one country, national in the other, the nature of forces are 100 % civilian police across the channel and 50 % military according to the status of personnel in the continental case study, while the notion of operational independence does not exist in France where police work is very politicised along national political lines.

The following figure simplifies the French political accountability system. It is a centralised system that is naturally steered from the centre in order to report to the Minister of the Interior.

A classic military, top-down type of command and control line is found. Priorities are set in Paris for the entire country and transmitted locally in provinces by the governor or *Préfet* who represent the executive branch of the government and therefore the police and gendarmerie. The managerial system (targets, indicators and bonus for agents of units) is decided and run from Paris in the 'General directorates' of Police and Gendarmerie. There is limited external evaluation of performance by the court of account (value for money). Local needs are not systematically assessed and collecting them is not a legal requirement for police forces at the local level. In summary, the police forms are large national entities reporting to an appointed minister, often not a Member of Parliament before he/she is appointed by the President of the Republic. Citizens are unable to exercise control locally on police outputs since the appointed provincial chief of police reports to the appointed *Préfet*, who reports to the appointed general director, who himself reports to the Minister of the Interior, an appointed official. Election is only used for the designation of the President of the Republic, where police issues are presented in a 'package' during electoral campaigns and discussed along political lines and not so much in terms of locally serving the citizens.

# FRANCE: FROM & FOR THE CENTER



External evaluation: court of account

Management: Targets, indicators, Bonus decided in Paris

Minister of INTERIOR

President

ELECTION

External Control: Defender of Rights

PREFET (CIVILIAN)

Limited citizen inputs

POLICE GENDARMERIE
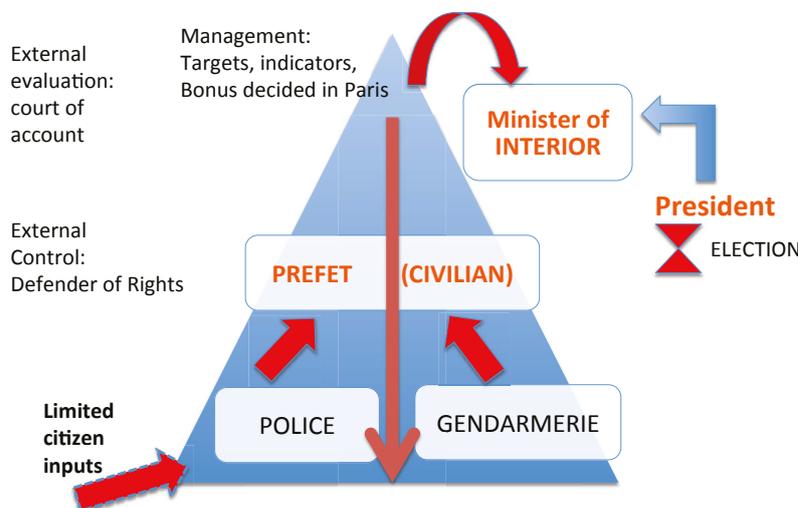
**Figure 5. An example of a state-orientated and centrally managed set of forms: the case of France**

In the UK, the system of political accountability to citizens has an opposite structure as summarised in the next figure. The forces are subject to the oversight of the central government mainly through financial and managerial mechanisms (as opposed to hierarchical control and command lines, as found in France). Although a vivid debate exists in the UK about centralisation as a trend, comparatively speaking the UK system is by far less centralised and has renewed the local accountability mechanisms on the one hand (via the election of Police and Crime Commissioners) as well as client orientation of the forces by using a managerial model on the other hand.

What characterises the UK model when compared to the French one is first of all the existence of dozens of regional medium size which makes them by definition local forces, and second the existence of a series of mechanisms for local accountability: each of the forms having to report to the elected Police and Crime Commissioners, who are bound by law to record people's priorities. They are assessed about their performance in servicing citizens by independent organisations (for example surveying victims after a visit to the police station), and by instilling competition and interforce ratings. Another specificity introduced recently is the 'competition for the market'. Competition for a market refers to the struggle of the central government to create a new market. Private firms can compete in that market in order to increase accountability to the citizens served as clients.

Basically, the UK model of accountability is based on local election and local competition to satisfy the customer (across forces and for running forces). The French model is structured around the accountability of the President of the Republic during national election times.

## UK: ELECTION + COMPETITION
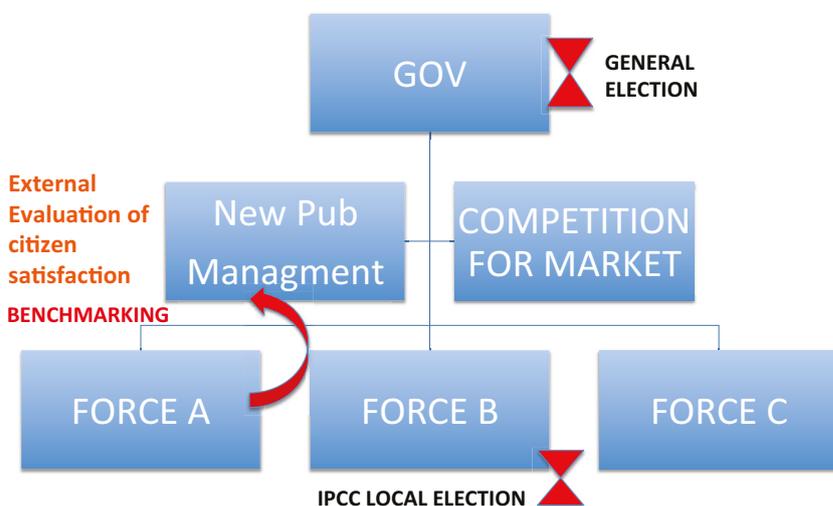


**Figure 6. An example of client-orientated and locally accountable forces: the case of the UK**

## Summary of the conceptual tools introduced for a science of the police

The development of a science of police forces requires, in my view, studying police forms as 'organised life forms' in their environment. It is a science of the development of the forms as part of a larger police system and political system. It is important to look for the determinants of the evolution of forces through observation of the modification of the morphology of the police forms. At present, there is no consensus about what are the police or even what is a police force. And no attempt has been made to establish the concepts for describing the police as a life form (its organs, its nervous system or information system and other traits) and to define how measurements of a form and its organs can be ensured (size, shape or other traits). An interesting attempt could be to build a taxonomy of police forms and additional taxonomies of some their organs (at police form level), but also of police systems (at society level).

Since public police forms need to breath and feed themselves, they have to rely on their institutional environment for providing such resources. I believe that these links to the institutional environments are of utmost importance, and in countries where the relationships with civil society have been institutionalised, the links to civil society also become critical for police forms.

In fact, police forms cannot obtain such resources by themselves if they are not allowed to sell commodities on the market (which still is the case despite the introduction of neoliberalism recipes in policing and the fiscal restraint following the financial crisis of 2008). By definition public forms are established by superior authorities that have the responsibility to provide air and food to the forms and their constituent cells. Such superior authorities can of course alternatively decide an amputation of some organs or to downsize the overall police form when their resources are stretched.

Figure 7 summarises a number of conceptual distinctions that I have used. First of all, I propose to identify 'police forms' in various social settings. What is and is not a police form is subject to debates by academics or even governments and international organisations. The police forms must have various organs to be eligible to be reckoned as such: a head that reports to the superior authority that established them, a nervous system (even at embryonic stage) for ensuring transportation of information through the form as chain of command and an inspection system for example, a number of organs. Identified police forms should be clustered along their measurable traits: are they civilian, military, big, small and how is the hook to the political system designed?

The development of police forms could be explained by relationships to their environment. One of the difficulties is in drawing a line between the form and its environment. For example, where does the form end? Is the head of the force only a piece of the police form or also an element of the larger political authority?

Notwithstanding this difficulty, I propose to utilize concepts for pointing at four critical elements that could shape police forms: power relations, police system, police doctrine, police accountability. Each of them is independent of the three other ones. These basic bricks are combined in each nation to build police forces and to shape policing.

The first one is 'polity and power relations', referring to rules that are used for distributing 'police powers', the power to set up a force, in the sense of the legitimacy or ability to establish police forms. I have referred to them as 'superior authorities'; the authorities that can establish a police form or the directorate or other office to which the authority to run a force was delegated. In democracies, the constitutions indicate such rules, but reality has to be observed by empirical research to understand whether such basic legal rules are actually at the core of the setting up of forces. I believe that the type of regime of relationship between police forms and superior authorities should be studied and integrated into the picture although I don't offer any solution for doing so at this stage. I underlined the difference between distribution of powers and the organisation of police forms, for example regarding the degree of decentralisation of a force that can substantially vary within a given type of polity.

The second notion is police system. In a given country, many police forms can be found, each with their own specific traits. When observed at the national level, all these forms together and the relationships that unite them constitute the police system. Additional elements are needed for understanding the homogeneity of a police system, such as the existence of a recognised status for agents, national laws or communication system for example. Various ideal types of police system exist: the centralised one (sometimes unified and centralised, with one force only run from the centre), the mixed one and the distributive one, which is acentric and made of forms that do not have hierarchical relationship among them. France is very centralised, Switzerland closer to the distributive ideal type. I did not include any reference to the private enterprises selling their goods on the market, and this should clearly be done in future research since such agencies can be as large, or even larger, than public forms in the United States or in South Africa for example.
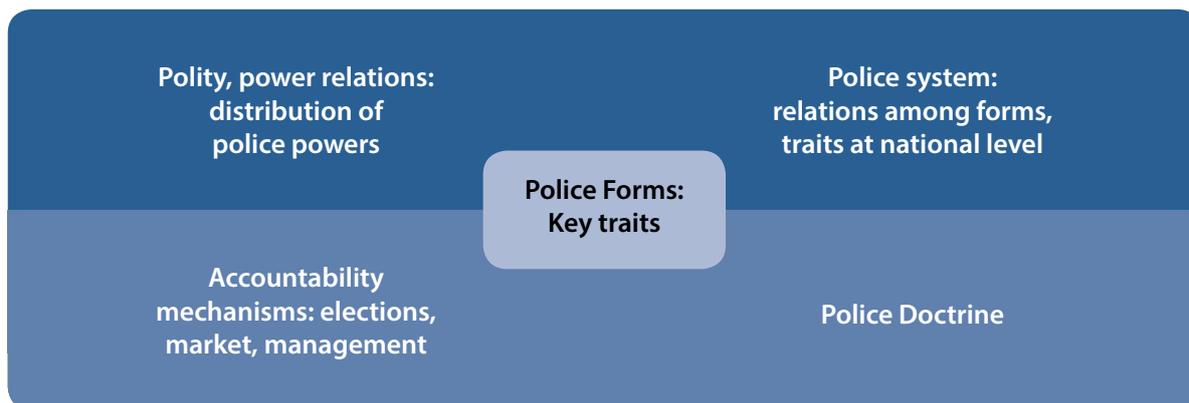
**Figure 7. Four concepts for comparing police forms across nations**

I used the term of police doctrine as the third concept needed for comparing police forms. Various forms in different contexts are sometimes compelled to introduce apparently comparable doctrines or organisation rules in line with international principles. It has not been studied systematically what doctrines with similar names actually include and how they are implemented, even in homogeneous political areas such as the EU. However, in our view doctrines clearly depart from the institutional arrangements (polity), or structure of the national system (police system). They also contribute to shaping a police department.

Finally, accountability is one of the many ill-defined notions that I have used. And, as for most of them I am suggesting breaking it down into measurable dimensions. I paid specific attention to political accountability in the sense of accountability to citizens. As governments can introduce market-like mechanisms for enhancing accountability to citizen needs alongside electoral ones, the circumscription of political accountability itself is not easy to ensure. However, accountability seems to impact the development of police forms. Certainly that does not alter the number of public forms (as this is dependent on the distribution of police powers). However, accountability entails the development of new bureaus, procedures and circulation of information. And in some countries administrative accountability provokes the birth of hybrid forms, such as when two police forms have to share their inspectorate system or their back office resources. I suspect that the accountability rules encapsulate a number of elements that are critical for comparing police forms since they are dealing with police legitimacy before the public and the allocation of resources.

Police science needs to address the challenge of simultaneously comparing the four dimensions that shape police organisation and work. Focusing on one only, for example the doctrine of community policing, can be very misleading since the dynamics behind such an introduction and implementation will be driven by the structure of the police system and accountability of police forms.

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# Reinforcing the European dimension of comparative police research

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(2008 Conference in Traiskirchen)

## Comparative research in the field of policing: a few historical notes

### The French blueprint for policing in Europe

Going back to the 18th century, it is quite amazing to see how the police force in Paris, and later on the police force in Vienna, were blueprints or models for policing big cities all over Europe. For example the French Gendarmerie — built up step by step in the 18th century and harmonised and pushed up to a national level during the French Revolution — it is important to know that in Napoleonic times this force was introduced all over Western and Central Europe (Fijnaut, 2002). That's to say that quite harmonised policing systems came into existence all over Europe at that time. Many states had split up their police into, on the one hand, civilian city police forces under the chairmanship of a police commissioner and on the other hand more military police forces like the gendarmerie. This evolution was quite important in the framework of police cooperation (Emsley, 1999).

Those interested in the problem of banditry in Europe — the forerunner of organised crime at the end of the 18th and in the first half of the 19th century — know that exactly those police forces that were based on the gendarmerie concept could cooperate across borders quite smoothly, because they were all based on the same military concept, used the same organisational structures and functioned in similar ways operationally. This is why they could rather easily defeat the international, cross-border, professional criminal networks that operated in Europe as early as the 18th century. Exactly that harmonisation that took place in the field of policing as a result of the Napoleonic wars was in the end one of the most important developments to deal with cross-border crime in Europe (Egmond, 1986).

And if one looks at the history of policing in Europe in the 19th and 20th centuries — I wrote my Ph.D. thesis on the political history of policing in Europe, taking into account the developments in the UK, Germany, Austria, Spain, Italy and the Netherlands, at Leuven University in Belgium — then it becomes clear that the national police systems interacted actively and to some extent borrowed from each other in order to improve their own structures and their own operations. I can give you a few examples to remind you of this quite interesting aspect of the history of policing in Europe.

One example relates to the French model that was disputed after the Napoleonic wars — it was seen as an oppressive, authoritarian form of policing. This is the reason why the new Metropolitan Police Force of London, established in 1829 and 1830, was seen as a very good alternative to the more autocratic, military, oppressive policing in France. After 1830 many police forces in big cities in Europe copied the London model. They did so in Amsterdam, in some German cities and later on even in Paris in some respect (Fijnaut, 1979).

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## The role of Germany and Austria in European policing

And as far as the 20th century is concerned, everybody involved in police research, and particularly in comparative analysis, should know that the Weimar police had to deal with huge challenges, in several ways far greater and more complicated than the challenges we face today on a European level, and that this was the reason why this police force became such a modern, professional police force. Police officers from all over Europe came to Berlin to see how one should organise a qualified police force. The literature about the international police exhibitions of 1925 and 1926 in Germany demonstrates how police in Europe came together to exchange ideas and practices and to learn about each other. The police of the Weimar Republic was seen as a model for policing in Europe (Liang, 1970; Bessel, 1991; Meershoek, 2007, 178-181).

But not only policing as such in countries like Germany, Austria or France had a major impact on cross-border policing in the European context. We should not forget that there were two other driving forces behind cross-border comparison and implementation of new forms of policing.

The first one I would like to mention are important treaties. For example, the treaty on the containment of white slavery from the beginning of the 20th century stimulated the establishment of special units in police forces all over Europe, and to some extent all over the world, to deal with trafficking of women. All in all, such international treaties were an important influence (Andreas and Nadelmann, 2006).

Secondly, one should remember that the establishment of Interpol in 1923 at the initiative of *Polizeipräsident* Schober, chief constable of Vienna, has reinforced harmonisation in policing in Europe as well. Because if one wants to cooperate in a smooth and effective manner, this presupposes to some extent the harmonisation and standardisation of policing in Member States. When looking at the history of the national units that are currently linked to Europol for example, one would see that Interpol was not only the first institution that opened national offices in the Member States, but also the idea that you should harmonize the ways in which police systems are organised in order to further their mutual cooperation — at least in those areas that are very important for more and closer cross-border operations (Jager, 2006, 255-338; Deflem, 2002, 124-152; Marabuto, 1935).

Take, for example, the issue of car theft, which was a problem of considerable proportions already in the 1920s. Interpol stipulated that all over Europe police forces should establish car theft units in order to be able to cooperate much easier, faster and more effectively across borders. In short: there was a lot more cross-border cooperation and harmonisation on an operational level happening before WWII than many people are aware of.

## The important impact of the UK and the United States

After WWII, policing in the UK became very influential, notably with regard to policing in continental Europe. When analysing the history of the Metropolitan Police of London and its impact in many fields of policing in continental Europe — e.g. women policing, traffic policing, community policing — one would easily come to the conclusion that this particular police force has greatly influenced policing in continental Europe in the second half of the 20th century.

And from the 1960s on we see a huge impact from the United States on policing in continental Europe. From the moment the federal government of the United States stated that policing should be an important part of American foreign policy — it actually developed a foreign police policy — police forces in Europe were influenced immediately by this decision. I will give two examples.

'New' undercover policing was developed in the United States in the 1950s and 1960s to deal with organised crime and organised drug trafficking in particular. The federal police services later on introduced undercover policing 'American style' all over Europe. They pushed authorities in many European states to adapt the powers and operational tactics of their police and judicial bodies to the forms of undercover policing developed in the United States (Nadelmann, 1993, 189-250).

Another example is that of community policing, developed in the 1960s in the United States: how

to deal with neighbourhoods where sections of the population are in conflict with one another or oppose the government? How to deal with such neighbourhoods in terms of policing? In many European countries (e.g. the Scandinavian countries, the Netherlands and Belgium) the notions of community policing or neighbourhood policing were very influential (Fijnaut, 2007, 863-879).

### The lack of historical knowledge in everyday policing

For the rest, it's amazing that we don't know much about all this. In a European context, policing has never just been a national issue, because it had always been influenced highly by developments in other states that belonged to what we nowadays call the Council of Europe or the EU. We did not write about it, however, and we did no research about it. I can give you just one example, a Dutch example.

In the Netherlands, three historians and I wrote a four-volume book on the history of the Dutch police in the 19th and 20th century a few years ago. Many leading police officers in the Netherlands have no idea about its history. They only know about policing from their own experiences. History is something that people are reminded of when police chiefs leave or new police headquarters are opened. But if one takes an in-depth look at the mechanisms and dynamics of policing in a long-term, historical perspective, one can easily see — in the Dutch case, for example — how influential 'Europe' has been on policing in the Netherlands (Fijnaut, 2008a).

The concrete example is the reorganisation of the Rotterdam police force that took place at the end of the 19th and the beginning of the 20th century. Rotterdam was a booming harbour city in those days, but still had an old-fashioned 18th-century police force. This force couldn't deal with the challenges that this city presented to policing. The local authorities appointed a young mayor from a neighbouring municipality, H. Voormolen, 34-years old and a former member of the army in the Dutch Indies, as chief constable. They assigned him with the task of building a new police force in Rotterdam. To that end, they provided him with a budget to travel around in Europe in order to find out what was then the pinnacle of policing. He travelled to the United Kingdom, Germany, France, Austria and

the Scandinavian countries, where he particularly paid attention to policing in harbour cities. Finally, he came up with a blueprint for the new Rotterdam police force he envisioned and got permission from the Rotterdam authorities to implement this European standardised blueprint for policing in Rotterdam. This, in my view, is a wonderful example of how European policing has been at times in the 19th and 20th centuries (Fijnaut, 2007, 291-305).

### Two remarkable American studies

An interesting point in this context is the literature on policing in Europe in the 19th and 20th centuries; one can find a few exceptional pieces of comparative research on police forces and on the impact that international developments have had on policing practice in Europe. I refer to a wonderful book that perhaps only researchers know. Just before WW1, the New York police authorities came to the conclusion that they should modernise their police force completely. They couldn't find any good examples on which to model their system in the United States so they sent Raymond B. Fosdick, the former Commissioner of Accounts for the city of New York, to Europe to look at how policing was organised in the UK and a number of continental states.

In 1916, Fosdick published a wonderful book, *European Police Systems*, one of the first good examples of comparative research on policing in Europe. In this book we see how the police was organised in Germany, France, Belgium, the Netherlands and in the UK, and what similarities and differences existed between them, and what, according to Fosdick, would be the best way of organising the New York City Police Department (Fosdick 1916).

Those interested in what happened in the transatlantic interchange of views and practices in the field of undercover policing in the 1960s and 1970s, should read the wonderful book *Cops Across Borders*, written by E. Nadelmann (1993). He was one of the few researchers in the United States who could get access to members of the FBI and DEA. Nadelman demonstrates in terms of comparison how important and how influential the American foreign policing policy has been on a.o. undercover policing in Europe.

This brings me to my second point.

## Ongoing developments in cross-border police cooperation

A serious lack of in-depth comparative research

There is an enormous necessity for comparative police research in Europe looking at the development of cross-border police cooperation. If one compares the quantity of research vis-à-vis the developments in policing and particularly in police cooperation, there is a huge gap. Of course, there is research comparing the police of the Netherlands and Belgium for example, or the police of France and police in the UK (Fijnaut, 1992). And research has been done into specific aspects of policing, for example on how to contain football hooligans or how to deal with community policing, or traffic policing. But that's just bits and pieces. There is no coherent, consistent, long-term building of a body of knowledge about what is going on in the field of policing in Europe and particularly related to cross-border police cooperation.

### The influential role of conventions

That is why I first of all would like to underline that if states want to further develop cross-border police cooperation in Europe, they should know each other much better than is the case these days. And why is it so important to develop comparative analysis? If one looks at this question from the perspective of cross-border and international police cooperation then one sees that cooperation has increased enormously in the last 10 to 15 years. In the 1970s and 1980s police cooperation in Europe was quite limited; it was — generally speaking — more incidental. But these days it has become a component of mainstream policing in Europe.

Talking with police officers in the 1980s in the Netherlands and in Belgium as well as in Germany and France revealed that they did not like treaties. They were afraid that treaties would limit their discretionary power to deal with each other across borders. I always criticised this view, because this was an old-fashioned view, in my opinion. If you saw what was happening in the framework of the EU it was clear that one would need more or less formal agreements in order to further cross-border policing. And if you look at the related conventions at the EU level—I am referring to the Schengen Implementation Convention, the Europol

Convention, the Mutual Assistance Convention and the Prüm Treaty — it is amazing that in 20 years time many possibilities to cooperate in a formal, legitimate manner have been realised, thanks to all these treaties (Berthelet, 2009; Möllers and Van Ooyen, 2009; Fijnaut, 2010).

The necessity of using these possibilities is quite clear. Most organised crime in Europe relates to the delivery of goods and services on the black market — it may be trafficking in stolen art, trafficking of stolen cars, trafficking of women — it is all about moving people, services and goods across borders. That is the main problem of organised crime in the EU. It makes it quite understandable why criminal investigation has become more and more cross-border, because serious crime has gained a much more of international dimension than in the past (Fijnaut and Paoli, 2006).

It is not only organised crime; however, that is a driving force behind much more police cooperation. Also public order topics play a role here: football hooliganism in Italy, Germany, the Netherlands, Belgium and France also gained an increasingly transnational dimension; Dutch police officers from time to time operate on Belgian, French or German territory and vice versa (Adang and Cuvelier, 2001; Della Porta, Peterson and Reiter, 2006; Adang and Brown, 2008; Tsoukala, 2009). And terrorism has equally furthered cross-border policing to some extent (Friedrichs, 2008).

### The developments in the Euroregion Meuse-Rhine

However, one should not only look at what is going on at the EU level. When visiting border areas in Member States, one can see even more progressive and influential developments in this field. Over the past five years I have done a lot of research with colleagues from Tilburg University and Leuven University on police and judicial cooperation in the area of Maastricht (the Netherlands), Aachen (Germany) and Liège (Lüttich) (Belgium), the so-called Euroregion Meuse-Rhine — one of the most densely populated areas in the European Union (Fijnaut and Spapens, 2005). When looking at how not only police cooperation but also judicial cooperation has developed in that area, it is quite amazing to see how the authorities in this area try to deal with common problems by organising cooperation at a much higher level than would have been possible at an EU level (Fijnaut and Spapens, 2010).

Public prosecutors in this area, for example, have built a special bureau and cooperate closely when it comes to handling requests for mutual assistance or when it comes to priorities in criminal investigations and prosecution. The police authorities have established a police cooperation centre in Heerlen — like one set up before in Kehl (Germany) to facilitate cooperation between Germany and France—where Dutch, Belgian and German police officers work together in the same one room. These officers have access to police databases in Germany, Belgium and the Netherlands at the same time and have an intranet at their disposal so that they can easily exchange relevant information from their national databases. And these days many operational police officers call 'Heerlen' to get the real-time information they need to do their jobs on the streets of Maastricht, Aachen or Liège (Lüttich).

Therefore — in order to understand what's going on in the field of police cooperation — it's not enough to look at what's going on at the EU level, but to look at developments in these border areas as well.

### Important developments in specific areas of policing

I would also like to pay some attention to forms of specific police cooperation that have been established in the EU. Just look at the research literature. Most of it is spent on treaties and agreements on police cooperation in general. It disregards to a large extent police cooperation in border areas, and pays no attention at all to police cooperation in specific areas. I will give you two examples.

The core business of the EU is the free market — which means that we have abolished control at the internal borders to facilitate the free flow of capital, services, goods and people. That includes that important traffic corridors have come into existence. Who's policing the European motorways, rivers and airways? However, they make up the infrastructure of the whole internal market. Therefore it is very important to know how policing on these corridors, and of course in the harbours and at the airports, is taking place.

Over the past few years, some police officers have established the European Traffic Police Network (TISPOL) in order to connect traffic police departments all over the EU to improve policing these corridors. This

is a very important development, not only with regard to traffic safety in these corridors, but also in relation to e.g. trafficking women: they are also transported via these corridors. So, if one wants to deal with the trafficking of women one should, indeed, take into account the red light districts in Amsterdam, Brussels or Frankfurt, but also what's going on in these European corridors (Hellemons, 2010).

Another example is the ATLAS initiative. The special police forces of the Member States cooperate under the umbrella of this acronym. However, it is infrequently referenced. I wrote a report for the Dutch government a few years ago about the restructuring of the special units in the Dutch police. To do this, I found that one should keep in mind that the Dutch units in some cases should be able to cooperate closely with their German, Belgian, French and British counterparts. I visited these countries to have a look at how their special forces are organised and under what conditions they could cooperate operationally. The ATLAS framework is very helpful in facilitating the exchange of information about equipment, strategy and tactics. It's no surprise that the related forces have common exercises on Dutch territory, for example (Fijnaut, 2004; Council, 2008).

## The possible impact of the Lisbon Treaty

If one takes these examples and looks at what is going on in the EU in general it is rather clear that I should also spend a few minutes on the Lisbon Treaty and on the reports of the Future Groups. Of course, we still have to wait a few months to see whether the Treaty will enter into force — it depends to a large extent on the Czech Republic, Germany and Ireland. But even if the Lisbon Treaty does not enter into force, there are provisions in this Treaty that will have an impact on the field of police cooperation.

This can be easily demonstrated by looking at the reports of the so-called high-level Future Groups on Home Affairs and Justice respectively. The German EU Presidency established these Future Groups to prepare the ground for a new programme in the Third Pillar, the area of freedom, security and justice. In June 2008, the Future Groups published their reports, marking the first stepping stones for the Stockholm Programme (2010-2014) that will substitute the Hague Programme

(2005-2009). The Lisbon Treaty and the reports of the Future Groups not only demonstrate how important police cooperation will become, but also what this presupposes in terms of comparison and comparative research (Fijnaut, 2009).

**A Copernican Revolution in the European Union**
In Dutch journals I wrote about the Lisbon Treaty saying that it is a Copernican revolution: a really radical change (Fijnaut, 2008b). One should indeed not underestimate the content and the impact of this treaty. Of course politicians like to give the feeling that it is just a minor adaptation of the existing treaties. But in my view, particularly in relation to the Third Pillar, it is a radical reform and will have a radical impact. The main reason for this is that the related policy area will no longer be an intergovernmental structure. In the Lisbon Treaty the Area of Freedom, Security and Justice is a shared competence of the EU and the Member States. And in general it won't be the rule of unanimity that will govern the decision-making process, but the rule of majority instead.

The Council will gain a much more influential role, developing strategic and operational guidelines in the Area of Freedom, Security and Justice, which means also in the field of cross-border police cooperation. A Permanent Committee for Internal Security will be built up to support the Council. The European Commission and Member States will develop an evaluation mechanism to see to which extent Member States realise the guidelines the Council will issue. In my view all this may have a major impact on policing. If one reads all the papers, the documents, the reports and statements published in the last 5 to 10 years by the European Parliament and by the European Commission, they all complain about the fact that the Member States do not really implement what they have promised in Brussels. 'Brussels' developed programmes in the field of terrorism, in relation to the trafficking of women and with regard to the containment of illegal trade in small arms and light weapons, but these important priorities in the EU don't always get the resources they deserve in every region, every time.

How could they contain the trafficking of women when Member States are not closely cooperating? In 1993, I conducted some research for the Belgian

parliament on the trafficking of women (Fijnaut, 1993). At that time I could already see how trafficking of women is organised like a carousel in Europe. The women, in this case from the Philippines, were brought over via Cyprus, Rome, Paris and Amsterdam. They stayed for three months in the Netherlands, three months in Belgium, three months in Germany, three months in Denmark and other Scandinavian countries, three months at the Costa Brava and then they were moved to Northern Italy. How can they deal with such a problem without close cooperation between the relevant police institutions? It is nearly impossible. I also could talk about the problems in relation to the illegal trafficking of small arms and light weapons. That is the exact same story: it's all about moving weapons across the borders of the Member States. How can they effectively deal with this illegal trade when police forces are not cooperating closely? (Fijnaut, Bruggeman a.o., 2008).

And that is reflected in the Lisbon Treaty. The frustration at the Brussels level that policies are developed in important fields, but that Member States finally decide whether they are willing to pay attention to them or not; that they will select sufficient qualified police officers to conduct the investigations or not.

This will change in my view when the Lisbon Treaty comes into force. Then, step-by-step, the Council, the Commission and the Parliament will put pressure on the Member States to implement the priorities set by the Council in Brussels. Police cooperation across borders will be part of that effort. If one wants to deal with the trafficking of women in an effective manner, that presupposes — like at the end of the 19th century — that the national police and judicial systems organise themselves in an operational manner to fight this problem. One needs qualified police officers that understand the issue. Special units at a national level are necessary to easily cooperate with similar units in other Member States. One would also need prosecutors that understand the importance of the issue.

**The messages of the Home Affairs Future Group**
I would like to go one step further, to the reports of the Future Groups. I will discuss only the three main messages in the report of the Home Affairs Future Group concerning the field of policing (High Level Advisory Group, 2009).

First of all the authors want to strengthen the impact of the availability principle, as conceived in The Hague Programme and in the Prüm Treaty, i.e. that police forces and police officers can easily get access in an indirect manner to certain specific databases in other Member States (fingerprints, DNA characteristics and registration numbers). They cannot delve into the databases themselves but they can see whether there is a hit or not. They can then send a request for assistance to get the desired information from the database. The Home Affairs Future Group wants to reinforce this development and widen the spectrum of databases police officers can get access to.

Secondly, the Future Group wants to strengthen police cooperation in border areas. I have mentioned the example of the Heerlen coordination centre, where police forces of the Netherlands, Germany and Belgium work together. Now the Future Group wants to build a network of police cooperation centres in the border areas. This is an interesting development, because in the 1980s the dominant policy was to abolish once and for all police control on internal borders. These days the abolishment of control in border areas is being compensated by founding these cooperation centres. Taking into account the Dutch example in the city of Heerlen, it is a bright idea to do this and to construct a network of such coordination centres all over the EU. That is a very practical way of working together within a legitimate structure of policing.

But the most important issue in this future report is that of the principle of convergence. This principle really reflects the history of police cooperation in Europe: the more you can harmonise the cooperating systems, the easier it is to cooperate; harmonisation and cooperation go hand in hand. If one doesn't have a more or less equal counterpart on the other side of the border, it's really hard to cooperate effectively. Take, for example, Germany, Belgium and the Netherlands. In Germany, the police is organised at state level, in the Dutch case it's organised at a regional level and in Belgium there are a large number of very small local forces and a federal police. It's not that easy — I can guarantee you — to bring them together and to come to agreements about cooperation, because they are organised in such different ways. That is one aspect of the principle of convergence.

It is hard to talk about harmonisation in the Future Group's report, because if Member States get the idea that it is about harmonising — meaning uniformity — they will always underline that they are very special, even very exceptional, and that they have a very specific history. Most of this is pure nonsense. The police history of the 19th and 20th centuries clearly shows this. Nevertheless, one cannot talk about harmonisation in Brussels, because everything will just come to an abrupt halt. This is why a new buzzword is used, to soften what one really wants to achieve: convergence. It's an important principle, because when reading the text of the report, one will see that convergence is related to the institutional organisation of policing, that it is related to operational structures, that it is related to policing powers, that it is related to training and to equipment, and that it is related to culture as well. The authors understood that, if one wants to facilitate and to reinforce cross-border cooperation among police forces, one must converge the systems, or otherwise it will prove to be extremely difficult. I can only confirm this on the basis of my research in the Euroregion Meuse-Rhine. If the systems are highly divergent, it is very difficult.

On top of institutional, organisational, legal and technical differences, there are otherwise two different problems. Cooperation can only be achieved if they share the same priorities and, equally important, are willing to spend a similar amount of resources on the priorities put in place. That is already quite difficult in a Euroregion like the Euroregion Meuse-Rhine, but is even harder on a European level. This of course is the reason why European authorities are generally in favour of the Lisbon Treaty. In an ideal situation one will have a criminal policy with five or six main priorities as well as police and judicial systems that are convergent at the different levels and can cooperate much better for this reason across borders at a European level.

## Ways to facilitate comparative research in Europe

One can ask the question: how was it possible that although cross-border cooperation has such a long history, although police forces since long cross borders to look for examples of good policing, that the area of comparative research is so underdeveloped? There are many reasons for that. I will give you a few of them.

### A nasty barrier: the language problem

The most important reason is that, although we have a long history of writing on policing — incidentally most of it is about legal issues — not that many universities in Europe have a curriculum in police research or police studies. Only in the 1960s and 1970s were the first efforts made in the Netherlands, Belgium, the UK and to some extent in Germany, to establish such curricula. In those years it was nearly impossible to find anyone who was involved in police research. How can comparative research be done if there are no researchers at a national level?

One needs researchers in the individual Member States for one main reason: the language problem. I am quite fluent in English, German, French and Dutch, but then it stops. How to deal with Italian, Spanish and all the other European languages? This aspect of police research in the European Union is very different from the situation in the United States. There one can have a research group that can easily do comparative research e.g. in New York City and in big cities in the south, without running into any language problem. The language problem is therefore a huge obstacle for comparative research in Europe.

When Letizia Paoli and I made an effort to publish a book about organised crime in the EU we brought nearly 40 researchers from 15 different Member States together. But it was a very challenging task to identify in the Member States' qualified researchers who were able to join such a comparative endeavour. It took us four years to get the book finished. And even if it is possible to find very good researchers in the different countries, not all of them will be used to writing in English i.e. there will be serious rewriting. It is very difficult to conduct comparative research in Europe in fields like ours.

### The lack of support at the EU level

Secondly, the European Council, the European Commission and the European Parliament spend a lot of money on research, but they are not that willing to finance comparative police research. Huge amounts of money are handed over to companies in the field of security technology, but if social researchers ask the Commission, they can only get some peanuts. When Paoli and I took the initiative for a European research project on organised crime, it was so difficult to raise

any money that we told the Commission to keep the money; they weren't willing to pay. In the end we paid for it ourselves, together with the Max Planck Institute of Foreign and International Criminal Law in Freiburg. It was an extremely disappointing experience. Organised crime is a big issue in the EU, but if one needs some money to build a productive European research network, 'Brussels' says that there is no money for such an initiative, because it would be too academic. This should change in the future (Fijnaut and Paoli, 2006).

Thirdly, the police forces themselves should also take the initiative. These days there is a European Police Chiefs Operational Task Force (TFPC), there is the European Police College (CEPOL), there is Europol and, finally, Frontex. They should put together a research budget which they could finance themselves. Why not? I don't understand that police chiefs in Europe are not aware of the importance of comparative research in the interest of policing in Europe. Why are they not setting up a research fund to further comparative analysis in the field of police cooperation? I believe it is also their responsibility. In any case it is not just the responsibility of individual researchers or lonely academic workers in universities. The police themselves in Europe are also responsible for this dire situation. They should do at least three things.

### Three stimuli: a journal, a library and a forum

First of all, the police chiefs should — perhaps in cooperation with researchers—establish a European Police Journal. All the police journals in Europe are national journals these days. Some of them try to cover other Member States and European developments, but basically they are all national journals, e.g. the *New Police in Europe*, edited by I. Weitemeier. It is quite amazing that after two or three decades of increasing police cooperation the police chiefs in Europe have not established a European Police Journal so that they can share experiences, information, research findings and important policy developments at a national level as well as at EU level. That could be the first step to further comparative research.

Another initiative that should be taken is to establish a European police library. It could be built up in an electronic, as well as in a paper, form. In order to realise this library they need to bring together an editorial board from the Member States that could build such

a reference library, so that everyone — also in the CEPOL context — could easily have access to what is going on, in any case in Europe, but also in other parts of the world.

The third initiative should be — in the wake of what CEPOL already has achieved — establishing an annual European police research forum for police research in general, so that people can meet each other, discuss their research and build networks in order to do comparative research in the increasingly important field of cross-border policing in the EU.

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# Doing European police research — an exciting expedition called COMPOSITE

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(2012 Conference in Lyon)

## The disconnect between science and policing

Commentators draw attention to 'a fundamental disconnect between science and policing' (Weisburd and Neyroud, 2011). Echoing the comments of McDonald (1987), Bradley and Nixon (2009) highlight a prevalent miscommunication between police and researchers, which sees police distrustful and cynical about the contributions of researchers, and scientists frustrated and incredulous at the police's resistance to scientific expertise and insights. It seems that (in the eyes of police practitioners) scientists are not able to provide useful contributions to the pressing (management) questions of police practitioners, while (in the eyes of scientists) police practitioners are neither willing nor able to appreciate and use the academic insights of scholars, which aim at more efficient and professional police management.

Obviously, scholars and practitioners could learn a lot from each other. As we are scholars at a business school, we are reluctant to comment on what we feel practitioners should do to overcome what McDonald (1987; cited in Bradley, 2005) called the 'dialogue of the deaf'. Nevertheless, we are passionate about engaging in this dialogue.

In an attempt to contribute to the conversation between science and policing, we present the EU project COMPOSITE (Comparative police studies in the EU), which we are coordinating at the Rotterdam School of Management, Erasmus University, The Netherlands. In a second contribution in this volume (Bayerl, Jacobs and Horton) we describe an example of an empirical study done by COMPOSITE together with CEPOL on the use of social media in European polices. In the current chapter, our aim is not to discuss results, but rather, to take the opportunity to reflect on the main driver behind the project (contributing to reconnecting police, management and science), on the methodological set-up (cross-cultural and interdisciplinary) and on the challenges we have encountered so far on our research journey. We end with stressing that this demanding investment into the cross-cultural, science-practitioner, interdisciplinary dialogue is a tremendously rewarding endeavour and certainly worth the effort for all parties involved.

The link between police and research is the primary domain of the field of police science, which is mainly located at police schools and police universities. Police research explicitly pursues the 'scientific study of the police as an institution and of policing as a process' (Del Barrio Romero, Björgo and Jaschke, 2009). Yet critics of this field suggest that there are a number of important gaps in police science research, which detract from its contribution to the domain. Marenin (2005) rues a general tendency to disregard the influence of the cultural and social context of policing. In addition, he criticises a reliance on short-term evaluative studies, which are to the detriment of long-term, theoretically driven research agendas. Finally he pinpoints a dearth

of systematic and integrative empirical studies aimed at better understanding policing processes on an international level. The source of such criticism largely stems from the narrow focus of police science research, which tends to adopt an exclusively Anglo-Saxon and mono-disciplinary focus (van Maanen, 2002; Manning, 2005). Yet police issues increasingly transcend cultural and geographical divides, calling for an integrative response that incorporates diverse perspectives, representing different cultural, linguistic and disciplinary traditions.

This contribution is developed in the context of the CEPOL Police Research and Science Conference in Lyon in September 2012. We experienced this conference as — compared to the academic conferences in which we normally participate — unusually inclusive and interactive. It was inspiring and encouraging being in the middle of a highly diverse group that was united by its commitment to policing. Not being police researchers ourselves, we were impressed to learn more about the vibrant field of police research, which witnesses new and promising developments. Among others, Professor Monica den Boer from the Dutch Police Academy and Professor Nick Fyfe from the Scottish Institute for Policing Research described that the police are themselves increasingly open to research activities, more frequently favouring evidence-based management. Police research can be of particular benefit in developing and advancing organisational processes and practices, mapping and anticipating social, economic and technological trends and contributing to police education in the form of curricular developments and executive education, published materials and accreditation schemes. Innovative scholarship and interdisciplinary approaches are on the rise in police research, combined with a more active participation of universities in the field of policing.

## Has academic (business) research become irrelevant?

At business schools, academic voices have become increasingly uneasy with the growing divide between rigour in methodology and relevance for practice (Gulati, 2007), which sees the pursuit of research excellence as largely disconnected from the desire to engage practitioners and applied audiences in relevant dialogues. Business schools — which should be at the frontline of practitioner-relevant research — have been in a self-diagnosed identity and legitimation crisis for more than a decade now (Mingers & Willmott, 2012). While business schools have long been under attack for their low academic research standards, they seem now to have overly invested in their relatively newly gained academic ambitions. Business scholars warn that by the exclusive focus on academic excellence, business schools run the risk of 'institutionalising their own irrelevance' (Bennis & O'Toole, 2005). MBA programmes are dramatically losing their attractiveness to the market and there is very little evidence that current, academic, top-of–the-scale research at business schools is in any way influential on management practice (Pfeffer & Fong, 2002). Obviously scholars need to be in the field, in close contact with practitioners to identify relevant research questions and to tailor scientific outputs to the messy management reality of organisations. Still scholars also should stick to their highly developed scientific tools and take a clear stance in terms of independent and innovative research agendas. Only when both aspects are well balanced, can scholars seriously contribute to the improvement of management and organisations. This is exactly the passion we felt, when building the EU project COMPOSITE: combining scientific rigour with practical relevance.

## COMPOSITE — Comparative Police Studies in the EU

Within this context, COMPOSITE aims to enrich existing approaches to European policing by offering an integrative response to the study of police organisational change. In particular, COMPOSITE responds to calls for a more rigorous and comprehensive research platform, by offering a long-term (4 years), multi-disciplinary, European-wide research project. In so doing, COMPOSITE unites researchers and practitioners from 10 European countries and 15 institutions to research complex issues regarding organisational change. The project includes psychologists, sociologists, economists and engineers, academics, consultants and technicians, police scientists and police officers of every rank and position. A unique characteristic of COMPOSITE is the ongoing dialogue between police and science representatives that is built into the project's structure, including the direct involvement of police officers in

strategic advisory and end-user boards. These boards meet with the scholars of COMPOSITE at least twice per year and provide direct feedback on the research questions, methodology and findings.

The focus of COMPOSITE is on organisational change within European police organisations. The impact of societal change is increasingly felt across Europe as globalisation, internal (legal) integration and the financial downturn fundamentally alter the landscape of policing across the continent.

COMPOSITE is divided into three constituents (labelled actionlines), which each offer a different perspective on the topic of change. The first actionline, which was completed in August 2012, takes a macro perspective, providing an extensive comparative analysis of police forces in the 10 COMPOSITE countries (Belgium, Czech Republic, Germany, Spain, France, Italy, Macediona (F.Y.R.O.M), Netherlands, Romania and United Kingdom). This constituent combines an analysis of external context features with an investigation of internal climate and resources, in each of the 10 countries. In addition it incorporates a focus on two key topics, namely knowledge sharing and technology. The second actionline takes a micro perspective and provides a closer analysis of three focal topics; namely change dynamics, leadership and identity, which are expected to be critical to the execution and planning of organisational change processes. Initial insights from actionline 1 also inform a second and more focused investigation of police-related technologies in actionline 2. Finally the third actionline turns attention to the practical and tangible outcomes of COMPOSITE in terms of the dissemination of project findings, the development of a managerial toolbox (containing training and consultancy materials and best practices) and an annual police monitor to track trends in European policing. The project collected a broad database in all ten countries; in total we conducted more than 700 qualitative interviews on the external threats and challenges and internal strength and weaknesses of police organisations, technology trends and knowledge sharing in the first part of the project. Additionally case studies were conducted on best policing practices and (international) knowledge sharing and surveys were run in all countries on knowledge-sharing practices. In the second phase of the project another 400 in-depth qualitative interviews on organisational change, technology acceptance,

identity and change leadership were conducted. Next all country teams will run tailored studies on change topics in their specific policing context and a joined survey with police, public and media representatives will be conducted in all ten countries.

Dissemination efforts are equally diverse, ranging from peer-rated academic journals and conferences (e.g. Van den Born et al. forthcoming; Jacobs et al., forthcoming; Denef, Bayerl & Kaptein, 2013) to policy briefings, expert seminars and practitioner-orientated publications (e.g. Vallet & van den Oord, 2012; Gruschinske, Hirschmann, & Stein-Müller, 2012; Rus, Vonaş, & Băban, 2011). Among others we also provided a project overview and first results in the CEPOL bulletin (Jacobs & Christe-Zeyse, 2012; Denef, Bayerl, & Kaptein, 2012).

In addition to formal and tangible benefits, COMPOSITE provides a platform for more informal connections and dialogue amongst diverse groups. Interestingly, findings from COMPOSITE's research on knowledge sharing indicate that such face-to-face communication is critical to developing relationships and sharing insights amongst police officers. Similarly, research testifies to the importance of informal and proximal means of communications in minimising the miscommunications that are a hallmark of cross-cultural and inter-disciplinary research.

This exchange is important in order to gauge the relevance of research topics and to ensure that the research is relevant and legitimate for internal police audiences. In research terms, this ongoing exchange between practitioners and academics is critical for external validity and for the applicability of project findings.

In the next two paragraphs we elaborate on the methodological background of COMPOSITE and the practical experiences we have gained on this European-wide project.

## Linking the insider and outsider view in cross-cultural research

COMPOSITE has an explicit cross-cultural set-up. A culture-dimensional approach has been proven to be too short-handed to deal with the many specific subtleties in cross-cultural management. The knowledge about cultural differences drawn from the research of Hofstede (1980) reflects only a first heuristic to capture cultural differences. These cultural dimensions were developed to increase cultural understanding, and to allow for cross-cultural comparison. Yet, using this research to understand concrete behaviours shows its limitations. In the context of COMPOSITE, therefore, we argue that the development of theory and the collection of data in the cross-cultural management domain require a broader selection of methods than are used at the moment in the extant literature. Cultural phenomena, as social phenomena in general, cannot be described sufficiently by simple dimensional characteristics. An extended model which incorporates — next to general cultural values — also situational and contextual information, such as the history of a specific police sector, provides a more complex way of understanding culture.

This resonates well with the so-called societal effect research tradition in European sociology (see, e.g. Sorge, 2005). In this tradition, the key message is that cross-country work requires much more than a simple comparison of rather aggregate national culture attributes. How things work out in a specific country context is driven by much more than 'aggregate' national culture alone. Other important aspects, for instance, are historical path dependencies rooted in institutional arrangements (North, 1990) and the subtle impact of language on attitudes and behaviour (Akkermans, Harzing and van Witteloostuijn, 2010). The bottom line is that the devil is in the detail of implementation. For instance, notwithstanding claims of universality, the actual implementation of, say, 'evidence-based policing' in the British police force will be very different from that in the French police.

The sociological argument is reflected in the psychological literature. Social psychology shows that there can be large gaps between expressed attitudes — such as cultural value statements — and actual behaviours. Situational factors are often likely to overrule cultural norms. Personal experience of past interactions with a specific person, the specific demand characteristics of a social setting or personal characteristics of the individuals involved can exert strong influence on behaviour. As argued by Ajzen (1991), behaviours are predicted best by attitudes that specifically relate to those behaviours rather than to more global or general attitudes. Also, the (perceived) demand characteristics of a situation, a person's self-efficacy or specific outcome-expectations can influence their behaviour. All this has clear implications for the methodology of cross-cultural research. Our other contribution within this volume shows that the use of technology is an interesting application of a cross-cultural perspective. In this case, specific factors in different national police forces strongly influence the acceptance and use of social media by police forces.

The methodology of current cross-cultural research can be best described as the contrast between an insider's (emic) and an outsider's (etic) perspective (Pike, 1971). Cross-cultural management research needs to incorporate qualitative methods in a more consequent manner to solve the methodological problem of quantitative measurement equivalence (Van de Vijver and Poortinga, 1997; Van de Vijver and Leung, 1997; Berry, 1989). Only then, can the explanation of concrete behaviour be enhanced. This is precisely what we incorporated in our research design of COMPOSITE: to reconcile emic and etic methodologies such that we can take account of the subtle mechanisms described above.

Pike (1971) illustrates the difference between the emic and the etic perspective with the following example. A car would be described from an emic perspective as a whole, a *gestalt*. All elements would be described in their relationship with each other: from an etic perspective all elements would be described organised into categories as in a warehouse. In social interaction we can observe etically completely different forms for the same emic meaning — a 'no' can be expressed by a word or by shaking the head. Vice versa etically identical utterances can have emically different meanings — a serious and an ironic remark are etically identical, the emic meaning can only be concluded from the context. Similarly, from an etic point of view,

a researcher can look at categories such as 'loyalty', 'professionalism', 'integrity' or 'authority' by asking the target group to answer questions pertaining to certain operationalised items that attempt to measure the prevalence of these categories. From an emic point of view it is crucial to first understand the culture-specific meaning of these concepts. An officer who is considered a loyal officer in country A would behave rather differently from a loyal officer in country B, because the understanding of loyalty in country A can include a different set of behaviours than in country B. As we see from our interviews, loyalty is shown in one country by proactive, critical behaviour, while in other countries loyalty is shown by following orders without asking questions. Professional identity is in one country mainly based on an urge to serve the public, in another country professional identity is first of all inspired by the duty of protecting the state. Therefore, when talking about a truly blue, highly professional police officer, some might have an impartial, weapon wearing, hands-on crime-fighter in mind, while others think about a tolerant, highly communicative, cooperative citizen-helper. Without knowing these context-specific differences, standardised measurements of loyalty or police professionalism cannot be developed.

In COMPOSITE we look for both, universalities and for the cultural variability of behaviour. We aim to know the degree of loyalty and professional identification that police officers have across Europe, but we also like to learn how loyal behaviour varies across countries and how the contents of professional identity differ across contexts. Therefore we emphasise data breadth and comparability, but also in-depth analysis of each specific cultural context. Hence, we adopt quantitative etic and qualitative emic methods within COMPOSITE. To develop such an encompassing set of research instruments, researchers from all ten different countries start with emic research in their specific context. We do this by jointly developed interview guidelines. In the following steps, we identify where comparisons are possible and where not, to subsequently develop a mixture of research instruments with both universal components for all countries and country-specific components for each separate country in the study. Categories that we have to explore in an emic way (such as leadership, professional identity or change success) are identified in the research process. The questions around these categories determine the aspects that are taken for granted in the respective context, which includes a certain type of behaviour as well as certain assumptions, thinking patterns or value judgements. Only after these contextual differences are sorted out and described in detail, does a comparison become meaningful (derived etic). Figure 8 visualises an emic-etic research process like this.
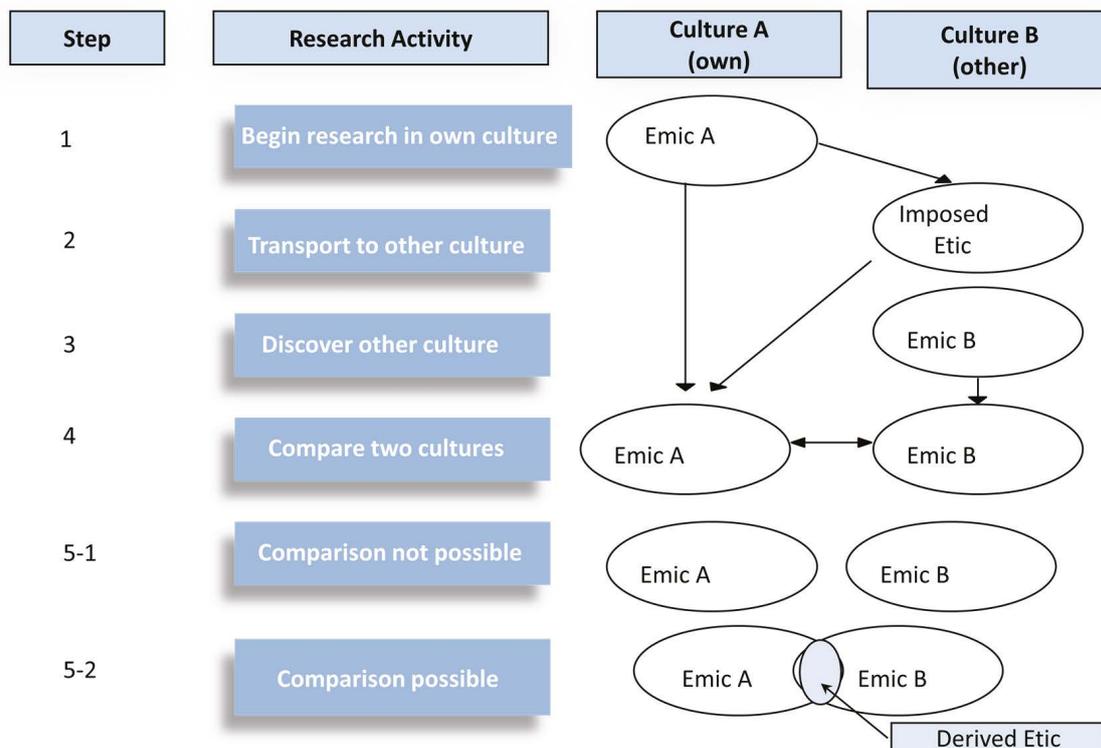


**Figure 1: Emic, etic and derived etic (Berry, 1989)**

## The research reality in the European laboratory: What to expect if you interconnect

### Translations, sampling and other issues that keep a researcher's life interesting

Of course this complex endeavour is not always destined to run smoothly. The complexity of the research design is greatly increased when working in an international, multi-cultural and multi-linguistic environment. Even larger problems arise when differences in sociocultural or psychographic variables imply different attitudes and behaviours when using particular products, such as video surveillance technology or intelligence data systems. The translation equivalence is an issue in nearly all contexts (what is a 'stakeholder' in German? How do we translate 'police intelligence' in Macedonian?). Additionally, sample selection equivalence proved to be a serious challenge. Police forces are historically built differently in European countries, the degree of centralisation differs widely, and the embedding in the legal and democratic system is realised in many different ways. Next to this, the data collection equivalence was a topic, and will certainly remain a topic, in all of our research meetings. The coope- ration readiness of respondents is different from country to country, influenced by many factors. In one country, it is perfectly appropriate to approach police officers for cooperation at the district level; in other countries, first the ministry needs to officially agree. In some countries, we received open and highly self-critical responses at all hierarchical levels, with standing invitations to join police forces in their daily duties; in other countries, respondents considered our requests for interviews as a possible threat to their professional career — not a surprising reaction given that the interviews were conducted while the television in one corner of the office showed messages stating that 7 000 police officers will be made redundant in the coming years.

## Beyond the comfort zone

Apart from discussions within the COMPOSITE research team, we have benefited from feedback from local police partners, as well as the international end-user board. Our end-user board, composed of representatives from all participating police forces, has proved to be an important asset in overcoming the above research challenges. These end users can facilitate access to forces, offer open feedback and provide insider knowledge on the accessibility, interpretation and presentation of data. Moreover, end users have functioned as an important reality check of our first ideas, and helped us to focus and select research questions. Interestingly enough, the first media responses served a similar function, since we realised that certain topics were picked up with more interest than others. As can be seen from our dissemination activities (www.composite-project. eu), especially the topic of the use of social media in the European arena has received wide media attention, which encouraged us to further focus on this issue in the form of specialised workshops.

We need to be honest: working in the highly diverse setting of COMPOSITE means for most of us, most of the time that we act outside of our comfort zones. Scholars joining night-police patrols for the first time in their life, travelling hundreds of kilometres at the Romanian border to conduct interviews, attending bruise- intensive martial arts training with the Czech police. Police officers facing heated debates about seemingly minor methodological questions, being introduced to the strict co-author guidelines of academic journals and intellectual property rights of surveys, or needing to comment on hundreds of pages of scientific text and translating deadly boring abstract interview questions into plain police language. All in all, COMPOSITE has triggered steep learning curves in many unexpected and sometimes unintended respects. COMPOSITE is a thrilling experience, it triggers many theoretical insights and opens the eyes to our own blind spots and exciting new research agendas.

### Logistics…

Not only is the research design highly complex in a multifaceted project such as COMPOSITE, but so is the daily research procedure. Working in a multi-national and multi-disciplinary group brings all the challenges of diverse teams to the table. Language problems, time-intensive and cost-expensive travel, unexpectedly cancelled flights and full agendas belong to the practical side of this reality. Talking about the academic side, different disciplinary perspectives on research designs and topics, and different approaches to methodologies and analyses are just some of the issues that enriched and challenged our first research year. In practice, this implies the need for an ongoing investment in knowledge sharing, as well as the regular discussion

of a wide variety of empirical, practical and theoretical issues, both in a series of face-to-face meetings and through the use of virtual facilities.

Nevertheless, for good reasons, international research collaboration is widely advocated as a way of conducting research in the social sciences, generally, and in the area of international business, particularly. Local data and contextual knowledge can best be accessed by collaboration with colleagues in the respective countries. Research teams that can tap into native insights can best guarantee a culturally and contextually sensitive analysis. The inclusion of researchers from different cultural and disciplinary backgrounds facilitates that a wider variety of different facets of the research domain are considered (Kumar, 2000). Still, the different institutional backgrounds and the varying research views have an influence on teamwork. Different research paradigms and cognitive referential systems (disciplinary and culturally, and practitioner or science -orientated) can enhance the quality of the jointly developed research solutions, as long as paradigms are openly discussed (Sauquoit and Jacobs, 1998; Trait, USAir, & Ravagnani, 1998).

All in all, assembling a group of researchers having different theoretical backgrounds, academic fields, proximity to the field of policing and cultural origins or nationalities is a complex matrix. We followed earlier insights from research on diverse academic teams (Sauquet and Jacobs, 1998) that developing a research instrument that produces data useful to the different theoretical frameworks is a better procedure than coming to terms with complex issues such as whether paradigms are compatible or not. With this in mind, we developed interview guidelines that covered different theoretical interests, and we focused our research meetings on the discussion of the comparability of data, and the identification of communalities and differences.

## And still … why crossing boundaries is worth the effort

We commented at the beginning on why we feel that we as scholars should engage in a practitioner-scientist debate and were reluctant to give advice to police practitioners. Here at the end of our contribution, we would like to mention nevertheless some observations from us as business scholars about police management.

We study police as one case of organisational behaviour and organisational change and we are able to conclude many general insights about organisations as such from our research. In a recent side study we compared the professional identity of police officers with market researchers and could identify many shared dimensions. Police organisations are organisations, the police profession is a profession, police tasks are tasks and police change is change. Obviously we do not recommend repeating the mistakes of the past where private-sector management solutions were blindly imposed on police organisations. Instead, we advocate a highly context-specific analysis of police managerial implications — with the theoretical machinery and methodological tools developed in general management research. We would like to invite police management professionals to show more interest in the rich management literature developed by scholars worldwide. Police professionals rightly feel that business scholars should show more interest in non-profit organisations and police-specific conditions. Yet, scholars only do this when the police also actively voice their needs and interests. Police research is not a core topic of business schools and universities, but there are examples of highly recognised international scholars in the 'hard core' academic arena who study policing. The Academy of Management, which is the leading professional organisation for management scholars, has published 354 articles in their journals based on or referring to police organisations. Journals like *Harvard* Business *Review*, *California* Management *Review*, *Sloan* Management *Review*, *Organizational Dynamics* or *Long-range Planning* or the practitioner-orientated journals of the world leading Academy of Management such as *Academy of* Management *Perspectives* and *Academy of* Management Learning and *Education* are actually great value for money and also worth looking at for police practitioners. Stronger active interest from the police might also help police-interested management scholars at business schools and universities to legitimate their research activities within their own communities.

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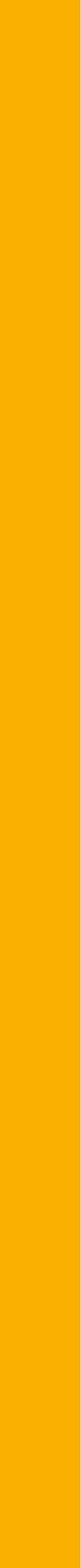
# Chapter III: Developmental perspective — introduction

**Monica den Boer**

Departing from a considerable body of research, this volume seeks to bring in new perspectives on strategies and perspectives for European police cooperation. Hence, this chapter addresses one of the key questions in the world of safety and security, namely what does the future hold and how will the agenda change in the next decades?

In order to read the future, it is instructive to take a profound look into the rear mirror. **Cyrille Fijnaut** — who has published extensively on the history of policing and organised crime — opens this chapter with a review of police history, police reform and police education. One of his major findings is that police reform is often prompted by a regime change, and far less frequently by large-scale public disorders or critical issues in criminal investigation. Historically, in most European countries this amounted to processes of centralisation, specialisation and militarisation. Historical analyses of police reforms help us to understand the contemporary processes of police reform. In his contribution, Fijnaut opens up new research avenues by pointing out that there are still gaps in our historical understanding of how police systems in Europe have been influenced by the North American model and how Europe — along the lines of former empirical tentacles — has influenced numerous police systems around the globe. Furthermore, Fijnaut advocates a firm position of historical studies on policing within police educational curricula, supported by solid historical research.

This brings us to the conceptual godfather of several academic concepts on policing: **Jean-Paul Brodeur**. His inspiration, wisdom and expertise is sorely missed by the international community of police scholars. We are very proud to be able to publish his contribution 'Trust and Expertise in Policing' posthumously. In his contribution, Brodeur analyses the paradoxical relationship between trust, community and expert knowledge in community policing. One of the greatest paradoxes he tackles is that in countries which started community policing, there seems to be a wide discrepancy between the intentions of community policing ('softening the coercive edges of policing') and the actual practice of crime-sentencing and high incarceration levels. Also, engaging the community is much more complex than traditionally believed. The traditional culture of police, Brodeur argues, is to be suspicious of citizens. Hence, to build a mutual trust relationship is enormously difficult, if not impossible. This is a very apt observation in times when one of the greatest challenges for police is to guarantee legitimacy. Formal legitimacy is only part of the story, the rest has to be done by winning credits through constant responsiveness and prioritisation of safety issues across the board.

In his contribution 'Future of Policing: Policing the Future?', **Didier Bigo** is characteristically critical of EU endeavours in the field of internal security cooperation. At the same time, he shares his surprise (and even admiration) for the fact that in this sovereignty field of cooperation, Member States of the European Union have been prepared to let go of some areas of

influence in order to enhance standardisation. Bigo presents us with a historical reconstruction of the strings that currently constitute EU police cooperation. Traditionally, European police cooperation has been grounded in informal intergovernmental networks with strong ties to the intelligence world and with a strong focus on European terrorism. More recently, the impact of technology has been very influential on the shaping of new police cooperation arrangements, particularly in the area of ICT - networks - such as the Schengen Information System. Another development has been the 'external' side of EU-policing in the form of civil police missions, often with an emphasis on restoring peace and stability in post-conflict regions, the reform of police and judicial institutions, as well as the training of local police officers. With the Stockholm Programme, Bigo welcomes the recent but late introduction of checks and balances in the fields of justice and security, as well as the emphasis on social and professional legitimacy. A key concern for Bigo is however whether there are any boundaries to law enforcement cooperation, especially with regard to data exchange with third countries.

In her contribution, **Sirpa Virta** looks at what the future holds for preventive policing. She approaches this issue in a multi-dimensional way by looking both at how 'preventive policing' has undergone a metamorphosis on the one hand, and how preventive policing is changing the essence of police performance on the other hand. Preventive policing has a strong historical rooting, particularly in the Anglo-Saxon context, and has gradually spread to other parts of Europe. In fact, preventive policing is not to be defined as a separate strand, but as an element of widely accepted models of policing, including community policing and proximity policing. The anxiety about terrorism and radicalisation, combined with the connection between global and local security, has given leeway to the so-called precautionary principle. This principle places the presumption of innocence under pressure. But it also facilitates secret surveillance and the pathologising of groups in society, which fundamentally alters the traditional model of community policing.

The final contribution in this section is from **Michiel Holtackers**, who provides us with an account about the EU Stockholm Programme, which dates from 2009 and which is to be succeeded by a new multi-annual programme for the development of the EU Area on Freedom, Security and Justice. This overall strategy was launched in the course of 2010 in order to place new pointers on the horizon in the development of the Area of Freedom, Security and Justice in the European Union. Since the entry into force of the Maastricht Treaty in the early nineties, police cooperation across national frontiers has been a crucial and fast-growing domain of action. Several legal instruments have been adopted to join efforts against a range of transnational security deficits, including those of radicalisation, terrorism, organised crime and trafficking in human beings. Still, the scope of regulatory activity is being expanded to issues concerning public order control and crisis management. Also, instruments such as the European Union Arrest Warrant have been in use for some years now. These types of instruments seek to encourage direct cooperation between police and judicial authorities, and new ones are on their way, such as the European Evidence Warrant. A precondition for making these instruments work is trust as well as reciprocity. These criteria can only be cultivated through mutual awareness and knowledge of national police organisations and criminal justice systems. A working knowledge of languages is deemed important for direct cross-border cooperation as well. The Stockholm Programme aims at making the various instruments more manageable for field officers, and seeks to support this ambition by emphasising interoperability between systems and the launch of an EU-wide exchange scheme for police officers. CEPOL certainly carries an important task in encouraging this process, not in the least by fusing innovative insights into policing with law enforcement curricula.

What is it we learn from this chapter? First, that the knowledge of history is pivotal to our understanding of current and future transformations in policing. This knowledge should be engrained into all levels of police education and should be based on historical research. Second, we have learnt that models of policing should never be taken for granted. Rather than taking them at face value it is instructive to probe beyond levels of rhetoric and symbolism, and to undertake empirical research on the translation and implementation of these models in the real world. Third, the development of international policing is firmly embedded in a wider discourse on security, which is deeply affected by changes in governance and technology. Fourth, and

in connection with the emphasis on the emergence of proactive policing, we learn from this chapter that policing is not only a chameleon, but also borderless. Fifth, as policing is one of the fields of cooperation in the EU Area of Freedom, Security and Justice, police forces and police education institutions benefit from the new dynamic that pervades the European Union, which is an emerging security actor. Hence, policing is not only paradoxical (according to Brodeur), but also in perpetual motion (according to Fijnaut, Bigo, Virta and Holtackers). International and comparative police research continues to be a much-needed reservoir for providing evidence-based arguments in the pursuit of professional excellence.
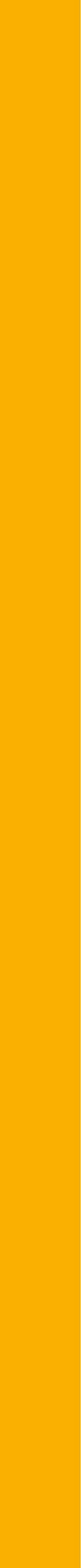
# Police history, police reform and police education

**Cyrille Fijnaut**
The Netherlands

(2012 Conference in Lyon)

In this short speech I will discuss two big issues. On the one hand I want to focus on police history and police reform and on the other hand I will pay some attention to police history and police education.

## Police history and police reform

My first big topic is concerned with police history and police reform: in 1978 I defended at the K.U. Leuven in Belgium a PhD thesis on the political history of the police in Europe. It was published in 1979 in two volumes, mainly covering the history of the police in France, Germany, the United Kingdom, Belgium, the Netherlands and to some extent Austria, Italy and Spain, since the second half of the 18th century, up to the 1960s of the 20th century [1]. This book was the final result of a project that started in 1974 at the Leuven University and was meant to study the contemporary policing problems in Belgium and to come up with proposals for its reform.

Immediately, I was confronted in this project with the fact that political parties, police chiefs etc. used the history of the Belgian policing system and its main components as an important argument, a justification, or a counterargument in their discussions about the future of this system. But nobody could explain to me what the history of the system really was. And there were almost no books about the police history of Belgium. Police history at the time in Belgium was not at all a topic for academic historians. So that is why I started to collect a huge amount of material about policing in this country since the end of the 18th century until the 1960s: legislation, police journals, parliamentary documents, references in books on the general history of Belgium etc.

But after two or three years I didn't know how to analyse all these materials. In any case in Belgium there was no model, no theory, on how to do so. In order to understand the way in which I solved this problem I have to add to this that at the same time I was studying at the K.U. Leuven, philosophy and particularly the writings of Thomas Kuhn, the famous philosopher and sociologist of science. I was heavily impressed by his ideas about paradigms and paradigm shifts in scientific developments [2]. Hence I came to the idea that I should develop a model by studying what happened in other relevant European states and that in the end I should apply this model to the history of the Belgian police. And indeed I developed in my PhD thesis a model to understand the general dynamics of police history in Western Europe by comparing the histories of policing in the named countries. I defended this thesis at the end of 1978. I can only summarise it here a bit.

One of my general conclusions was that the driving forces behind radical reforms of policing systems were wars, revolutions and coups d'états, and — to a lesser extent — large-scale public disorders and serious crime problems, or disasters in the field of criminal

[1] C. Fijnaut, Opdat de macht een toevlucht zij. Een geschiedenis van de politie als een politieke instelling, Antwerpen, Kluwer Rechtswetenschappen, 1979, 2 vol.

[2] Th. Kuhn, The Structure of Scientific Revolutions, Chicago, The University of Chicago Press,1970 (2d enlarged edition).

investigation. Take, for example, the revolutions of 1830 and 1848 in France and other European countries, the French-German War in 1870, the First World War and the Second World War, and not to forget the establishment of the Soviet Union. If you asked what successively happened to the policing systems in the related countries at those crucial stages in the history of Europe, you could easily conclude that it meant, most of the time, three important things.

First of all, it meant the centralisation of policing and police forces; in any case the governance on the police forces became more and more centralised. Secondly, it meant specialisation of the police forces and police systems, particularly in the field of public-order policing and in the field of criminal investigation. And thirdly and also quite self-evident and easy to understand; the militarisation of specific components of the policing systems; their militarisation was more or less a substitute for the involvement of the army in public-order policing. And parallel to centralisation, specialisation and militarisation one can easily see the rise of the intelligence services, or special units or special services within the existing police systems meant to deal with intelligence gathering on political opposition or political protest in general.

The irony of all this is, after I presented my PhD thesis in 1978 I didn't get the opportunity to apply this model on my huge material research on the Belgian police system. But now I am retired I hope I can do this within the coming years and that I can write a coherent, long-term history of the Belgian police system, applying the model I developed in the 1970s. The Belgian case nevertheless can currently teach a number of lessons, but two lessons are most important when it comes to the demonstration of the importance of historical studies on police and policing.

First of all, the history of police systems is very helpful in understanding contemporary policing structures, policing powers, policing ideas and policing practices. It also gives you an idea or a better idea, a better clue, on political, public and professional discussions about the issues I just mentioned: structures, powers, ideas, and practices. But history is not only helpful in this way. Secondly it is also helpful when it comes to understanding what really matters in policing over centuries, decades and years. Which factors and which

circumstances can, or will have, a major impact on policing as an institution and as a practice?

These lessons make up one of the reasons why I initiated a number of historical projects in the field of policing, not only in the Netherlands and Belgium, but also at the European level ([3]). That is also why I joined national and international networks of historians, who gradually, step-by-step, have become more interested in the history of policing ([4]). And thirdly that I myself not only participated in international networks of historians and international book projects on the history of policing, but also organised such projects over the years ([5]). I am happy to say that step-by-step, I wasn't that lonely fighter any more.

Over the years in a number of European Union Member States other academics took similar initiatives. I refer here in France to Jean-Marc Berliere and to Jean-Luc Noel — the first one spent (together with a.o. Rene Levy) a lot of energy on the history of the civil police forces in France and Jean-Luc Noel on the history of the French Gendarmerie ([6]). I may also refer to Herbert Reinke and others in Germany and self-evidently also to Clive Emsley in the United Kingdom ([7]). All this has led to a situation where we know much, much more about the police history in a number of European states than 20-30 years ago. There is now an increasing body of knowledge

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([3]) Hereby I may refer to a comprehensive project on the history of the police in The Netherlands and its (former) colonies and as far as Belgium is concerned to C. Fijnaut, *Een kleine geschiedenis van de huidige organisatie van het Belgische politiewezen*, Antwerpen, Kluwer Rechtswetenschappen, 1994, and to C. Fijnaut, B. de Ruyver and F. Goossens (eds), *De reorganisatie van het politiewezen*, Leuven, Universitaire Pers Leuven, 1999.

([4]) E.g. the European network of historians who are heavily interested in the policing of the colonial empires in the 19th and 20th centuries.

([5]) See a.o. C. Fijnaut (ed.), *The Impact of World War II on Policing in North-West- Europe*, Leuven, Leuven University Press, 2004.

([6]) E.g. J-M. Berliere and R. Levy, *Histoire des polices en France de l'Ancien Regime a nos jours*, Paris, Nouveau Monde, 2011, and J-N. Luc (ed.), *Gendarmerie, etat et societe au XIXe siècle*, Paris, Publications de la Sorbonne, 2002.

([7]) C. Emsley, *Policing and its context, 1750-1870*, London, The Macmillan Press, 1983, and *Gendarmes and the State in Nineteenth-century Europe*, Oxford, Oxford University Press, 1999. As far as Reinke is concerned, see e.g. G. Furmetz, H. Reinke and K. Weinhauer (eds), *Nachkriegspolizei; Sicherheit und Ordnung in Ost- und Westdeutschland, 1945-1969*, Hamburg, Ergebnisse Verlag, 2001.

that can be used in police education and is also useful with a view to police reform.

But of course there is still a lot to do with regard to the police history in a number of Member States, for example Italy or Spain or Portugal, or also Central and Eastern European countries. And also in relation to the history of policing at the European level.

First of all: what really was the impact of the French Revolution and the Napoleonic Empire on policing in Europe, as well as the impact of the totalitarian police states of the 20th century? The impact of the Nazi regime goes for many of us without saying, but what about the impact of the Soviet Union on policing in Central and Western Europe [8]. And in the wake of this one should also pay attention to the impact that American policing policy has exerted on policing in Europe and in cross-Atlantic police cooperation since 1945, particularly in the field of criminal investigation, but I believe that also in the field of political policing, this is a major issue [9].

Secondly, one should not only look, however, at the impact of these empires on policing in Europe, one should also pay attention to the force of policing models in Europe and in the United States on the ways in which policing has developed over the centuries in the West. For example, take the impact of the models of the police of Paris and the French Gendarmerie in the 18th and 19th centuries, and the impact of the Metropolitan police model after this force was established in 1830. One should also refer to the impact of the German big-city police forces at the end of the 19th century and their impact on the structure, the division of tasks, the training, the housing and the equipment of police forces in big cities, not only in Europe, but also in the United States. I may in particular refer here to Raymond Fosdick's

book on the organisation and performance of European police systems, published in 1916 [10]. And one must not lose sight of the impact of the Weimar Republic police, in particular the police of Berlin, on policing in Europe. Out of necessity to survive in such a highly divided society this police was steadily under pressure to modernise its operational systems in order to be able to deal with the manifold challenges it continuously faced.

Thirdly, apart from the impact of empires, and apart from the impact of policing models, I should also mention here in the third order the spreading of police techniques and police technology all over Europe since the second half of the 19th century, like for example the *Bertillonnage*. Which forces have driven the spread of this technology into the 20th century? And not only its spreading in that period, is most interesting. We should — sticking to this example — also look at what is going on currently in the security business and explore the historical connections between the rise of biometrics and the development of the Bertillonnage [11].

## Police history and police education: the Dutch case

After these few words on police history and police reform I introduce my second topic — police history and police education. In particular I will focus on this issue in relation to the Dutch case.

After the defence of my PhD thesis in Leuven, I wrote several pieces on the history of the Dutch police and started to collect books, reports, leaflets and articles etc. on its history since 1813. Around 2000, the Chief Constable of Utrecht and later on The Hague, Jan Wiarda, together with chiefs of police of some larger regional and national police forces and with the support of the Ministries of Justice and Home Affairs, they all collected money for a major project on the history of the Dutch police. And they asked me to compose a research group of experienced historians to perform this project. Guus Meershoek became a member of

[8] As far as the impact of the Soviet Union on policing in Central and Eastern Europe is concerned see a.o. D. Fogel, *Policing in Central and Eastern Europe*, Helsinki, Academic Bookstore, 1994; M. Pagon (ed.), *Policing in Central and Eastern Europe. Comparing First-hand Knowledge with Experience from the West*, Ljubljana, college of Police and Security Studies, 1996, and N. Uildriks and P. van Reenen (eds.), *Policing Post-communists Societies. Police-public Violence, Democratic Policing and Human Rights,* Antwerpen, Intersentia, 2003.

[9] One of the most important books still is: E. Nadelmann, *Cops across Borders. The Internationalization of U.S. Criminal Law Enforcement*, Philadelphia, The Pennsylvania State University Press, 1993.

[10] R. Fosdick, *European Police Systems*, New York, The Century Co, 1916.

[11] P. Piazza (ed.), *Aux origines de la police scientifique. Alphonse Bertillon, precurseur de la science du crime*, Clamecy, Karthala, 2011, and S. Cole, *Suspect Identities. A History of Fingerprinting and Criminal Identification*, Cambridge, Harvard University Press, 2001.

this research group. The other two members were Jos Smeets and Ronald van der Wal.

In 2007 we published a four-volume history of the Dutch police. Three volumes specifically focus on the development of the municipal police forces, the history of the state police forces and on the evolution of the police unions and police education ([12]). I myself wrote an overarching volume on the general history of the Dutch police since the end of the 18th century up to these days ([13]). Later on I summarised these four books in a paperback for the general public and for Dutch police officers. Some 30 000 copies of this booklet were published in a year. Later on it was translated into English for a more foreign audience ([14]).

In the wake of this more or less national project, I took the initiative together with historians from Utrecht University and Leiden University — in particular Elsbeth Locher at the Utrecht University and Gert Oostindie, director of the KITLV, the Royal Netherlands Institute of Southeast Asian and Caribbean Studies in Leiden — to build up a research project on the history of police and policing in the former Dutch colonies. This comprehensive project was finalised rather smoothly. Indeed, in recent years three books were published on the history of policing in the Dutch Indies since the 19th century up to the Second World War, on the history of policing in Surinam until its independence in 1975, and on the history of policing on the Dutch Caribbean islands: Curaçao, Aruba etc., from the end of the 18th century, up to 2000 ([15]).

During this whole historical project we asked ourselves two key questions. The first one was: what will be the

legacy of this big project and what are the possibilities to continue historical police research in the Netherlands and also at the European level in the long run? Should we get the universities involved? Are they now really consistently and coherently and for the longer term interested in this topic? Or should we to some extent see whether we can integrate or should integrate this subject into the research programme of the Dutch Police Academy? Then we would have more guarantees that it would survive in the longer run. A precondition of course is that the research should be able to maintain its academic quality. These considerations led to the conclusion that the last option would be the best one.

The second question was: isn't it important to integrate the results of historical research into the training and education, at least to some extent, of police officers? And we came to the conclusion that the answer is 'yes' for a number of reasons.

The first reason is that, if policing is moving from a craft to a profession then all police officers should have a clear idea about the ways in which their profession has come into existence. They should have an idea of the historical relationship between police forces, the army and private policing, of the images and realities of policing in the past, of the increasing complexities of police operations in modern society, of the evolution of the standards of police education and of the working conditions of police officers etc.

Secondly, police officers at all levels, but also judicial and administrative authorities, should be aware of the fact that their working environment — institutions, structures, powers, cultures, ideas, strategies — is not at all self-evident, but is the result of a sometimes very painful history that they should know about. What happened and in which conditions it happened. For example: why the Dutch political leaders maintained to a large extent the policing apparatus that the French and German occupiers installed? What are the dilemmas the professional forerunners faced in the field of criminal investigation and public-order policing, and what are the ways in which they tried to solve the dilemmas with which they were confronted. And of course they should also know about the history of cross-border policing and the challenges and possibilities in this field, not only in the 19th century but also since the Second World War in the framework

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([12]) G. Meershoek, *De gemeentepolitie in een veranderende samenleving*, Amsterdam, Boom, 2007; J. Smeets, *Verdeeldheid en eenheid in het rijkspolitieapparaat*, Amstrdam, Boom, 2007, and R. van der Wal, *De vakorganisatie en het beroepsonderwijs*, Amsterdam, Boom, 2007.

([13]) C. Fijnaut, *De geschiedenis van de Nederlandse politie. Een staatsinstelling in de maalstroom van de geschiedenis*, Amsterdam, Boom, 2007.

([14]) C. Fijnaut, *The History of the Dutch Police*, Amsterdam, Boom, 2008.

([15]) M. Bloembergen, *De geschiedenis van de politie in Nederlands-Indie. Uit zorg en angst*, Amsterdam, Boom, 2009; E. Klinkers, *De geschiedenis van de politie in Suriname, 1863-1975. Van koloniale tot nationale ordehandhaving*, Amsterdam, Boom, 2011, and A. Broek, *De geschiedenis van de politie op de Nederlands-Caribische eilanden, 1839-2010. Geboeid door macht en onmacht*, Amsterdam, Boom, 2011.

of the European Union, the Council of Europe and the United Nations.

And the third reason why we thought police history should be integrated into police education is that police officers generally should have sufficient knowledge of the history of policing in order to deal with historical arguments in the ongoing debate on policing in their home countries or home forces: to understand these arguments, to evaluate or to assess these arguments, and to criticise them, if necessary or desirable.

And so, on the basis of these three arguments, we convinced the board of the Police Academy and the Ministries of Justice and Home Affairs to establish a lecturer's position in the field of historical police studies at the Dutch Police Academy. And a mixed committee of police officers and academics selected Guus Meershoek for this position. He is not only a qualified researcher in the field of police history — for example he wrote his PhD thesis on the Amsterdam Police in the course of the Second World War and wrote the history of the municipal police in the Netherlands — but he has also organised teaching programmes at the Twente University for many years now.
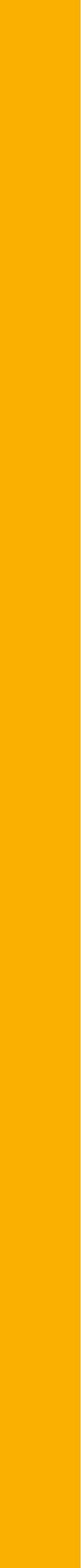
# Trust and expertise in policing

**Jean-Paul Brodeur**
Canada

In this paper I want to explore the relationships between trust, community and expert knowledge in the context of policing. Taken together, these relationships result in a paradox. The move towards community policing, broadly defined as an attempt by the police to engage with the community in setting their priorities and developing partnerships with community members and civic organisations in order to achieve them (Skogan, 2006a: 28) was triggered in part by the gap that existed between the police and the various minorities during the late 1960s (Williams and Murphy, 1990). This gap was believed to cause violent conflicts between the police and minority groups. The community policing reform was intended to bridge this gap between police and community and to re-establish trust by bringing the police closer to the community (in France, the equivalent of community policing is called *'police de proximité'*, that is, 'proximity policing'). However, getting closer to the public is far from being the only way to establish a trusting relationship, as is shown by the example of medical doctors. In all indexes of trust in selected professions, the medical profession generally comes first, followed by teachers. The trust enjoyed by doctors is built on their expertise, which also sets them apart from the community. The community is seldom consulted by the medical establishment, which thrives on its separateness and isolation. There is also an important movement within police organisations, particularly in Europe (CEPOL, 2007), to base their competence and the public trust that would flow from it upon a new police science and expertise. One of the important benefits of operating from a secure base of expert knowledge would be to insulate the police from external, mainly political, interference in their business — doctors are believed to be free of such interference. This other kind of quest for trust thus leads the police in a direction opposite to community policing and its numerous derivatives, as they actually move *away* from the public into the seclusion of expertise. Quoting an example closer to the police than medical doctors, firefighters apparently succeeded in being both distant from the public through their expertise, yet remained trusted by them.

The respective relationships between trust, community and expertise in the context of policing are thus complex and deserving of more examination than currently believed. This paper is divided into four parts. First, I make some preliminary statements to avoid misunderstandings and clear the way for the ensuing discussion. Second, I discuss three ways to conceive this cluster of relationships in light of the findings of research. In the third part, I discuss how the police can contribute to building trust between themselves and the public and, more importantly, between the members of the public themselves. In the concluding section, I shall very briefly propose criteria for democratic policing.

## 1. Preliminary remarks

The situation has drastically changed since the early 1980s, when it seemed that community policing held the key to better public policing.

1. Since 1980 there has been an explosion of new policing philosophies, strategies and tactics. In their book on policing innovation, Weisburd and Braga (2006) discuss no less than eight new models of policing that were developed in the United States over the last three decades. To this review of developments in the United States, one ought to add at least two other frameworks that are now being tested in the United Kingdom. One of these alternative frameworks, called reassurance police, grew in part from a particular experiment in community policing undertaken in the city of Chicago (the Chicago Alternative Policing Strategy — CAPS). So, not only do we have a significant number of new models, but some of these models are morphing into yet another variety (e.g. community policing morphing into reassurance policing), thus adding to the complexity of present-day policing. If we were to take into consideration all policing innovation taking place in the various democratic countries, the complexity would be overwhelming. (For the sake of clarity, I have tried to characterise the various models of policing that I will refer too in the course of this paper in Appendix I. The reader is invited to consult it).

2. There is one crucial problem with all the new models of policing that have been developed, which has never been solved to my satisfaction. According to my own research in Canada and my review of the abundant literature on police innovation, it is almost impossible to assess to what degree a model of policing that is claimed to have been adopted by an organisation is actually implemented. First, there is generally a limited proportion of the total police manpower that is tasked with practising the new methods, the majority of their colleagues conducting police business as usual. It was estimated, for instance, that one in five hundred sworn officers was enough to form an expert cadre for problem-orientated policing (the small proportion was later revised; see Bullock et al. 2006: 175). Second, there are entire departments that are untouched by the reform. For instance, criminal investigation departments were little affected by the new ways to engage the public, the reforms actually increasing the gap between patrolpersons in uniform and plainclothes investigators. Third, the new methods evolved from a specific framework to transform police practices into a diluted 'philosophy' that mostly served as a public relations device to soften the image of a police force. All these reservations make it overwhelmingly difficult to assess the depth and magnitude of the changes that were introduced into a police organisation that embarked upon a course of self-reform.

3. Community policing was not implemented everywhere and was the target of intense criticism from the outset. Yet there was a police management consensus that it was the standard under which nearly all new experiments in policing had to fall, no matter how imperfectly it was in fact implemented. It was quickly realised that this so-called standard was not even a common label and the initial consensus on the desirability of this orientation of police reform dissolved. Today, there are advocates and critics of every new policing model that is being churned out by the reform factory. Instead of a consensus, we have a situation that is evolving towards a kind of policing anomie.

4. Countries differ widely with respect to their adopted policing system. There is one difference that is especially significant for my argument. In many countries, the public police apparatus consists of a few organisations that are nationally based. This is generally the case with the countries of Continental Europe. In English-speaking countries, police organisations are based in cities or regions and are accountable to municipal or regional authorities. In some countries such as the United Kingdom, the police are jointly accountable to the central government and to a regional body. Countries where the basic police jurisdiction is municipal or regional have as many police forces as there are cities or regions, the United States and Canada being examples of countries that have many police forces. There was a time — in the 1960s — when the larger urban area of Chicago had as many as 1 400 different police forces — each suburb, however small, having its own force. Although the present

trend is leading to the integration of small city forces into regional ones, there are by definition a much greater number of police organisations in countries where the police forces are municipally based than in countries with a few national forces. This difference plays a key role in terms of police innovation. The probability of finding a police force willing to experiment in new ways of policing, particularly in the field of relationships with the public, is increased by the number of police forces operating in a country. On the one hand, medium-sized United States cities such as Flint in Michigan and Newport News in Virginia played an important role in respectively sponsoring community and problem-solving policing. However, on the other hand, large police forces are in a better position to implement a model of policing based on information technology and forensic sciences, because of their greater financial resources. Such was the case with the NYPD CompStat (comparative statistics) model, which acted as a magnet for international police management personnel who felt compelled to make their pilgrimage to New York even if they lacked the resources to implement such a model.

5. There are two kinds of coordination. *Systemic coordination* promotes consistency of action across one organisation and between several organisations with the same goals (e.g. various policing organisations, either public or private). Such coordination encompasses horizontal and vertical operational consistency. There is another kind of coordination that I will call *process integration*. It links different organisations that operate on a sequential basis. For instance, the police, the courts, corrections and post-correctional services are part of a process that is aiming to increase public security. With few exceptions, such as intensive zero-tolerance policing, the various reforms of public policing were initially intended to soften the most coercive edges of policing. There is no point in reaching out to citizens, if it only results in increasing their vulnerability to physical coercion. Nevertheless, there is a sharp disconnect of community policing from crime sentencing. In the showcase countries for community policing, such as the United States and the United Kingdom, the rates of incarceration have never increased as much as when the drive towards community policing got into high gear.

The upshot of these remarks is twofold. First, all generalisations about policing are fragile: there are too many differences in policing to claim that one model applies to all police forces and even that it is implemented throughout an entire police organisation. Second, there is no guarantee that feel-good practices in policing will translate into a more humane society. The seeds of community policing have yet to blossom under the segregating sun of incarceration.

## 2. Patterns of police and citizen relationships

As I just stressed there are numerous varieties of police-citizen relationships. I have tried to categorise them in three fundamental patterns that I will now try to characterise.

### Police-led patterns

In all the variants of police reforms that were developed from 1975 onwards, the police retained the initiative. These reforms can be described in relation to four dimensions:

(1) police visibility — the belief that a conspicuous police presence increased people's feelings of being in security;

(2) intensity — the extent to which police resorted to coercion;

(3) externality — the willingness to reach out for external output and to follow up on it;

(4) intelligence processing — the need for basing policing intervention on sound knowledge.

The original design of this kind of reform was to maximise police visibility, to substitute consensus for coercion, to prioritise input from the community and form external partnerships, and to develop alternatives to criminal statistics templates in processing police intelligence. Community policing was to embody these original features and was initially assessed as being a promising start

However, it can be shown that police-led reform patterns developed in directions that conflicted with its original impetus.

— *From Broken Windows to Zero Tolerance*: 'Broken windows' was originally a catch phrase coined by James Q. Wilson and George L. Kelling in a famous paper published in 1982. Its original intent was to provide an argument in favour of 'quality of life' policing, which was criticised for being too soft on real criminals. This kind of policing focused on minor offences (e.g. vandalism), incivility and various forms of disorder that generated feelings of helplessness in the community. It was argued that such feelings led the members of a community to barricade themselves behind the locked doors of their dwellings, thus making their deserted neighbourhood into an open field for criminal enterprises. Broken windows policing was meant to assist citizens in reclaiming their neighbourhood and to revitalise their control over their environment. Instead of community empowerment, it eventually led to zero tolerance on the part of the police for any kind of civilian misbehaviour and led to a massive increase in the number of arrests. Aggressive plainclothes teams of police began to operate at night and intensive undercover operations replaced police visibility. Active coercion superseded the reliance on the power of symbols.

— *From community-orientated to problem-orientated policing*: Community-orientated policing is a strategy to engage citizens as partners in the co-production of security. This strategy stressing the need for externality is rather vague and short on tactics. This is the reason why problem-orientated policing quickly became an essential ingredient of community policing, although the two models are actually different, as Herman Goldstein, the father of problem-orientated policing, came to realise later on (Brodeur, 1998: 50-51). The insight underpinning problem-orientated policing is that police should not react to incidents, considered one by one, but should group similar incidents together in one category and solve the problem that they raise in one stroke. The key moment in this type of policing is the definition of the problem, which is achieved through the application of various knowledge-based methods by *police* analysts. In his influential book on problem-orientated policing, Goldstein (1990) is clear on the fact that 'the police cannot agree in advance that they

will focus on the community's choice' (p. 71) and that 'police officers on the beat are in the best position to identify problems from the bottom up' (p. 73). This shift of emphasis from community input to police-processed intelligence became ever stronger as the police were conceived as 'knowledge workers' (Ericson and Haggerty, 1997). Community-orientated policing and problem-orientated policing are actually orientated in opposite directions, although they are often mindlessly conflated (e.g. the infamous 'COP-POP', which sounds like a glib advertisement for some effervescent police drink).

— *From intelligence-led policing to policing-led intelligence* (Cope, 2004): when he advocated the development of problem-orientated policing, Herman Goldstein expressed his concern that collecting intelligence relevant to the definition of security problems ought not to be confused with processing crime statistics. As he argued, the criminal label of 'arson' may be applied to problems as different as criminal negligence, insurance fraud, covering up a murder, not to mention expressive youth delinquency. All these specific problems call for a different solution. However, crime statistics are so enshrined in police culture that Goldstein wasn't listened to. In many police departments, crime statistics are computerised on a narrow local basis (e.g. an urban neighbourhood) and precinct commanders are tasked with achieving a percentage decrease in selected crimes within a particular time frame. The consummate example of this strategy is the NYPD CompStat programme, which exercised a powerful influence on law and order politicians and on police executives. Many countries have now established so-called 'crime observatories', which limit themselves to the collection of crime statistics and the performance of minimal analyses on the patterns that they display. They play the same role with respect to true police intelligence that public opinion polls play in the study of public attitudes, which is to package complex matters in simple control-friendly formats. Needless to say, the community has no say in these war games exclusively played by police executives and politicians. The *New York Times* reported on 7 February 2010 the findings of a survey of a hundred retired precinct captains

and higher-ranking officers conducted by two criminologists, John E. Eterno and Eli B. Silverman. According to this survey, the intense pressures to produce annual crime reductions generated by the implementation of the CompStat programme led these officers to manipulate crime statistics to produce the expected outcome (Rashbaum, 2010; see Chen, 2010 for the follow-up story). This rather unsurprising finding is all the more significant since one of the two researchers authored a book that did much to promote the reputation of the NYPD's CompStat programme (Silverman, 1999).

— *From 'what works' policing to evidence-based policing*: The impressive growth of evaluative research was the natural outcome of the drive towards police reform. With so many true or pretended innovations flooding the profession, it was reasonable to enquire whether they had productive results or not. The question 'What works in policing' became a rallying cry for many researchers as the end of the last millennium approached. Some of the proponents of the new models, such as Wesley Skogan, were among the most eager to test whether they worked or not. Like the previous ones that we discussed, this trend evolved significantly over time. First-generation assessments were very broad and methodologically unsophisticated. For instance, the whole field of criminal investigation was negatively assessed by Greenwood and Petersilia in 1975 (Greenwood and Petersilia, 1998). As time passed, evaluation research in police studies progressively modelled itself on experimental research as it was conducted in the more rigorous disciplines such as epidemiology in the medical sciences, with experimental and control groups, longitudinal cohorts and various research protocols (see the section devoted to evidence-based policing in Appendix I. It explicitly refers to the medical model as an ideal.) Members of the public may play a part in these enquiries in being consulted on their assessment of a police strategy, but the research itself is conducted by experts who assess the extent to which a practice works on the basis of factual evidence. The community policing practices that were initially tested to appraise whether they were empirically successful are now integrated into yet another kind of policing model in its own right, which is called

evidence-based policing. I will not dwell on the fact that the epidemiological research is presently the target of mounting criticism (Taubes, 2007). Rather, I want to mention the fact that evidence-based therapies do not appear to provide an adequate and comprehensive foundation for medicine itself, where it originated. Evidence-proven therapies are actually small in number and narrowly constrained by the circumstances where they were shown to work. When faced with problems for which there is no or little precedent, doctors who were schooled in evidence-based medicine had either to improvise, a skill for which they had little or no training at all, or to apply an evidence-based remedy to a new problem for which it might be counter-productive (Groopman, 2007: 6-7). Needless to say, medicine is much more advanced scientifically than policing and the limits of testing police interventions to make them evidence-based are much more drastic in policing (there is no equivalent to laboratory animals for policing).

To sum up, despite expectations to the contrary, police-led reform patterns have evolved towards less police visibility in public spaces, more coercion, less external input and an increased reliance on traditional data processing and conservatively defined expertise.

## Community-led patterns

Police research is generally conducted on a relatively small scale. However, an extensive research project — USD 51 million were devoted to funding this project — on the sources and consequences of urban disorder was conducted in Chicago at the end of the millennium by Felton Earls and his colleagues (Sampson, Raudenbush and Earls, 1997 and Sampson and Raudenbush, 1999). One piece of this research involved 8 782 residents of 343 Chicago neighbourhoods (Sampson et al. 1997); another one involved the videotaping of 23 000 street segments in 193 Chicago neighbourhoods (Sampson and Raudenbush, 1999). Although Chicago is also the city where community policing was implemented with the utmost care and is the most resilient, police researchers seem rather shy to refer to this other project that was also carried out in Chicago. The insight spurring Sampson, Earls and colleagues to undertake this vast research project was that endogenous collective action that sprang from within the community was more efficient to curb crime and

disorder than action instigated by formal agencies such as the police (Sampson et al. 1997: 918). One of the principal researchers in the Chicago project remarked that the number of yearly homicides plummeted from 151 in 1991 to 35 after year 2000, apparently because a group of black ministers took to the streets to engage kids and work with adults to develop after-school programmes (Hurley, 2004).

The key concept of the Sampson team research is that of 'collective efficacy', defined as cohesion among neighbourhood residents, which is combined with shared expectations for the informal social control of public space. In the research, social cohesion/trust was represented by five conceptually related factors: the positive factors were willingness to help neighbours, close-knit social texture and trust; the negative factors were adverse relationships between the residents of a neighbourhood and failure to share the same values. Shared expectations were measured by asking some 3 500 members of 196 neighbourhoods whether they could be counted on to act in various kinds of situations involving their children (e.g. 'skipping school and hanging out on a street corner'), in witnessing violent conflict in front of their home and in acting against budgetary cuts in basic services (e.g. fire stations). Neighbourhoods showing the highest degree of cohesion/trust and of shared expectations experienced lower rates of violent crimes. It was also found that contrary to the 'broken windows' theory, the relationship between public disorder and crime was spurious except perhaps for robbery (Sampson and Raudenbush, 1999). Since the 'broken windows' assumptions are shared by the advocates of community policing, this refutation may account for the relative lack of communication between the community policing researchers and the Sampson team.

A crucial finding of this research programme was that collective efficacy did not occur in a vacuum. Home-ownership promoted collective efforts to maintain social control (Sampson et al. 1997: 919), whereas 'concentrated disadvantage' (poverty) seems to be an overwhelming obstacle to the willingness to intervene on behalf of the common good. These findings underline a characteristic feature of the research on collective efficacy: it is research on the 'what' and not on the 'how to'. Once a key number of structural features of neighbourhoods exist, collective

willingness to act for the common good is an efficient way to achieve social control. The question then becomes: how is it possible to bring social cohesion and trust into a disadvantaged neighbourhood where there is no collective efficacy? Despite their failings, this is the question that advocates of community policing tried to answer and which the research on collective efficacy leaves open. It should also be mentioned that social programmes that made home-ownership easier for the 'disadvantaged' in various countries of Europe (especially in the United Kingdom — UK), did not impel in themselves a drop in the crime rates.

### Community policing revisited

Despite the slide of policing innovation into patterns of expertise uncritically modelled on medical science and much less welcoming to community input, some community policing initiatives proved to be quite resilient and are even enjoying a resurgence of popularity. The most enduring of all the community policing experiences occurred in Chicago. The Chicago Alternative Policing Strategy (CAPS) began to be implemented on an experimental basis in five Chicago districts in 1993. The experiment proved successful and was extended to 20 other police districts in the following year. The CAPS programme is now operational in all Chicago police districts, with the five original prototype districts serving as a laboratory for testing new ideas and technology. Community involvement has remained to this day one of the cornerstones of CAPS.

The distinctive feature of CAPS and no doubt one of main reasons of its resiliency is that the operation of the programme was supervised from its initial stages up until now by a strong team of researchers who issued progress reports on its implementation every year and thoroughly assessed its results (see the bibliography of Skogan, 2006b: 338-39; special care was devoted to assessing the impact of the programme in 1997 and after its eighth, ninth and tenth years in existence). There was one unexpected finding of the assessment research that received a great deal of attention. Although CAPS worked well in the white and the black Chicago communities, it produced much less impressive results in the Hispanic community, where it was expected that it would work better than in the more violent context of the black communities. Research into this problem showed that engaging the

community was much more complex than originally believed. For instance, the assumption that residents of the Hispanic neighbourhoods spoke and understood English — the language used in community meetings with the police — proved to be mostly incorrect. This finding is particularly significant in today's world marked by mass immigration and great ethnic and linguistic diversity.

The UK has also experimented with innovative models of policing, team policing having been first tested in Great Britain after World War II. This interest in policing innovation endured as the Home Office created what is perhaps the most productive research unit on policing and criminal justice. It was found that although the British police were making good progress in reducing major crimes, it was paradoxically losing ground in maintaining public confidence (Fielding and Innes, 2006; see the excerpt on reassurance police in Appendix I). The British then embarked on yet another new experiment in policing, called Reassurance Policing (RP) (see Appendix I; also see Tuffin, 2006). This development intentionally borrowed a great deal from CAPS. First, it reactivated the idea of engaging the community with a view to improving its confidence in the police. Second, it adopted CAPS' focus on constant measurement of the impact of the police strategy being experienced. Lastly, it renewed with the 'Broken Windows' perspective of targeting the sources of community feelings of insecurity. In so doing, it rediscovered that these feelings were not based on the fear of being a victim of a major crime but rather on conspicuous signs of disorder, such as abandoned vehicles (the deleterious effect of abandoned cars had long been highlighted in Wilson and Kelling's seminal 1982 piece on neighbourhood decay).

It remains to be seen whether resilient programmes such as CAPS or revitalised community engaging projects such as RP will stem the tide of expert policing where the role of the community is essentially passive.

## 3. Policing and building trust

Setting aside limited programmes such as CAPS and RP, which seem to strike a balance between policing and community involvement, our previous discussions have identified two trends, both of which result in a split between the police and the community. On the one hand, policing reform is evolving towards forms of expert policing in which the reliance on scientific underpinnings is *de facto* — perhaps unintentionally — reducing the role of community input. On the other hand, the research on collective efficacy as measured by cohesion, trust and a willingness to act for the common good did not find that the police had made an important contribution to it. Consequently, we could explore two questions. One question would be how to reintegrate the community into expert policing. The second question has a reverse formulation: how to define the police contribution to collective efficacy. I shall devote my endeavours to exploring the second question, at times also touching upon the first. The research on collective efficacy is not (yet) focused on its policy implications and problem-solving capacity. It identifies the structural determinants that are positively and negatively related to collective efficacy. Concentrated disadvantages and poverty were found to be destructive of social cohesion and trust, which are the bases of collective efficacy. Is there a role for the police in re-establishing trust and social cohesion and thus restoring collective efficacy? This question is not entirely foreign to concerns that spurred James Q. Wilson and George Kelling to write their paper entitled 'Broken Windows'. Furthermore, the place of trust in policing is increasingly seen as central by police sociologists such as Peter Manning (2003). However, the study of trust in policing has not yet received the attention that it deserves and there are few findings that can be presented as definitive. My remarks will therefore be tentative, my aim being more to bring attention to a necessary debate than to articulate a doctrine.

A group of individuals committed to global peace and environmental sustainability has recently developed a Global Peace Index that can be consulted on the *Vision of Humanity* website. These individuals belong to the intelligence unit of the prestigious British magazine *The Economist* and to various university research centres. The index ranks the countries of the world according to their peaceful character, which is assessed through measurements taken on several dimensions. One of these dimensions is safety and security within a country. The first indicator of a lack of safety and security is the level of distrust in other citizens. This level is determined through various measurements,

one important measurement being the ratio of police per head of population. The reasoning behind such a measurement seems to be the following: the more citizens have to rely on the police in order to have peaceful relationships between themselves, the less they actually trust each other. This observation surely conforms to common sense, but as often happens with alleged common sense, things deserve further examination. There are rural areas where the police are generally unseen which are populated with people known to be highly mistrustful of each other. At the other end of the spectrum, when British society invented the modern police at the turn of the nineteenth century, it was not generally described by historians as a society that was experiencing a collapse in social cohesion and trust. What should be acknowledged from this very brief discussion of the Global Peace Index is that the relationship between policing and building trust is never one-dimensional. It generally takes the form of complex dilemmas where we have to carefully balance the elements involved in selecting the best option. I will now try to describe some of the main dilemmas.

— *Varieties of trust*: there are two very different ways in which the police can build trust. They can strive to build trust or confidence in them as members of an institution. We might for lack of a better expression call that *vertical trust* (or more elegantly, *confidence*). Most attempts by the police at building trust are directed at vertical trust or confidence in them. There is a second variety of trust that is a feature of the relationships of the members of a community between themselves. We can call that *horizontal trust* (or narrowly apply the word trust only to this kind of relationship). The crucial difference between vertical and horizontal trust (or confidence and trust) is that only the latter is mutual and implies reciprocity. The police want to be trusted by the citizens but they are generally suspicious of them. Needless to say, the police can return trust in particular situations, as opposed to their professional culture of having to be suspicious.

— *Protectors and benefactors*: some professions fall within the category of protectors (the police, the military, private security guards and so forth) and many others in the category of professional benefactors (doctors, teachers, and, more generally,

service providers). There is one important difference between benefactors and protectors. Doing good implies two parties, the benefactor and the beneficiary, who are involved in a relationship of mutual satisfaction (when things work out well). Providing protection generally implies three parties; the protector, a potential victim being protected and a predator *against which* the potential victim is protected. This enforcement triangle is at the root of the need to make the distinction between the vertical and horizontal trust that was made above. Professionals who provide protection are by definition split between their loyalty towards real and potential victims and their aggressiveness against predators. In consequence, the police cannot be wholly included in the chain of mutual horizontal trust, as they have to be on the lookout for potential predators. This is also why it is difficult for the police to generate mutual trust between *all* the members of a community, since they partake in the exclusion of identified offenders from trust relationships. One thus needs to distinguish, as I suggested, between vertical trust, which is asymmetrical (non-reciprocal), and horizontal trust, which is symmetrical (mutual). The ambiguity of policing in relation to trust is reflected by research. A recent six-site evaluation of the British National Reassurance Policing Programme found that the programme had a positive impact on one of the social cohesion indicators: the percentage of people saying they trusted many or some of the people in their area increased by three percentage points across the trial sites and fell by two in the control sites. This effect was small and statistically significant in only one comparison between a trial and a control site. There was no overall effect on the other indicators of collective efficacy such as viewing one's community as tightly knit and increasing community or voluntary activity (Tuffin, 2006: 3).

— *Expertise and trust*: as we previously argued, the possession of a recognised expertise is one of the major ways to build what we called vertical trust. Upon closer examination, it is not certain whether expertise generates actual trust or merely symbolic prestige. Expertise depends on a process of reconstructing experience to make it amenable to a scientifically calibrated intervention. The process

implies that the expert extracts from the rich texture of experience a few features that are usually subject to quantification and which he or she can act upon. This simplification of human experience — often of human suffering — may be so reductive that the reconstructed problem is perceived by those afflicted by it as being alien to their plight. In those situations, expertise is a source of discredit rather than a source of trust. Psychiatric expertise fell into disrepute for a time for having lost its mooring to mental illness as actually experienced by patients. Despite all the warnings on the crippling nature of crime labels, police expertise is still almost exclusively focused on criminal statistics and communication formats that have a tenuous link with the concrete problems that arise in the field. As Peter Manning stressed in his last book, the police 'communicational system (then) becomes a source of distrust' (Manning, 2003: 230).

— *Police and citizens*: police and citizens interact in many ways. (1) The citizens are police clients, either on an individual basis by calling the police or on a collective basis by making known their demands for service through public consultations and through the constitution of pressure groups upholding, for instance, the rights of victims; (2) They are the prime source of information for the police and it is unlikely that this situation will be substantially reversed by surveillance technology; (3) They provide vital assistance to the police through formal partnerships or through informal networks influencing behaviour; (4) Their role at the court level — as witnesses, members of juries or in other capacities — is also indispensable; (5) They finally act at a distance through public opinion surveys, although it is questionable whether it is their own opinion that is expressed through these surveys. Vertical trust (confidence in the police) plays a fundamental role in each of these types of relationship. Mistrustful citizens do not call the police, consult with them, inform them or become police witnesses, or assist them unless forced to do so. They also tend to savage the police in public-opinion surveys when their trust in them is decreasing.

— *Public consultations*: public consultations play an important part in the generation of both of the kinds of trust that I discussed. Having been involved in many police consultations with the public, I would like to draw attention to the fact that there are two different ways of consulting with the public. Most frequently, what is sought by the police is public *approbation* of a plan that has been pre-established by them without external input. The scope of the amendments that can be introduced by the public to the plan is narrowly limited. In the best of cases, the priorities have not been predetermined by the police organisation and can be amended by the public. These instances are fewer, because the police fear — not always without justification — that their agenda is then going to be set by moral entrepreneurs and would-be politicians within the community.

— *A clash of trusts*: the border between trust and suspicion is very porous and unbridled trust in the police can morph into mutual suspicion among citizens. Citizens inform the police, either because they trust them or because they are in fear of them. There is however a threshold beyond which they end up relinquishing the mutual trust that binds them for the dubious benefits proffered them by the police. The citizenry then becomes a nation of informers, of which the twentieth century offered many examples. Principled historians tend to exaggerate fear over zealotry in the generation of police states. What happens here is that one kind of trust destroys another, and more basic, kind, confidence in the police overtakes mutual trust among citizens.

— *Punitive populism*: much has been said in the UK about punitive populism. Research that I conducted when I was director of research for the Canadian Sentencing Commission (Canada, 1987), that is, long before the problem of punitive populism was raised, produced troubling findings, which have been replicated several times since then (Brodeur and Shearing, 2005). Under the assumption that crime is a breach of security, a sample of the Canadian public was asked what was the most effective way to control crime: only 4 % answered that increasing the number of police was the answer, as compared to 27 % who said that making sentences harsher was the most effective measure (Canada, 1987, Table 6, p. 485).

To the question of where the main responsibility for controlling crime should be laid, only 8.3 % answered that it lay with the police, as compared to 24 % for whom it rested with the courts (Canada, 1987, Table 12, p. 490). For reasons that are difficult to fathom, the public tends to invest judges imposing punishment rather than the preventive police with the duty of providing them with security. When members of the public actually take part in criminal justice decision-making, such as granting parole, they often make harsher decisions than the professionals. It was also shown that the police tend to resist the more repressive demands by the public, such as performing an arrest (Mastrofski et al. 1995). This undeniable punitive streak should keep us from sentimentality when we claim more public participation. It does not always generate trusting relationships. On the contrary, it is now clearly emerging that the most basic 'right' that is claimed by victims and relatives of victims is their alleged right to have the person who victimised them punished with enough severity to allow for 'closure', that is, closing a traumatising chapter of their life and moving beyond their grief. This perverted right to atonement is a travesty of the original victim's rights movement.

— *Asymmetrical impact of police behaviour:* in 2006, the journal *Policing and Society* devoted in 2006 a whole issue to reassurance policing. This issue contains an important paper by Wesley Skogan (2006c). Several studies of police encounters with the public have found that how citizens rated their satisfaction in the context of such an encounter had an impact on their confidence in the police. Moreover, these studies also highlighted that the impact of a satisfactory encounter and of a frustrating encounter with the police were markedly different. It was assumed by the researchers that the police may get essentially no credit for delivering a professional service, while bad experiences can deeply influence people's views of their performance. This hypothesis was tested using survey data on police-initiated and citizen-initiated contacts with the police in Chicago. The findings indicate that the impact of having a bad experience is four to fourteen times as great as that of having a good experience and that the coefficients measuring the positive impact of having a good experience were not statistically

different from zero (Skogan, 2006c: 99). The experience was replicated in seven other urban areas located in three different countries with similar results. Skogan rather direly concludes that 'the empirical message is, unfortunately: 'You can't win, you can just cut your losses. No matter what you do, it only counts when it goes against you.' (Skogan, 2006c: 119).

— *Threats and guarantees:* the preceding remarks do not point to a positive role of the police in building trust. However, the notion that the police can do more harm than good in the construction of a trusting society seems to me too pessimistic, although it is not without foundation in respect to what is presently known. This does not mean that we cannot explore how the police could play a more constructive role. One of the insights of early criminology was that there is a hard core that pervades the most harmful forms of crime, which either embody violence or *deception*. Policing has so far been mainly conceived as a form of counter-violence (as in 'counter-terrorism'), that is, a legitimate defensive reaction against predatory violence. However, this only takes care of one part of the hard core of crime. Deception is not only instrumental in a great number of very harmful crimes, but it is the main factor undermining trust, its arch-enemy, as it were. The management of trust is a complex endeavour in the field of economics, where establishing and maintaining confidence implies the use of practical means that go beyond the cultivation of mutual feelings. Offering guarantees plays a special role in the furtherance of trust. English words such as 'guarantee', 'warranty' or the French word '*garantie*' and its derivatives originally referred to a process of certification of the truth or authenticity of persons (and what they claimed to be), substances, and products. Interestingly enough, all these words derive from the ancient Indo-European root '*wer*', which meant 'true'. This verbal root is the origin of words such as '*verus*', 'vrai' and 'wahr', which respectively mean 'true' in Latin, French and German. As is plain to see, this same root is also the source of 'guaranty/guarantee', 'warranty' and similar words in various languages. In the same way that the police use legitimate force against predatory violence, could they not act in some capacity as 'guarantors' or

'trustees' against the abuses caused by deception? Needless to say, such mechanisms of certification are already functioning in many sectors of activity (e.g. the economy, the arts and various markets). Yet there is still a vast amount of deception that is exercised at grass roots level in the daily lives of many relatively helpless victims, particularly the elderly. The police could play an important role in a process of 'certification' of micro-transactions and social relationships and thus contribute in a positive manner to the establishment of a more trusting society. It must be stressed that the police are already called to perform such a function at the most basic level of the protection of personal identity.

## 4. Concluding comments

The preceding analyses emphasise the point that policing has grown enormously in complexity. As they do not point to one all-encompassing conclusion, I would like to just offer a few concluding comments.

I do not believe that the momentum of information-based policing will be lost in the short and mid terms as it builds on powerful social undercurrents that are felt almost everywhere. I would nevertheless like to raise two questions. First, reviewing police reforms over the last thirty years should make us very cautious in our assessment of how profound and enduring the changes really are. Some police departments claimed to have, at one time or another, been through *all eleven models* that are described in Appendix I. One sometimes gets the impression that police departments — like other organisations — are split in their personnel between an upward-moving cadre that is stimulated by all forms of innovation and a hardened thick underbelly of rank-and-file personnel convinced that policing is an immutable routine requiring minimal training and no education of the mind. Second, evolving from information-fed practices that may thrive on rumours to truly knowledge-based interventions requires a quantum leap. The confusion between the data smog and factual expertise can be fatal to a policing organisation.

We have also seen that we were more knowledgeable in the ways that the police could undermine trust and collective efficacy than in the ways that they could promote them. I also have two comments to make about this situation. First, although a great deal of the criticism directed at the police is rhetorical and even prejudiced, I think that we should not belittle the capacity for social mischief of some of the harder edges of policing. The galloping militarisation of riot policing is for me inimical to the pursuit of a peaceful society. The recycling of riot police units into part-time 'community' functions to keep them busy is courting disaster, as it is now being experienced in France. My second remark is in line with the first one. If we had not been as fascinated as we were with the so-called monopoly of the police in the use of legitimate force, we might be in a better position to develop thoughtful anti-deception strategies that would be more efficient than forceful physical action in building confidence in the police and trust among citizens.

Finally, the bigger issue that lies at the bottom of engaging the community is democratic policing. I cannot review in this concluding paragraph all the criteria that jointly define democratic policing and will limit myself to observations that have a link with the matters previously discussed.

— *Police visibility*: the issue of police visibility is broader than deploying foot patrols to reassure citizens. Although police undercover work is necessary to fight organised crime or terrorism, there is no more efficient way to destroy the social fabric of a community than stealth policing and infiltration. The basic core of police visibility is physical: citizens can actually see the police as they ought to, the greater part of the staff of police organisations working in uniform. However, there are other important ways in which the police should be open to the public, one of them being to issue public statements of policy.

— *Police openness:* the notion of openness is problematic. We all know intuitively what it means, but we experience difficulties in explicitly formulating its meaning, precisely because we are so familiar with it. I will tentatively propose this limited formulation: an open organisation is one that is able to have contact with outsiders, which are neither overtly nor covertly shaped exclusively by power. To illustrate the point, most contact

between the police and the public is structured by the power of the police. A police organisation that can receive external input in the context of a dialogue between equals, where there is no hidden agenda, is making steps in the right direction to become an open organisation.

— *Police containment*: the most basic characteristic of a police state is that the police extend their reach so far that they become a criminal/political justice system in themselves. In addition to their traditional order maintenance and crime-detection functions, undemocratic policing systems usurp the functions of the court system and they operate their own correctional facilities. Western democracies are not at risk of falling into such a totalitarian pit — *pace* Guantanamo and CIA 'black sites'. What must be kept at bay are incremental police appropriations of the prerogatives of their criminal justice partners, such as the meting out of 'street justice' where the police are at the same time investigators, judges and punishers.

— *Police accountability*: this requirement is the most obvious and much has been said about it. I will only add one brief note. We are misguided in taking a problem-solving approach to police accountability. Police accountability is not a problem but a predicament. Not being a problem in the technical sense of the word, accountability does not admit of one definitive answer, such as creating a unique body for processing public complaints against individual police and for overseeing security policy. Being a predicament, police accountability is constantly evolving and ways to secure it must be constantly reinvented. Government oversight agencies tend to lose their teeth over time and must be replaced.

There are no doubt other conditions that must be respected for democratic policing to be vibrant. What I said about the four criteria that I addressed should be revised, expanded or rejected.

## Appendix I: Policing models

### Community-orientated policing

It is defined by three core elements. (1) *Community involvement*: community policing is defined in part by efforts to develop partnerships with community members and the civic organisations that represent many of them collectively. It requires that police engage with the public as they set priorities and develop their tactics; (2) Community policing also involves a shift from reliance on reactive patrol and investigations towards a *problem-solving orientation*. Problem-orientated policing is, in the context of community-orientated-police, an approach to developing crime-reduction strategies. It highlights the importance of discovering the situations that produce calls for 'police assistance', identifying the causes which lie behind them and designing tactics to deal with these causes; (3) *decentralisation* is an organisational strategy that is closely linked to the implementation of community policing.

*(Wesley Skogan, in Weisburd and Braga, 2006, Chapter 2.)*

### Problem-orientated policing

Problem-orientated policing is guided by three principles. The *empirical* principle states that the public demands that the police handle a diverse range of problems. The *normative* principle claims that police are supposed to reduce problems rather than simply respond to incidents and apply the relevant criminal law. The *scientific* principle asserts that police should take a scientific approach to the problem. Police should apply analytical approaches and interventions based on sound theory and evidence, just as the decisions of doctors are supposed to be based on medical science.

*(John Eck, in Weisburd and Braga, 2006, Chapter 6)*

### The 'Broken Windows' Approach

The core ideas of the 'broken windows' approach were presented in the 1982 article published in the *Atlantic Monthly*. (1) Disorder and fear of crime are strongly linked; (2) Police negotiate rules of the street. 'Street people' are involved in the negotiation of those rules; (3) Different neighbourhoods have different rules; (4) Unintended disorder leads to breakdown

of community controls; (5) Areas where community controls break down are vulnerable to criminal invasion; (6) 'The essence of the police role in maintaining order is to reinforce the informal control mechanisms of the community itself.'; (7) Problems arise not so much from individual disorderly persons as from the congregation of large numbers of disorderly persons; (8) Different neighbourhoods have different capacities to manage disorder.

*(William H. Sousa and George L. Kelling, in Weisburd and Braga, 2006, Chapter 4.)*

### Pulling-levers policing

Pulling-levers strategies are one fruit of the problem-orientated policing movement. It emerged as part of the Boston Gun Project aimed at youth 'gang' violence in Boston. Pulling levers (all legal tools and sanctions) or focused deterrence strategies deploy enforcement, services, the moral voices of communities and deliberate communications in order to create a powerful deterrent to particular behaviour by particular offenders. It includes: (1) Selection of a particular crime problem; (2) Pulling together a *public criminal justice* interagency enforcement group (police, probation, parole, prosecutors and federal agencies); (3) Conducting research, usually relying heavily on the field experience of front-line police officers to identify key offenders (including groups) and the context of their behaviour; (4) Framing a special enforcement operation directed at those offenders and groups of offenders; (5) Matching those enforcement operations with parallel efforts to direct services and the moral voices of affected communities to those same offenders groups; (6) Communicating directly and repeatedly with offenders and group to let them know that they are under particular scrutiny… One form of this communication is the 'forum', 'notification' or 'call in', in which offenders are invited or directed (usually because they are on probation or parole) to attend face-to-face meetings with law enforcement officials, service providers, and community figures.

*(David M. Kennedy, in Weisburd and Braga, 2006 Chapter 8.)*

### Third-party policing

Third-party policing is defined as police efforts to persuade or coerce organisations or non-offending persons, such as public housing agencies, property owners, parents, health and building inspectors, and business owners to take some responsibility for preventing crime or reducing crime problems.

*(Lorraine Mazerolle and Janet Ransley, in Weisburd and Braga, 2006, Chapter 10.)*

### Hotspots policing

The idea of hotspots policing can be traced to recent critiques of traditional criminological theory. For most of the last century criminologists have focused their understanding of crime on individual and communities… The emphasis placed on individual motivation in criminological theory failed to recognise the importance of other elements in the crime equation. They noted that for criminal events to occur there is a need not only for a criminal, but also for a suitable target and the absence of a capable guardian…One natural outgrowth of these perspectives was that the specific places where crime occurs would become an important focus for crime prevention researchers… In the mid to late 1980s a group of criminologists began to examine the distribution of crime at microplaces… Perhaps the most influential of these studies was conducted by Larry Sherman and his colleagues. Looking at crime addresses in Minneapolis they found a concentration of crime at places that was startling. Only three per cent of the addresses of Minneapolis accounted for 50 percent of the crime calls to the police…The idea of focusing police patrol on crime hotspots represented a direct application of the empirical findings regarding the concentration of crime in microplaces…In policing, most innovation has been developed using what might be termed a 'clinical model.' In such a model, research may play a role, but the adoption of innovation is determined by the experiences of practitioners and often has little to do with research evidence. Such models have a weak theoretical basis… Our discussion of hot spohotspots policing suggests an alternative model for police innovation. Hot spots policing was consistent with developing theoretical insights in criminology and was supported by basic criminological research on crime and place.

*(Weisburd and Braga, in Weisburd and Braga, 2006, Chapter 12)*

### Evidence-based policing for crime prevention

In characterising the evidence-based model with respect to policing, it is important to first define what is meant by the term 'evidence'. Evidence is taken to mean scientific, not criminal evidence…At the heart of the evidence-based model is the notion that 'we are all entitled to our own opinions, but not to our own facts' (Larry Sherman)… In an evidence-based model, the source of scientific evidence is empirical research in the form of evaluations of programmes, practices and policies. But not all evaluations are made equal. Some are more scientifically valid than others. The randomised controlled experiment is the most convincing method of evaluation crime-prevention programmes…Evidence-based policing is a part of a larger and increasingly expanding evidence-based movement. In general terms, this movement is dedicated to the betterment of society through utilisation of the highest-quality evidence on what works best. The evidence-based movement first began in medicine and has, more recently, been embraced by the social sciences.

*(Brandon G Welsh, in Weisburd and Braga, 2006, Chapter 16)*

### CompStat

CompStat is most frequently understood by its most visible elements today. These include: up-to-date computerised crime data, crime analysis and advanced crime mapping as the basis for regularised, interactive crime strategy meetings which hold managers accountable for specific crime strategies and solutions in their areas.

CompStat, however, is a far more complex product of changes in management and organisational arrangements, including flattening, decentralisation, greater personnel authority, discretion and autonomy, geographic managerial accountability, and enhanced problem-solving. Based on the New York experience, it is my view that CompStat cannot be a fully viable entity if the above administrative, managerial and operational activities do not precede it.

*(Eli B. Silverman, in Weisburd and Braga, 2006, Chapter 14)*

### Reassurance policing

Reassurance policing is a model of neighbourhood policing which seeks to improve public confidence in policing. It involves local communities in identifying priority crime and disorder issues in their neighbourhood which they then tackle together with the police and other services and partners.

*(Richard Tuffin, 2006: 1)*

Reassurance policing (RP) seeks to address the gap between broadly improving indicators of risk of criminal victimisation and declining indicators of public confidence…Through its orientation to 'signal crimes', events that disproportionately influence the public's sense of security, RP is almost intrinsically 'about measurement'. A core practice involves police officers and auxiliaries working with the public at beat level to identify physical and social 'signals' (positive and negative) and marrying diagnosed reassurance inhibitors with action to address the problem (e.g. having abandoned vehicles removed from neighbourhoods).

*(Nigel Fielding and Martin Innes, 2006: 130)*

### Chicago Alternative Policing Strategy (CAPS)

Community policing is not a set of specific projects; rather it involves changing decision-making processes and creating new cultures within police departments. It is an organisational strategy that leaves setting priorities and the means of achieving them largely to residents and the police who serve in their neighbourhoods. Community policing is a process rather than a product.

Across the nation it has proved to have three core strategic components: decentralisation, citizen involvement and problem solving. In practice these three dimensions are densely interrelated. Departments that short-change even one of them will not field a very effective programme.

*(Wesley Skogan, 2006b: 5-6)*

### Intelligence-led policing

The (National Intelligence) Model (NIM) provides the picture that drives effective strategy, not just about crime and criminals, but for all enforcement needs,

from organised crime to road safety. It is capable of use in relation to new or emerging problems within a force or operational command unit; to provide the strategic and operational focus to force, organisation or local command unit business planning…This work is the outcome of a desire to professionalise the intelligence discipline within law enforcement… It is also recognition of the changing requirements of law enforcement managers which highlights three particular needs: to plan and work in cooperation with partners to secure community safety; to manage performance and risk; to account for budgets.

*(National Crime Intelligence Service (2000), The National Intelligence Model (available on NIM Web site)*

NIM is an information-based deployment system and a cornerstone for the management of law enforcement operations in England and Wales. Historically most policing has been driven by the need to respond to calls from the public. This is necessary police business but crime and incident patterns are not identified. NIM identifies patterns of crime and enables a more fundamental approach to problem solving in which resources can be tasked efficiently against an accurate understanding of crime and incidents problems. NIM promotes a cooperative approach to policing and many of the solutions to problems will require the participation of other agencies and bodies. It is further strengthened when used in conjunction with other partner agencies, eg, joint tasking and coordination processes, and when it incorporates community information into the strategic assessment.

*(Guidance on The National Intelligence Model, 2005. Produced on behalf of the Association of Chiefs of Police Officers by the National Centre for Policing Excellence, CENTREX)*

**A note on sources:** the majority of the definitions consist of selected *quotes or paraphrases* excepted from Weisburd and Braga (2006). This is a useful book as it brings together 17 key proponents of innovation in policing, asking them to define and argue for the model that they advocate. Each advocate is paired with a critic.

The sources for the other definitions, which include researchers in government agencies, were chosen because of their close relationship with the development of a particular model.

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***Web site***
Vision of Humanity, http://www.visionofhumanity.org

# Future of Policing: Policing the future? Lessons from the past to understand the present

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(2009 Conference in Bad Hoevedorp)

## Introduction (¹)

Contrary to what European experts expected concerning an area of freedom, security and justice, this field has seen some of the most active creation of standardised rules within the EU. After 11 September 2001, as no one dared to ignore the question of security any more, it gained in importance and became a central issue in the debates between Member States and institutions concerning the boundaries of their respective powers. The EU's zealous activity in the issue contradicted predictions for a sector that, according to advocates of national sovereignty, should never be managed on the European scale because it was too closely linked to a state's sovereign activities and that, according to integrationists, could not work due to the overly complex problems that would make it impossible to meet security needs for all of Europe.

This excessive activity was not evenly distributed however, and while countless European measures in favour of security, border control and surveillance within and beyond its borders were adopted, along with numerous measures in favour of cooperative legal investigations, the same can hardly be said for individuals' right to defence in judicial matters, or for extending the same rights and freedoms to citizens and foreigners residing in EU territory. It has reinforced a trend which may create difficulties in the future, but which is part of a pattern characterising at least the last 50 years of European policing and that is difficult to change. Nevertheless it is possible to create the conditions of possibility of a more legitimate form of policing at the European and transatlantic levels if serious adjustments concerning the presumption of innocence and privacy are made immediately and if the trend towards prevention, control of mobility and technologisation is reversed in favour of a more criminal justice and rule-of-law-bound orientation.

This article is based on the results of research on the contemporary field of the EU internal security agencies and on its genesis (Bigo, Guild and Walker, 2010) (²). It will sum up some of the findings concerning the history of European policing in order to discuss what its future might be (Bigo et al., 2007).

For many people (professionals of security, professionals of politics, journalists, the larger public), and still today, security (meaning internal security, including monitoring and controlling foreigners when they cross borders), justice (simplifying and speeding up procedures in criminal matters) and freedom (free movement of people and freedom from fear of severe threats) are bound together under the heading of what some continue to call Justice and Home Affairs,

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the label chosen by the Maastricht Treaty of 1993 to designate the content of the third pillar of the EU. For them, these activities have to be principally the responsibility of the Ministries of Interior of the Member States, and not the responsibility of the Ministries of Justice or of Fundamental rights and citizenship Ministries, departments or agencies in these same Member States. They often dismiss European policing and consider it superfluous. Even if they know about it and are supportive, they think it is a new phenomenon, in its infancy. This is wrong.

European policing has been constituted as a rope woven by four strings (see graph), which have each reinforced its strength. These strings can be analysed as a series of events which all make sense on their own, but which have to be interlinked by a mapping process in order to understand their logic.

The first one and the most well-known is to understand European policing as a product of community development and as a tension between the pooling of national sovereignties, harmonisation, mutual recognition, mutual 'trust' and a core of common standards. It has been profoundly marked by the EU enlargements and their access to freedom of movement of persons internally, with key landmarks such as the single European act of 1986, the Maastricht and Amsterdam Treaties and the creation of European internal security agencies as well as the summits of Tampere, The Hague or Stockholm. It is an important trend and a changing one, which frames the boundaries and the legitimacy of European policing. As the adoption of the Lisbon Treaty demonstrates, it may completely reshape the relationships between the actors who believed that the third pillar would exist forever, but it is not at all a complete picture.

Long before the development of the European Communities, European policing was shaped by informal and intergovernmental police and intelligence services' cooperation at the European and transatlantic levels. This second string can be traced back to the 1880s and the inter-war period. It was strengthened during the cold war, especially for intelligence services, and gained notoriety in the mid-seventies when the European governments had to prove that they were active against the internal terrorism of that time, quickly labelled 'Euroterrorism' in the mid-eighties. It has

continued in parallel with Community development, even if sometimes the two strings were interwoven but in contradiction, and after September 11 2001, it has been pushed through, with the Prüm agreement and mainly in favour of a line of thought favouring the United States intelligence services and their methods. The United States intelligence and police services have for long been active in the EU and they have constituted their own system with the department of homeland security, but they have also learned a lot from the EU databases and information networks, which were older than many of the United States ones in matters of policing and were already applying the principle of interoperability.

This technologisation of policing through the extension of information networks available to police and intelligence services has been one of the central elements of the present. It may be considered as a third specific string It has developed a different form of policing; a form of so-called preventive or pre-crime policing through data mining and the pretence to know the future behaviour of unknown individuals. The multiplication of projects involving interconnected databases and the dream of total information awareness has induced a will to create a 'police industry complex' using the surveillance tools already developed in other locations (banking, taxes, social security, local communities, schools) and a profitable market for some companies. In addition to SIS and Eurodac, the years after 2004 have seen the development of multiple projects not yet finalised as SIS2, VIS, Eurosur, EU-PNR and so on. It has increased exponentially the transatlantic links with ESTA, Swift and may have played a role in the European complicity in extraordinary renditions by creating the sense of common interests, going as far as to consider that Europe was also at war against terror, and not only in a policing mission against terrorism.

Last but not least, it has also re-activated the de-differentiation of internal and external dimensions of European policing and security and has created the bureaucratic label of the external dimension of AFSJ to say that we have an external dimension of internal security, without discussing what that means. The internal security strategy document is particularly interesting in this respect and shows that this label or acronym has blocked any serious discussion about the limits of this area in terms of collaboration, exchange of

information or/and integration through technological platforms, as we will see in the conclusion.

# 1. Origins of European police collaboration: a necessity for understanding current developments

Newspapers and analysts of public policies tend to believe that to account for the past is to go back several years in time. In this regard 2001 now appears as a landmark for speaking of European policing, as if everything changed at that moment, and as if nothing existed before. It is a dangerous illusion and an easy way to de-responsibilise part of the European networks of policing, and to charge the Bush administration for tendencies largely shared by some European networks. Even to make things start with the Maastricht and Amsterdam Treaties is quite a limited view. It is certainly important for the juridicisation of European policing and for the formalisation of police agreements, respectful of the rule of law and allowing judges to look more carefully into what is going on. It is however also only one small part of the picture, even if it is the most official one.

As we said, law and constitutions draw official boundaries that are central for the legitimacy of policing, and especially of transnational policing, which cannot be considered as foreign affairs or diplomatic matters only, or as an add-on to a military logic. But a legal view is also misleading. That is why it is central to look first at all the informal agreements or at the complex networks of bilateral and multilateral agreements that have existed from the Second World War onwards and even before. It allows understanding that some of these agreements still shape our present and maybe our future in terms of policing. Our research shows that the origins of this cooperation seem to have come full circle in the relationships between America and Europe, and that the transatlantic relationships in terms of policing that we re-discover now — to applause or criticism — were obscured in the eighties and nineties, but can be traced back largely before this period and have never been completely severed. The future of European policing then may be dependent on its relationship with the United States, and especially in regard to the competition of EU and United States for an industry of surveillance technologies.

## From nation-state to European policing? A juridical perception and its ambiguities

The three treaties that instituted the European Community did not deal with these fields of policing and justice, or even freedom; they merely evoked free movement of workers and services, with no answer to the question of non-workers and family members of a worker, leaving them to be determined by the Court of Justice at a later stage (Guild and Lesieur, 1998; Stone Sweet and Caporaso, 1998). They also made it seem preferable for Europeans to encourage free movement in Europe to the detriment of free movement worldwide. Economic reasoning focused on creating a specific economic zone with a single tariff policy laid at the heart of the project; questions concerning public freedoms and policing were only marginal concerns.

Does that imply then that questions of justice and security were the last to be raised at the European level; that they were merely a last-minute spill-over because they fell under sovereign prerogatives? If we consult only the legal acts that tie their creation to the Convention applying the Schengen Agreement in 1990 and the Maastricht Treaty in 1992, this does seem to be the case: these questions only appear in European law via a sort of shortcut in the form of international agreements between certain Member States, which were then partially or completely Europeanised. But this belief of lawyers, that they can identify the origins of European policing through the process of legislating, is quite illusionary, and the argument of a struggle between communautarisation versus national sovereignty as the key element to understand policing is useless. Policing was transnational before it was Europeanised. It has nothing to do with a 'spill over'.

So, if we use a wider sociological reading of this issue, far from showing that European policy on security and justice lags behind economic and social developments, it shows that cooperation in legal and police matters began in Europe well before Maastricht and even before the Rome Treaty.

## The strength of informal networks and their transatlantic characteristics
Unlike judicial cooperation, police cooperation has always taken place behind the scenes through informal

networks recognised by the authorities only officially many years after their establishment. The first actual cooperation dates back to the 1880s with the exchange of information about the anarchist threat and efforts to institute cooperation among police to combat crime by creating individual records. This shows that contrary to popular belief, police cooperation does in fact date back to the time when national police forces were established (Fijnaut, 1987). However, we can consider the modern police and intelligence networks to be essentially products of the post-war era, intended in particular to establish rules for the protection of personal data.

The 1950s also saw the creation of informal, transnational intelligence networks that were often secret and of which the founders of Europe were only partially aware. Most of them were transatlantic in origin or created around the colonial organisation in effect then. Exchanges between police intelligence services were often also transatlantic, operating between Western Europeans, North Americans, Australians, New Zealanders and Israelis. Cooperation was based on 'friendly relations' between departments and gave rise to distinct networks — cooperation between police counter-espionage departments, between military departments within NATO and between English-speaking countries more or less independently from the other, more-European networks. Cooperation between intelligence departments was quickly separated from police cooperation, including the anti-terrorist Trevi Group, and they used separate information channels. They often favoured informal, top-level and operational meetings, refusing the more strictly organised and legal approach taken by law enforcement within their networks.

Conversely, formalising cooperation via ICPO-Interpol and bilateral exchanges between polices led to more regulation and surveillance of police cooperation by legal courts. Many within the police felt that the information channels had become too long and complicated. The success of Interpol in the 1960s was part of this trend, but by moving rapidly to a global scale, it became a source of tension between Americans and Europeans, both of whom were vying for leadership of the institution. It also led to a desire within Europe for an institution of their own that they could trust to be more confidential, a 'Europol'. Cooperation among

Europeans was therefore actually born out of Interpol, but was developed elsewhere, in informal clubs and networks created in the 1950s, some of which would become formal institutions in the 1980s. Among many other groups (see graph) the Trevi group, informally founded in 1976 and only officially recognised in 1986 in order to show that the governments could respond to terrorism in the Middle East, played a major role in constructing the strong ideological tie between free movement and lack of security. It also played a very important role in trying to limit the influence of the United States in European policing and it was among the first to insist that the United States was a 'third party' that cannot assist in the meetings: the United States had to wait for a common European position to emerge. And so, even if they used and over-used the technologies of policing promoted by United States' liaison police officers, they wanted their autonomy as a centre of decision-making independent from Washington. At that time the lack of interest of the United States for any form of internal terrorism was a key element of differentiation, and some of the former Trevi members, not yet retired, have insisted on their cleverness in comparison to the under-reaction of the eighties of the United States and their over-reaction after September 11. Trevi has also been central for the creation of a specific European identity in policing matters by constructing a strong insecurity continuum specific to the EU and built on the fear of the removal of internal borders with the implementation of the Single Act on 31 December 1992, and by insisting later on, on the creation of Europol, which, in their view, was not to share any information with the United States. In addition to the Trevi group dealing with terrorism, drug trafficking and hooliganism, a fourth group (known as Trevi 1992) was created, dedicated to making up for the security loss that resulted from the end of border controls. It has promoted new technologies, including the possibilities of biometric identification and the interoperability between databases that we know now. The blueprint not only of the SIS, but also of Eurodac, of VIS, of FADO can be found during this period.

This earlier history of cooperation is important to highlight in order to understand that informal networks prospered and were not all abolished or absorbed with the creation of formal institutions, in opposition to the wishes of those who initiated the institutionalisation of European police cooperation, who were working

both to free themselves from American oversight and to submit international cooperation to the rule of law. They have been central to the transatlantic 'community' of policing and they have marked a complete generation of policemen sharing more with their United States counterparts in terms of behaviour, ideology, vision of their role, than with their national colleagues, belonging to a rival police force as it happens in many Mediterranean countries, which have both civil police and civil police with military status, like the gendarmeries.

## 2. The fight against global insecurity: the structural element for an area of freedom, justice and security?

### An (in)security continuum

The Maastricht Treaty has been considered the landmark of European policing and many texts refer to it almost 'religiously'. But the Treaty is more a de facto rationalisation of the development of the fear of a global insecurity. The various elements — free movement of people; crossing of borders; citizenship, the relationship to illegality, fraud, migration; the increase of cross-border crime encouraged by globalisation; the relationship to labour exploitation, particularly of women and children; the creation of delocalised mafia networks; the increase in the drug trade and laundered money trafficking; the continued terrorism and the appearance of new forms of terrorism; the need for a quick, inflexible justice system — have been put together as 'proofs' of this global insecurity, but each element should only be linked to another with great caution, and with sustained statistics in a long period of time. These connections have for the moment been made without such a research, and more on the basis of media reports and their propagation. They have been more the objects of the symbolic politics of some professional of politics in security matters than the object of in-depth research about the connections. Each time one thread has been analysed, it has been proven weak. The connection between terrorism and illegal migration is absolutely not proven, and the label 'clandestinity' in both cases is not sufficient to amalgamate the two phenomena. The common belief in an increase of global insecurity has also always been the subject of competition between the various services of the ministries of interior and justice that

are competent in the matters. Indeed, each service has wanted to prioritise the specific threat it claims to counter the others. No one has accepted once and for all a hierarchy of threats and the results of the various arbitrations in terms of budget, missions have always been contested, questioning the boundaries of the area of internal affairs, and even the pertinence of its definition as an 'area'. If the future of European policing remains dependant on this path in favour of the struggle against transnational threats, and in particular terrorism, with its implications regarding prevention, mobility control and technologisation of policing, it is because it is still dependant on a *doxa* (an erroneous common sense) which largely predates September 11, and which is shared by the informal and the formal networks of policing as well as by a major part of the American and European intelligence services. We can call it a belief in the inevitable increase in global insecurity at the world level against which only a strong integration of all the police, intelligence and even military instruments and organisations can be efficient.

### The impact of September 11

The 11 September 2001 attacks on the United States, or more exactly the answer on the part of the United States administration on the 14 September, amplified an already-existing trend, which was to consider issues of movement, tourism, migration and asylum as being linked to police and intelligence, or even to military issues. From this point of view, internal security agencies, which may at times work outside the borders of a country to prevent threats, must cooperate with neighbouring countries. Moreover, the police, and more importantly certain intelligence agencies, have tried to carry out a discretionary policy, independent from judges, thereby refusing to bend to the will of the Commission's legal experts and various authorities on data protection for oversight and transparency.

While the events of 11 September 2001 clearly had an impact on European institutions, it was after the attacks in Madrid on 11 March 2004 and in London on 7 July 2005 that counter-terrorism truly became an omnipresent issue and security came to be seen as a part of every problem facing the EU (crime, illegal immigration, unauthorised border crossings, falsified documents), requiring dangers to be listed and specific techniques to be employed (in particular the use of

databases, profiling and lists of persons banned from entering a country).

As early as 21 September 2001, the Freedom, Justice and Security (FJS) Council stated that 'the gravity of the recent events has incited the Union to work faster in setting up the area of freedom, justice and security and increase and strengthen cooperation with our partners, particularly the United States', and it presented an action plan against terrorism in November 2001 (Bossong, 2008). The Laeken summit which followed thereafter presented a series of security measures taken as a direct result of 11 September, with European solidarity with the United States and a general consideration by the Union of 'European citizens' expectations in terms of justice and security, combating international crime, controlling migrations and accepting asylum seekers and refugees from distant zones of conflict' (excerpt from the Council of Laeken, 2002). The Commission touted the EU's swift reaction in drafting a definition of terrorism, extending Europol's powers, creating a European arrest warrant, officially instituting Eurojust which had until then only existed as a project team, and the signing of an agreement with the American government concerning passenger name records (PNR). However, work on all these actions was already under way and many of them were near completion. The definition of terrorism as set by Europe owed as much to the problems that accompanied the G7 summit in Geneva as to 11 September; the European Arrest Warrant and Eurojust had been planned long before (³); the new item among all of these was undoubtedly the acceptance of an American prosecutor in Eurojust without an opposite equivalent. As for the PNR procedure, although it was accepted under pressure from the American Homeland Security department, it was in keeping with an older, internal movement to step up passenger controls.

Beginning in 2003, European police and intelligence services, along with the services in charge of external borders and visas, made considerable efforts to Europeanise themselves, provided that this move would increase their discretionary power and not result in greater judiciary control. These services

were seeking an intelligence agency and a European equivalent of the American Homeland Security department via a system of border controls with biometric identification and travel authorisations granted before travelling, or an inter-operable database that would allow them to gather, store and compare data for investigations; this led to the Treaty of Prüm and renewed agreements between the EU and the FBI. For some, while these efforts were necessary to avoid risks, they were also a way to avoid American hegemony in this field. These developments were not made simply to follow the American position; there was a real push to create a European industry for databases and security technology that could compete with the United States and at the same time guarantee the control of information concerning European citizens and foreigners living in EU territory. Unlike criminal investigation police, the intelligence departments insisted on the danger posed by Al Qaeda within Europe where there were large communities of Muslim origin, particularly in France, Germany and the United Kingdom, which could serve as a groundwork structure. Despite a difference of opinion on participation in the war in Iraq, the different anti-terrorist services of the different Member States made a joint evaluation of the threat and were mostly in agreement. Within Europe, anti-terrorist services shared more or less the same opinions on the possible threats, although they proposed different responses to the problem, and they had for some time stressed the idea of the infiltrated enemies within our own borders (Bonelli, 2005). European leaders did take the threat of Al Qaeda seriously, but many considered anti-terrorist activities to be the concern of the police and judicial fields, aided by intelligence services, rather than the business of the army or agencies such as the United States' National Security Agency (NSA) and the United States' Central Intelligence Agency (CIA), the spearheads of American policy. So, the more European policing collaborated with the United States, the more they were driven towards a trend obliging them to be subordinate to their own intelligence services and even to their own militaries. The idea of integration of information, even balanced by the EU Commission in terms of availability of information, was never in favour of criminal justice, but in favour of prevention, hence fostering a certain kind of suspicion, freeing the agencies from the judges' supervisions and giving the upper hand on the network to intelligence services.

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(³)  Eurojust was included in the EU Treaty of Nice in Article 31. A provisional department had existed since 14 December 2000. The Council's decision to create the institution was signed on 28 February 2002.

It is nearly impossible to draw up a complete summary of the cooperative activities led since 2001 among European countries or between them and third countries for the area of freedom, justice and security. By March of 2007, 51 texts had been adopted, 33 were in the process of being adopted and 22 communiqués and 21 reports had been published, making the area of freedom and security one of the most dynamic fields of legislative activity. The 'de-pillarisation' or 'cross-pillarisation' of certain initiatives that involved various groups from the Commission and the Council, and even some private players within specific partnerships, was by far one of the most important effects of this increase in activities (Monar, 2006; Balzacq and Carrera, 2006; Baldaccini, Guild and Toner, 2007). Some people perceived this combination of internal and external security concerns as the third pillar spilling over into the first pillar, others as a sort of 'Americanisation' of European policies (Bigo, 2006; Kanter and Liberatore, 2006). Information exchange, cooperation between institutions and a feeling of belonging to a common professional field specialised in internal security threats grew out of the network of police officers, magistrates, customs officials, border guards and even intelligence departments. This cross-border cooperation tended to make this field less dependent on political officials at the national as well as at the European levels. The new field has 'de-nationalised' and 'de-governmentalised' European policy and strengthened the common vision shared by the Ministries of Interior with their specific interests in migration policy, border crossing and acceptance of American anti-terrorism standards; and their common distaste of legislative activities and procedural discussions as well as of constraints on speed due to privacy requirements. These points were hotly debated, but the fact that they were dealt with by this group of Ministers for the Interior was quite naturally accepted as legitimate, even when they were speaking of human rights, travels, mobility and freedom. In addition, the 'European' field of professional security underwent a change of focus due to the United States' involvement in European affairs and the role attributed to intelligence departments and border controls, to the detriment of judicial police and magistrates because of a supposed link between terrorism and the presence of foreign citizens in the EU (Geoffrey and Meyer, 2008; Bigo et al., 2008). But, the activity of intelligence services transnationally was however offset by the signing of the Treaty of Lisbon,

the implementing of joint decision-making processes and the transparency and legal value granted to the EU Charter of Fundamental Rights with a sudden U-turn or break that many professionals of security have not understood because they were not paying attention to legislation. And it is with this specific situation that we live in the present.

## The revenge of the legislation? Stockholm programme and Lisbon Treaty

The Lisbon Treaty, by reframing the structure of the European Union and the idea of three pillars created thirty years ago, has re-opened questions which were the key questions of the seventies and the eighties. In addition our ideas about what is considered relevant for freedom, security and justice vary a lot. It is therefore important to have a larger view than the 'sectorial' view created by the three-pillars mindset. What the European Union has done to increase freedoms has been due first and foremost to its enlargement, its ability to manage administrative issues and the prerogatives of sovereignty and its structural reforms through various treaties, and not much to the third pillar dealing in theory of freedom. Many observers now feel that combining all three dimensions of security, justice and freedom, which have clearly contradictory interests, under the authority of a single commissioner was an error that has lasted more than twenty years. It has just been corrected, and if the idea of three commissioners (one for security, one for justice, one for freedom) has not been taken into account, we have nevertheless seen the sharing of responsibility of DG JLS (Directorate-General for Justice, Freedom and Security) by both Viviane Reding, Vice-President, responsible for Justice, Fundamental Rights and Citizenship, and Cecilia Malmström for 'Internal Affairs' (Lieber and Guild, 2008).

Many observers hope that this transformation will stop the old habit of considering police and security as the ultimate goal, and freedom and justice as only 'minor gods', possible adjuncts or limitations to security, but never of equal or superior value (Bigo, 2008). The treaty signed in Lisbon in 2007 is therefore central, as it laid down three distinct pillars to hold up the roof of the single, common European house set up by the Maastricht Treaty (1992), and the Stockholm programme makes sense only in relation to the enforcement of the

Lisbon Treaty, now that all the countries have agreed to it.

The tone and style of the Stockholm programme also demonstrate this view that legitimacy of policing is much more important than a so-called short-term efficiency, as the last one creates de facto more problems than it can solve. And the dream of complete control of the movement of citizens and foreigners by technology in order to prevent their actions is destroying the basis of what is said to be protected: democracy, habeas corpus, privacy, protection rights and freedom. The Swedish proposal was therefore different from the Hague programme and declared that the core values of the EU needed to be respected and that any theory of permanent derogations or exceptions was not accepted. Rule of law, privacy, protection of asylum seekers and right of defence were placed at the core of the text. But they did not address the reasons of the breaches of these principles, and at the same time the programme contains a series of elements, which led to these breaches of rule of law. The technological trend was not halted, but on the contrary accelerated, even if evaluation is at least asked before new projects begin. The role of the exchange of information is valued in principle, and if privacy is incorporated into the picture, it is more as a warning against excess than a serious discussion about the limits and the boundaries of these exchanges.

So what can we say concerning the future of policing from this contrasting view of the present?

## 3. Implications of the Stockholm programme for future policing

### The relation between The Hague and the Stockholm Programmes: a break, an achievement, a parenthesis?

The Stockholm Programme has been presented by some as a third phase after The Hague Programme and the Tampere Programme. The first was about principles, the second about organisation and the third about implementation, it is said. But how far can we believe this linearity and this 'progress'? Is it not once again a rhetorical device, an illusionary belief that history has only one direction? To the contrary, others have presented the Stockholm Programme

as a major break, as a U-turn in relation to the Hague Programme and they have insisted on the involvement of non-governmental organisation (NGOs) and private actors into its framing. From what we have analysed a different perspective emerges. The Hague Programme was a parenthesis particularly influenced by the United States administration, and now the Stockholm Programme is returning to the trend of Tampere, which was already torn between on the one hand a bigger concern for privacy, data protection and freedom, and on the other a strong impetus for the technologisation of security, the reinforcement of the exchange of personal data through different database systems and the first ideas of a systematisation of biometric elements for national documents (visa, passports and ID cards). For some, this idea of a non-linear evolution of European policing is certainly strange, and they will insist on the different 'steps' to valorise or de-valorise these incremental steps. But for us, Stockholm is more or less the reproduction of Tampere and bares the same ambiguities.

Remember Tampere. Tampere, after the Amsterdam Treaty, was seen by some as the moment of juridicisation of policing and the moment when the distance between European policing and transatlantic policing was quite important, resulting in an increased respect on the part of both sides for their mutual differences in appreciation. But it can also be seen as one of the key moments of US-EU collaboration. Tampere in 1999 was still informed by the end of bipolarity, by the reunification in Germany and by the possibility of a larger Europe reincorporating all its Eastern part. The preoccupations of the United States were then not much in tune with the European Union. And in retrospect, Tampere appears to many observers as the highest wave of a movement in favour of personal freedoms that was thrown into question by the events of 11 September 2001, creating some nostalgia for this period. However, this summit also firmly supported a tie between mobility, insecurity and strengthened discretionary powers for the police by claiming that we can only enjoy liberty in an area that has already ensured justice and security, the latter being the *sine qua non* for establishing positive conditions of justice and freedom. The summit also abandoned the idea of harmonisation or anything approaching it in favour of mutual recognition. In other words, Member States

were not required to modify their own laws provided that they accept the laws of other Member States within their own territory when these laws have the same aim. Judicial cooperation and the Eurojust project suffered the consequences of this principle, which assumes a mutual trust that has been all too rare. The most ambitious projects (Corpus Juris and the European Public Prosecutor) were also abandoned (Guild, 2006; Megie, 2006; Peers, 2004; Valsamis, 2006). So, the moment of juridicisation of Amsterdam in 1997 and its legacy was very short. The third pillar has been reframed, some important matters went into the first pillar under title four, and created a differentiation limiting the possibility of the insecurity continuum to construct asylum and border crossings as forms of insecurity linked with terrorism and trafficking. Nevertheless the third pillar was not only reaffirmed as such, but also extended with the Schengen integration. Tampere, following Amsterdam, was already a turning point in favour of more links with third countries and it resulted in the official acceptance of a transnational exchange of information, like the telecommunications surveillance system shared between the EU and the FBI, despite the Echelon scandal, the Commission's officials in charge of data protection taking a stand for the opposing opinion and the European Parliament's criticism. In other words, the Hague Programme accelerated this Tampere trend and destabilised the willingness for autonomy of European policing regarding the United States. The Stockholm Programme is once again adjusting the contradictory desires of the EU to be more autonomous and more interconnected with third countries. It is more or less the same tension between privacy and preventive policing which has been at the heart of the discussion, and the strategy has been, this time, to try to accommodate both objectives and not to give absolute priority to security. Soft critiques have been heard concerning the previous programme. We can read on the Swedish website: 'By comparison, the Stockholm Programme has a better balance between law enforcement and the rights of the individual'. And as explained by the Minister for Justice of Sweden, Ms Ask, 'With the Stockholm Programme, the EU is focusing on the rights and needs of the individual. We are taking vigorous measures against crime. At the same time, we are safeguarding the rights of the individual across a broad spectrum, from migrants'

rights and a legally secure and predictable asylum process to the protection of privacy and support to victims of crime.' Mr Billström, Minister for Migration and Asylum Policy has added: 'We have confirmed the goal of having a common asylum system in place by 2012. The days of the asylum lottery are numbered. Visa exemption for the Western Balkans will mean a great deal for hundreds of thousands of people. From 19 December 2009, citizens from Serbia, Montenegro and the Former Yugoslav Republic of Macedonia will be able to travel without visas to the Schengen area. I think we should all be proud of this achievement.' Without saying the Swedish presidency has sidelined the technological belief in Eurodac and the Dublin Convention, it has at least tried to come back to 'compassionate policing': understanding the difference between the perpetrators of crime, the victims and the suspects which have rights as long as they are not effectively convicted. Doing so, they have shown that they were disagreeing with the teleology of the unknown unknowns of Donald Rumsfeld, the Total Information Awareness of ex-admiral Poindexter and the computerisation and data mining that they imply. Exchange of data cannot be a way to construct profiles of potential suspects unknown by the police, but can be used for criminal justice purposes. This has been highlighted by the technical discussion between the push or pull system in the PNR and Swift cases. Data mining needs to have access to a maximum of data in order to construct profiles and it is a permanent justification to have a pull system with raw data and construction of correlations. To the contrary a push system is sufficient for criminal justice, and the technical controversy is in fact a very strong political controversy engaging the presumption of innocence. The European Parliament has been clear on this subject which opposes not the United States to the EU, but the intelligence services of both sides to the privacy organisations on both sides.

### The future of policing: policing the future by technology or compassionate policing?

It is too soon to say what the effective results of the Stockholm Programme will be beyond its declared intentions. However, one of the key elements for the future is linked to the emphasis put by the Stockholm Programme on achieving security through technology infrastructures and databases, with the participation of private companies in this framing of a 'global' policing

(and not only in the realisation of equipment for the police). It seems that this tendency is contradictory to the human dimension of 'compassionate policing' and the criminal police logic and has a tendency to favour de facto preventive policing, software detection and data mining.

The reliance on technology seems to be clearly demonstrated by the development of 'an EU information management strategy' which reproduces locally in Europe what has been done previously in Australia and in the United States, and which tries through an entry-and-exit system to register the complete population of those who travel abroad (including the EU citizens de facto).

This EU information management strategy will exacerbate the question of exchange of personal data between the services of different institutions (law enforcement policing, but also administrative bodies as 'prefectures', and some intelligence services plus border guards and customs) whose trajectories and functions vary from country to country and may end up with a development of mistrust in the other countries' police institutions if a better knowledge of their structures and missions is not acquired. It is a central task to develop this knowledge. Learning about the other Member States' police organisations, justice and administration, as well as external affairs (in embassies and consulates, the hierarchy between the liaison officers abroad, the ambassadors and the ministries), and understanding the relationships of power and duties of each of them, (for example the complicated and different relationships in many countries between police, prosecution and judges), as well as their autonomy towards the ministry and the government, will certainly help in this regard. Without such a mapping, and a thorough understanding of the tensions between a 'preventive', 'intelligence-led approach' loaded with technology and software and the presumption of innocence, the respect for fundamental rights, their international protection, the rights of EU citizens abroad, the level of uncertainty and the ambiguities implied by such a 'management' will deter the use of the system and will maintain multiple and more informal channels of communication, overlapping with the official one.

It would be important in this regard to abandon a certain level of secrecy not adapted to the present situation, and which has nothing to do with national security, and to deliver an exhaustive and public list of all the services in Europe contributing to each database and the list of databases they are connected to. It will help citizens and policemen themselves to understand where and to whom the data circulates. The fact that personal data is introduced into a system of systems, which is now constructed to create interconnections with future databases still not in service and still without legal base, is not reassuring for everyone, except for the promoters of the companies who have the contracts to build these technologies and the persons working symbiotically with them at the Commission or in different Member States ministries.

The question is important inside the EU, through the Prüm Treaty, but is exacerbated when data exchange goes beyond the EU Member States and includes third countries. Certainly the Stockholm Programme states: 'The Union must secure a comprehensive strategy to protect citizens' data within the EU and in its relations to third countries' (Ibid: 7), but the level of doubt about the accuracy of this strategy and the defence of the rights of EU citizens regarding the cooperation with allies in counterterrorism rose exponentially, with good reason, after the enquiries concerning the United States and UK exchange of data during the Bush period, and their lack of respect of basic principles of rule of law and human rights, as well as the Swift affair and the acceptance by EU negotiators, in the name of good relationships with their United States counterparts, of the possibility for the United States to have access to the complete database through a pull system.

The recent discovery that the so-called technical constraints that Swift was giving in order to avoid the cost of creating filters that were previously required by the EU and the United States congress, and then to allow the United States administration to have access to all the data instead, has infuriated some members of the European Parliament. Indeed, it seems to them that a strong lobby has been created at the transatlantic level by a small group of persons sharing the same interests on both sides. These MEPs consider that this group has not acted in good faith, and has not seriously represented the interests and values of their respective institutions, but has instead 'colluded'.
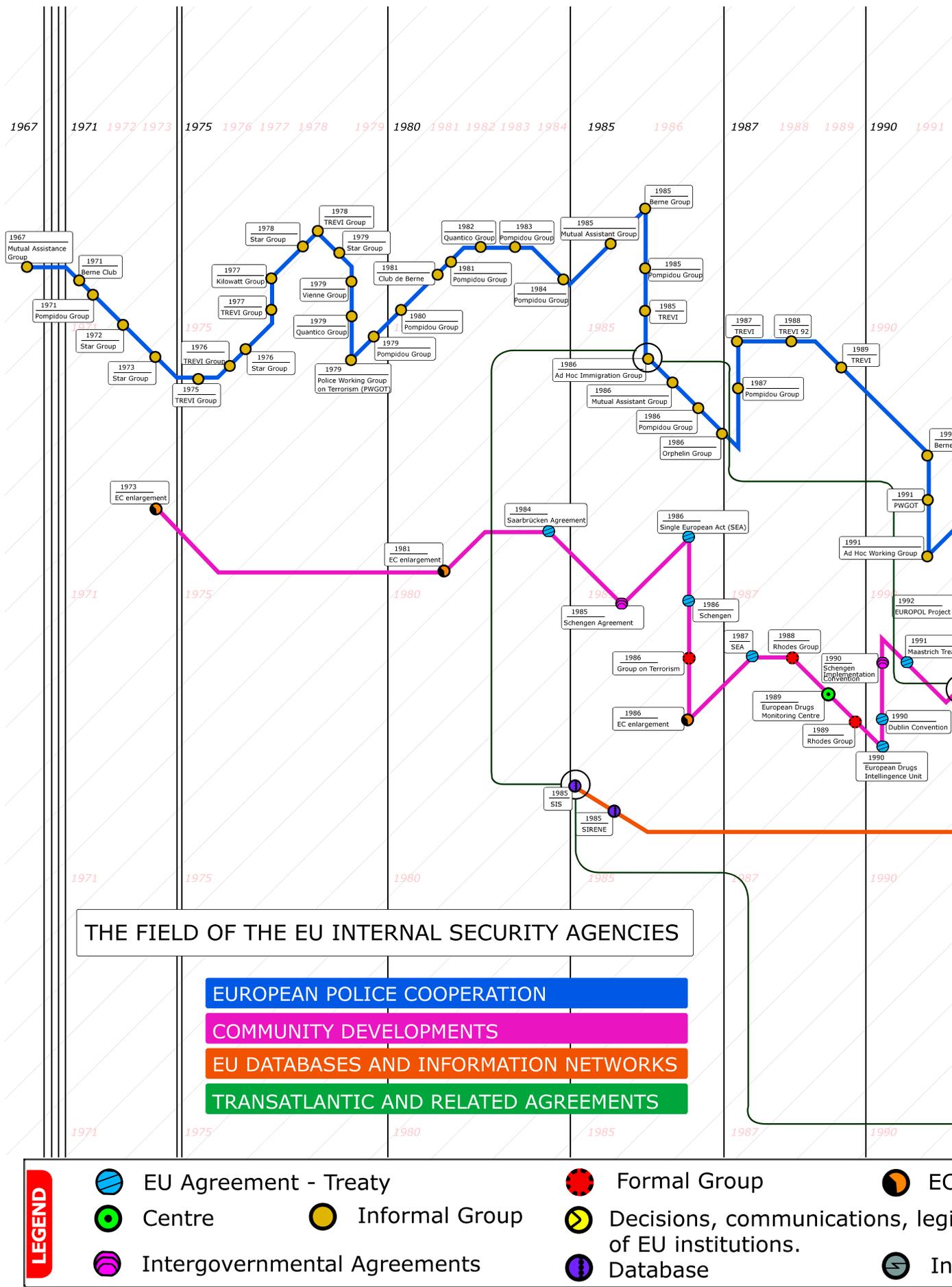
This 'solidarity' between the civil servants on both sides of the Atlantic is not a surprise for the researcher. Some have used the terminology of a European police elite, other have used the notion of transnational guilds to express the structuration of transversal solidarities. It can be explained by many reasons: ideological certainly, but also and more profoundly, similarities of trajectories and carriers, misunderstandings regarding the importance of privacy, and so on. It will take time to reconcile what is more and more perceived as two opposed communities (one of intelligence backed by some law enforcement policemen, and one of data protection and privacy) which have different weights in the United States and in Europe, but which are more and more interconnected at the transatlantic level. The 'privacy' community felt that their arguments had been marginalised during the Bush period and the 'Frattini' period in the EU. They sometimes demonstrate a sense of revenge and hope that their United States counterparts will be strengthened with the Obama administration and its Congress, but they are still isolated in front of a transnational community integrating military, police and intelligence service networks. Consequently, they are not ready for conciliations. If, Swift is finally passed, but under strong pressure of the defence, foreign affairs and interior ministries, it will upset them even more, which will have repercussions in the future. The vision of some of them of a 'plot' is certainly exaggerated as the different networks of police, military and intelligence are in a process of 'linking-up' at the transatlantic level, as we have seen, but they are also in competition, and are not 'integrated', even if the 'fusion' discourse in the name of efficiency is still strong in the department of Homeland Security in the United States, and has supporters inside the EU as well. But, in the future, only if a change of attitude by the intelligence services concerning secrecy and practices contrary to human rights happens, will it be possible to have a security driven by rule of law and not opposed to it.

It is one of the elements to build on for the future of policing, in agreement with the United States administration, which required a reflexive stance on both side, and the necessity for the United States to accept that they have also to change their national legislation to comply with the EU requirements, a difficult element to achieve as it required a change of mind-set concerning the relation between United States national sovereignty and international agreements, between hegemony and

reciprocity. The future of European policing is perhaps also dependent on a change of attitude on the part of the United States, change which itself will depend on the strengthening of the privacy community and the limitations imposed on the intelligence service community in their activities abroad.

## The boundaries of information exchange: cooperation between states or between democracies?

If the transatlantic community is difficult to build, what should we think about the exchange of personal data with other third countries? The Stockholm Programme identifies as a priority 'information exchange that flows securely, efficiently and with adequate data-protection standards between the EU and third countries'. Exchanges of information are particularly emphasised with regard to terrorism, where the document highlights: 'Framework agreements should be entered into with the United States and the Russian Federation on the exchange of information while ensuring that adequate data-protection safeguards exist.' But, we have to wonder about the Russian Federation and the other third countries considered as 'strategic partners'. The legal and diplomatic language may be prevented from discriminating between third countries, but is it not an open door for mismanagement of personal data if they flow towards these other third countries which are not all democracies and which have themselves their own networks of exchange? Where are the boundaries of responsibility? Is any state willing to contribute to the war on terror a candidate for receiving the personal data of EU citizens or of residents and non-residents travelling to the EU? Not answering the question, developing a form of fuzziness about the political limits of collaboration and extending this collaboration beyond democracies to any allied state, is endangering the whole scheme of collaboration, and may result in a serious breach of our international obligations concerning persons in need of protection. A key element is then to have a clearer definition of the boundaries of collaboration, and a shared list of countries to which the data have to be refused, whatever the alleged purpose. This clarification will help to build a legitimate form of transnational policing in the future.

1967  1971  *1972 1973*  1975  *1976 1977 1978*  *1979*  1980  *1981 1982 1983 1984*  1985  *1986*  1987  *1988  1989*  1990  *1991*

1967
Mutual Assistance
Group

1971
Berne Club

1971
Pompidou Group

1972
Star Group

1973
Star Group

1976
TREVI Group

1975
TREVI Group

1977
Kilowatt Group

1977
TREVI Group

1978
Star Group

1976
Star Group

1978
TREVI Group

1979
Star Group

1979
Vienne Group

1979
Quantico Group

1979
Pompidou Group

1979
Police Working Group
on Terrorism (PWGOT)

1980
Pompidou Group

1981
Club de Berne

1982
Quantico Group

1981
Pompidou Group

1983
Pompidou Group

1984
Pompidou Group

1985
Mutual Assistant Group

1985
Berne Group

1985
Pompidou Group

1985
TREVI

1986
Ad Hoc Immigration Group

1986
Mutual Assistant Group

1986
Pompidou Group

1986
Orphelin Group

1987
TREVI

1988
TREVI 92

1987
Pompidou Group

1989
TREVI

199
Berne

1991
PWGOT

1991
Ad Hoc Working Group

1973
EC enlargement

1981
EC enlargement

1984
Saarbrücken Agreement

1985
Schengen Agreement

1986
Single European Act (SEA)

1986
Schengen

1986
Group on Terrorism

1986
EC enlargement

1987
SEA

1988
Rhodes Group

1987
SEA

1989
European Drugs
Monitoring Centre

1989
Rhodes Group

1990
Schengen
Implementation
Convention

1990
Dublin Convention

1990
European Drugs
Intellingence Unit

1992
EUROPOL Project

1991
Maastrich Trea

1985
SIS

1985
SIRENE

## THE FIELD OF THE EU INTERNAL SECURITY AGENCIES

**EUROPEAN POLICE COOPERATION**

**COMMUNITY DEVELOPMENTS**

**EU DATABASES AND INFORMATION NETWORKS**

**TRANSATLANTIC AND RELATED AGREEMENTS**

LEGEND

EU Agreement - Treaty

Centre

Intergovernmental Agreements

Informal Group

Formal Group

Decisions, communications, legi
of EU institutions.

Database

EC

In

Timeline years: 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008

1991
e Group

1992
Ad Hoc Group

1992
Mutual Assistant Group

Group

1992
Maastrich
Treaty

1993
CIREA

1993
TREVI

1993
Maastrich Treaty

1994
EDU

1993
K4 Committee

1992
CIREA-CIREFI

1994
JHA
Council &
EUROPOL

1993
K4 Committee

1995
CIS

1995
EU enlargement

1995
Schengen
Implementation
Agreement

1995
EUROPOL Convention

1995
JHA
Council &
EUROPOL

1995
EDU

1996
EUROPOL

1997
JHA
Council &
EDU

1997
EUROPOL

1997
Amsterdam Treaty

1997
Dublin Convention

1997
Schengen

1998
Schengen

1998
Amsterdam Treaty

1998
EUROPOL Convention

1998
K4 Committee

1998
EUROPOL

1999
JHA
Council &
EUROPOL

1999
EUROPOL Convention

1999
Amsterdam Treaty

1999
OLAF

1999
The Europol
Computer System

2000
EUROPOL

2000
Schengen

2000
EUROPOL

2000
Convention on
Mutual Assistance in
Criminal Matters

2000
EURODAC

2001
Schengen

2001
EUROPOL

2000
EUROPOL

2002
EUROPOL and the US

2002
EUROJUST

2002
European Arrest Warrant

2002
High Risk Supporters

2003
EUROJUST

2004
FRONTEX

2004
EU enlargement

2004
Passenger Data

2004
VIS

2003
EU-US Agreement
on Mutual Legal
Assistance

2005
EUROJUST

2005
EUROPOL

2005
Terrorist Offences

2005
Criminal Records

2005
Proposal: Principle
of availability

2005
Proposal: Organisation
and content of the
exchange of
information extracted
from criminal records

2005
CMS

2005
ICONet

2005
Passeport Data
with Interpol

2006
EURJUST and the US

2005
Treaty of Prüm

2006
FRONTEX

2006
Simplifying exchange
btw. law enforcement
authorities btw. MS

2006
Data retention

2006
VIS

2006
SIS II

2006
SIS I 4all

2006
EU-Canada PNR
Agreement

2007
EU enlargement

2007
FRONTEX

2007
VIS

2007
Proposal: Setting
up cross-border
cooperation

2007
EU-PNR Proposal

2007
SIS

2007
Cooperation of Asset
Recovery Offices

2007
EU-US PNR
Agreement

2008
EUROPOL

2008
BORDER PACKAGE

2008
Schengen

2008
Protection of Data

2008
Commission
Proposal for a regulation
of the European
Parliament and of the
Council amending
Regulation(EC)

2008
VIS

2008
ESTA

2008
EU-Australia
PNR Agreement

C-EU enlargement

islation and proposals

formation network

Connections:
institutional transfers, formal and informal relations
between agencies and services, database links.

NAVIGATION

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# Future preventive policing

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## Introduction

Many elements make future preventive policing very challenging for both practitioners and researchers. The most important elements to be taken into account are the network structure and model of contemporary prevention, the nature of security knowledge, the global and ambiguous nature of the threats to be prevented and the emerging possibilities and innovations of 'virtual' preventive policing of the Internet.

The modern police service is based on the principle of prevention. The origin of this principle can be traced for instance to influential writings like 'A Treatise of the Police of the Metropolis' by Patrick Colquhoun in 1795. According to him, the objectives of a system of policing should be the prevention and detection of crime, the maintenance of order and the improvement of morals. However, prevention of crime was not a new idea even then. The Anglo-Saxon methods of 'keeping the peace' and the later system of mutual pledging included the notion that crimes could be prevented by the vigilance of one's neighbours or by obedience to a higher authority. (Pike 1985, 133). The roots of a policy of preventive policing in the nineteenth century were in ancient traditions of communal self-policing (Reiner 1985, 14).

The principle of prevention, since Colquhoun, Peel and the others, can be seen in the practices and strategies of the modern police. For academics, researchers and police scientists the tremendous elasticity of the term prevention has caused a lot of problems. As argued by Gilling 'the term prevention is clothed in ambiguity' (Gilling 1996, 101). Crime prevention is an essential part of proactive policing, community policing, proximity policing and all their variants. The main purpose and goal of intelligence-led policing is prevention too. Prevention has today the same ethos as in the eighteenth century but a broader meaning, well described in the book of Bruggeman, van Branteghem and van Nuffel (eds), Toward an excellent police function (2007): '*Prevention (preventive measures) is aimed at preventing situational and direct causes and reasons of the problems of security, liveablity and criminality and limiting their consequences*.'

Perhaps the most significant element in broader definitions is that in addition to crime prevention, security is included. Crime has been reconceptualised as security risk (Zedner 2009, 71), and insecurity and threats to security are to be prevented too. It can be argued that crime prevention has been securitised. In many security strategies today phenomena like social exclusion are the first priorities for prevention, not as the root cause for crime and criminal behaviour but as a security threat as such. For instance in Finland's Internal Security Strategy (2008), social exclusion is seen as the biggest threat to security (Virta 2010). This means that preventing social exclusion is a part of preventive policing as well. The forthcoming *Internal Security Strategy for the EU* will also have a very strong preventive ethos. According to the Spanish Presidency's

strategy draft, 'Towards an European Security Model' (January 2010) key elements for EU internal security are integration, social inclusion and the fight against discrimination. The proactive and intelligence-led approach of the forthcoming internal security strategy will guide preventive policing in Member States in the future.

Preventive policing has many dimensions. The aim of this chapter is to deal with the complexity of preventive policing and especially radicalisation prevention, in the context of counter-terrorism. Scenarios and the making of future policing in Europe cannot ignore terrorism and radicalisation. The police have to think globally and act locally. Virtual preventive policing will be introduced at the end of the article; in Finland the police already have a positive experience with virtual prevention measures on the Internet (Facebook, Twitter, IRC-Gallery and some other forums). The new challenges for preventive policing, police training and education and police research are enormous.

## Precautionary principle

Crime prevention and preventive policing have a long tradition in Europe, and it has been argued that over the past three decades there has been another 'preventive turn' and preventive policing and partnerships have become a defining attribute of contemporary crime control and its interface with wider social and urban policing in a way that is both novel and demands critical contextual scrutiny (Crawford 2009, xv). The EU itself has also invested in crime prevention and funded projects like the AGIS programme and the Secucities Cultures of Prevention project of the European Forum for Urban Security (EFUS), in search of a European model of crime prevention and common prevention culture (EFUS, 2006).

In the broader social and political context, the growing sense of uncertainty surrounding the terrorism issue has resulted in a new mood of prevention, pre-emption and precaution. The nature of policy-making processes follows the 'Precautionary Principle'. Terrorism made precautionary logic obvious after 9/11, and politics in general have taken a dramatic turn aimed at making

precautionary logic part of everyday life ([1]). In terrorism research, 11 September 2001 has refocused the issue of pre-emption and introduced the notion of 'preventive war', but there is also a dichotomy between the criminal justice and the war models of countering terrorism (Ranstorp 2007, 15). Counterterrorist policy and strategies increasingly draw upon a transnational policy community. The Hague Programme (2004), the EU Strategy for Combating Radicalisation and Recruitment (2005), the EU Counter Terrorism Strategy (2005) and its Action Plan on Combating Terrorism (2006) and some other common security and policing strategies, are the results of such policy-making processes in the EU policy community. They count on policing, and especially preventive policing and community policing, as vital tools for local level counter-terrorism. Prevention is the key element and objective in the strategies.

Intelligence-led policing, and intelligence, have become an additional element to the field of preventive policing. The European Criminal Intelligence Model was adopted in the Hague Programme, as 'the' policing model for the EU. In the Spanish Presidency draft of an Internal Security Strategy for the EU (January 2010) strategic guidelines include prevention, defined as a 'proactive intelligence-led approach' ([2]).

In many national and local level prevention strategies intelligence-led policing and community policing have been reconciled so that they are seen as complementary rather than competitive models. Intelligence and intelligence-management processes (intelligence gathering, strategic analysis, targeting and exchange) improve the capacity of community policing and other preventive policing initiatives. On the other hand, community policing and a good relationship between the police and the public, play an important role in intelligence-led policing because trust and confidence towards the police is a precondition for successful intelligence gathering (especially for gathering community intelligence, which is often tacit knowledge and therefore one of the most important forms of

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[1]  About the precautionary principle and its implications see for instance Ericson 2007, Hörnqvist 2007 and Goldsmith 2008.

[2]  However, in his book *Intelligence-Led Policing* Jerry Ratcliffe (2008) claims intelligence-led policing is mainly a management model and not crime prevention model.

intelligence in local counter-terrorism context). (Virta 2008, 27-30.)

## Radicalisation — a challenge for preventive policing

The EU strategy for combating radicalisation and recruitment to terrorism (2005) is part of a broader EU counter-terrorism strategy and action plan. In order to prevent radicalisation and recruitment 'the threat must be reduced by disrupting existing terrorist networks and by preventing new recruits to terrorism'. According to the strategy, the challenge is as follows: '*To counter radicalisation and terrorist recruitment, the EU resolves to disrupt the activities of the networks and individuals who draw people into terrorism; ensure that voices of mainstream opinion prevail over those of extremism; promote yet more vigorously security, justice, democracy and opportunity for all.*' (p. 3).

The strategy has a broad approach to problems and challenges, and it is not primarily a police strategy. However, when trying to disrupt the activities of the networks and individuals who draw people into terrorism, the strategy relies on preventive policing and community policing in particular.

It has been argued that at least to some extent, preventing radicalisation is something beyond conventional crime prevention. Radicalisation, as a phenomenon, has been defined as a psychological process (Silke, 2008) and a social process, and explanations of how individuals become radicalised are psychological, social, political or religious (Sinai 2007) which makes prevention efforts very complicated. Additionally, like in the security strategy of the Netherlands from 2008 to 2011, radicalisation is seen as a threat to social cohesion in a society, even without the actual perpetration of an act of terrorism. Radicalisation as such is not a crime. It means that once radicalised, a person thinks in a certain way, which is seen as unacceptable and he or she must be prevented from thinking and acting further in the direction of recruitment. In the EU strategies, there are no separations made whether the suspected radicalised target has any contact with terrorist groups or whether he or she is an individual thinker (in danger of becoming a potential suicide bomber alone, or

without any intentions at all) (Virta 2010). 'To win the battle of ideas' — objectives in the counter-terrorism strategies operate at collective level but policing unacceptable forms of individual thought may lead to thought police, when an individual's internal life, thoughts, have become a legitimate subject for public concern (Furedi, 2005, p. 155).

Therefore, radicalisation is a challenge for preventive policing. When trying to prevent radicalisation which may lead to (home-grown) terrorism the police have to assess local community context and tensions and the state of the society, and keep in mind national security threat assessments and priorities, as well as European and global terrorism threat assessments. Intelligence requirements are potentially endless. In Britain, neighbourhood policing teams have community engagement strategies which define the methods of capturing community intelligence and building a community profile (BCU Commanders Guide for Counter Terrorist Operations, 2008). Community profiling and community impact assessments are innovations in local counter-terrorism; profiling is used as a method that can be used for the purpose of preventive policing and impact assessments are made for effective organisation of the services after an attack (Virta 2010).

## Community policing in transition

There are already few studies about the response of communities and community police officers to the new strategies, and about the community counter-terrorism partnerships (De Kool 2008; Spalek et al., 2008), which indicate that preventing radicalisation is something more, or different than conventional crime prevention. In the Netherlands, the Counter Terrorism Coordinator has differentiated between three indicators, which 'can prove helpful in recognising the processes of radicalisation'. These are ideology, behaviour and appearance. Indicators relating to ideology refer to changes in social, political or religious convictions (a change in a person's ideology). Indicators relating to behaviour involve a change in the way a person acts and reacts: someone refuses to shake a woman's hand, for instance. Indicators relating to appearance involve a change in outward appearance (different dress, a new beard). For police training, additional indicators have

been developed: cash, accommodation, preparation, objects, transport and forged documents, connections and changes in behaviour. (De Kool 2008, 98)

There have been numerous problems with police efforts to prevent radicalisation by community policing methods. The police lack the skills and knowledge about the cultural differences and backgrounds of ethnic groups and also about the nature of terrorism and radicalisation. The ethnic communities are insular, and the language barrier is a significant problem. At the organisational level, there are failures in sharing information between departments at the local level and between the local police and intelligence services. Community policing officers feel uncomfortable approaching people in their new role, and they have experiences of losing trust, which is the most important precondition in getting community intelligence. Once lost, trust is very difficult to rebuild. The changing role of local police in this respect has reduced the trust between the officers themselves too, between departments and individuals. (De Kool 2008, 104-107.) Dave Sloggett also warned recently, that the counter-terrorism and radicalisation prevention measures of the police — especially in the area of chemical, biological, radiological and nuclear (CBRN) threat — may have unintentionally driven people into the radicalisation processes. There should be more understanding of the processes, and the fact that once started it is difficult to provide legitimate exit routes from radicalisation processes. (Sloggett 2008; Bjorgo and Horgan 2009)

The research of Basia Spalek et al. focused on the enhanced community focus in counter-terrorism and the central role of preventive policing. It highlights the tensions for policing in a counter-terrorism context in having to negotiate adopting a pragmatic 'what works' approach within a highly politicised arena. The pathologising of Muslim youth increases the sense of alienation in 'suspect communities'. The results also show that it is harmful for trust building as people feel uncomfortable living in suspect communities and they feel pressurised to explain the construction of their Muslim identities, particularly in relation to Britishness. (Spalek et al., 2008)

The role of local police and community policing strategies in counter-terrorism is problematic as they are positioned between the EU (and its growing intelligence requirements), national security agencies and intelligence services and local authorities, community safety partnerships and local communities. They should be able to balance tensions between secrecy, repression and national security priorities and openness, transparency and local needs and priorities. The climate of suspicion often reduces the level and willingness to engage with police for the purposes of counter-terrorism (Spalek et al., 2009). The new politics of community policing brings the state to neighbourhoods but there should still be room for local strategic priorities regarding how to translate counter-terrorism strategies into action.

There has also been a shift in preventive policing from cooperation to partnerships in the context of prevention of terrorism. The 'Secucities' (EFUS) report against terrorism (2007) introduces local counter-terrorism initiatives from some EU countries; partnerships between the cities, local authorities and the police. The practical problems that local authorities face are for example that they do not have the necessary expertise to confront all the demands of counter-terrorism, and the diversity of preventative actions requires excellent coordination between all agents involved, be they in the same organisation (horizontal cooperation) or at other levels of the state or with foreign partners (vertical cooperation). (*Cities against terrorism*, 2007, 41.) There is also research evidence that the body of experience, skills, knowledge and styles of policing, such as neighbourhood and community policing are invaluable tools in countering terrorism. Space made within policing for recognising and understanding religion, for instance, is seen as an important step for community policing approaches, and it has facilitated the recruitment of Muslims into policing, and the first Muslim police officers into counter-terrorism work,in Great Britain. (Spalek et al., 2009)

The role of local law enforcement (in the United States) is seen differently in Deflem's book, 'The Policing of Terrorism' (2010), especially when it comes to preventive policing. Hometown Security strategies of local counter-terrorism rely on police professionalism, effective crime control and intelligence work, and organisational arrangements. Community policing resources and possibilities were not discussed in Deflem's 'theory of counter-terrorism policing', which derives from Max Weber's bureaucracy theory. However, the support of

the communities for the police and the fact that local police are physically close to communities are seen as positive factors in local intelligence gathering. (Deflem 2010, 77). The focus of this approach is to prevent terrorist attacks, not a radicalisation process. Therefore it follows situational crime-prevention principles. Fighting terrorism through situational crime prevention comprises environmental manipulations that either block opportunities to commit terrorist attacks or that reduce cues motivating potential terrorists to commit such acts. The SCP approach has learned from military studies and international relations, and counts on for instance the 'EVIL DONE' diagnosis of potential targets, or other kinds of modelling and asymmetric warfare approaches. (Freilich & Newman 2009). Both of these counter-terrorism philosophies focus on terrorism as a form of crime or deviance (Deflem 2010, 11; Freilich & Newman 2009, 1), and count on police professionalism, effective intelligence gathering and exchange, and situational crime-prevention methods.

Radicalisation, therefore, is a challenge for preventive policing. Community policing and local partnerships can provide a useful and productive method in preventing radicalisation, and 'hometown security' and SCP methods could support these and focus on preventing the actual attacks. Organisationally, the solutions may vary from special local counter-terrorism units and police staff to a community-policing style of counter-terrorism work, so that radicalisation prevention will be just a part of local, community police officers' work. There is a trend in Europe that preventing radicalisation and home-grown terrorism will be more and more embedded in local community-policing practices. A special EU ISEC-programme funded project COPPRA (Community Policing on Preventing Radicalisation and Terrorism), the initiative of the Belgian Federal Police, is one example of implementation of the EU counter-terrorism and radicalisation prevention strategies [3]. More comparative research is needed in this field.

## Future preventive policing — a challenge for practitioners and researchers

Several elements turn future preventive policing into a very challenging exercise for both practitioners and researchers:

1. the network structure and model of contemporary prevention,

2. the nature of security knowledge,

3. the global and ambiguous nature of the threats and crimes to be prevented and

4. the emerging possibilities and innovations of virtual preventive policing.

In many cases (crime) prevention itself has turned into promotion and production of security, social cohesion and inclusion. Instead of working on the prevention of something, we focus more and more on making good things happen (security, safety, well-being), in the name of the precautionary principle.

It is the mutual dependencies of the network rather than the command structure of the hierarchy that characterise almost all forms of prevention at all levels, from the EU policy-making and police cooperation level (see Den Boer et al. 2008) to the national security assemblages and community safety partnerships. Networking is also a solution for researchers, particularly in the context of embedding learning and knowledge from research into policing practice. This is also acknowledged in national strategies that aim to increase cooperation and coordination between science and policing, for instance in the Police Science and Innovation Strategy of the UK (published by the National Policing Improvement Agency (NPIA) in March 2010) and the forthcoming Policing Knowledge Strategy (UK), and in the Security Research Strategy of Finland (2009). Networks offer a lot of opportunities for preventive policing; higher chance of success, effective information exchange, learning from the others, synergy advantages in many fields and so on (de Brujn & ten Heuvelhof 2008, 22). However, the network structure and model requires openness and transparency to be legitimate and accountable (see for instance McLeay 1998, de Brujn & ten Heuvelhof 2008).

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[3] The author is a member of the Steering Committee of the COPPRA project 2009-2010.

It has been argued that security governance today is 'governing at the limits of knowledge', thinking of the unthinkable. Preventing security threats is pre-emption by nature; it stands temporarily prior to prevention of proximate harms, it seeks to intervene when the risk or threat is no more than an unspecified threat or propensity as yet uncertain and beyond view (Zedner 2009, 85). The pre-crime logic of security makes it even more challenging. Although pre-crime counter-terrorism measures are rationalised on the grounds of preventing terrorism, these measures do not fit in the frame of conventional crime prevention. Still, it has been argued that the new paradigm in prevention means a shift from post-crime criminal justice to pre-crime national security (Mc Gullogh and Pickering, 2009).

The threats and crimes to be prevented are global and ambiguous, and often politically very sensitive; from terrorism, organised crime, human trafficking and genocide to more conventional and street-level crimes, violence and security threats. However, new kinds of innovations have emerged in preventive policing. The police in many countries, for instance in Finland and Great Britain (for instance North Wales Police) have strategies for the police to be represented on social networking websites such as Facebook, IRC-Gallery, Twitter and MySpace. Because these are vibrant online meeting places the police can meet young people and chat with them, give advice and listen to their concerns. This is seen as a new complementary model of community policing, as internet is today very popular community. The police in North Wales and in Finland have statistics and positive experiences in working in social networks and about virtual preventive policing or web policing (see for instance Evans 2008, Kilpeläinen 2010).

Preventive policing in the future will be not just 'thinking globally and acting locally' but also networked, knowledge-led and intelligence-led, effective and outcome-orientated, accountable and legitimate policing. This will be also a shared agenda for researchers and police training, and therefore an important item on CEPOL's agenda too.

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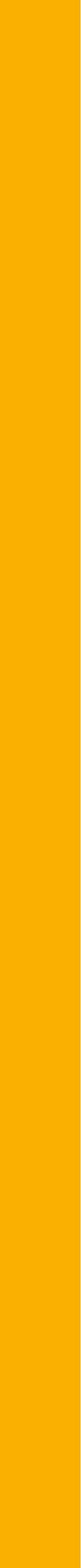
# The Stockholm programme and its relevance for European police education

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## Introduction

Creating a safe society has traditionally been a core duty of national governments. Until just a few decades ago, society and government regarded this duty as virtually the exclusive preserve of the government. This opinion has changed radically throughout the years. In many Member States of the European Union, responsibilities relating to safety and security have now also been ascribed to, and assumed by, the public, society and the market. National governments have evolved from being the monopolist actor to one of the many partners in safety provision.

But not just an ordinary partner. When it comes to safety, government provision tends to be extensive, wide-ranging and decisive. This is related to the state's monopoly of violence, exercised as soon as coercive measures have to be applied. The involvement of the market and society in creating a safe society is the outcome of considerations based on ideology, pragmatism, efficiency and effectiveness. Nor is a government that operates in isolation (apparently) omnipotent when it comes to providing safety and security. The provision of safety without the active involvement of the public and society is simply not effective and also lacks societal support. The modern provision of safety is based on the principles of community policing, the most efficacious components of which are a multi-agency approach, a bond with the community, transparency and the active involvement of society and the public.

Since the end of the last century, internationalisation, and Europeanisation in particular, have become very tangible and these developments are being given a more prominent position in the local and national safety strategies of separate EU Member States. Not everyone is convinced, however, of the relevance and necessity of designing safety and security strategies in a more international fashion. Opponents regard the encouragement of European (police) cooperation as a trend which may undermine the national sovereignty of EU Member States and that it may pose a threat to the privacy of citizens. Supporters, however, point to the opposite. Through cooperation something can be done about threats which are far less manageable for individual Member States. Here, they are referring to cross-border crime such as human trafficking, drugs trafficking and terrorism. Supporters argue that clinging on to classical, national sovereignty should not be stretched to the extent that individual Member States forego opportunities to provide their citizens with full protection against threats from beyond their own national borders. The supporters seem to be on the winning side, although the road forward remains full of obstacles.

Whatever the situation, cooperation between the police and judiciary has been an area of special attention for the European Union since the Maastricht Treaty. As is the case in Member States, the administrative plans of the European Union are based on policy documents and accompanying action plans. The plans apply for a period of five years, coinciding with the terms of

office for the European Parliament and the European Commission. In 1999, the first policy document was issued, the Tampere Programme. In 2004, the Dutch Presidency of the EU chaired the negotiations of the 'The Hague Programme'. The most recent programme in the field of freedom, security and justice is the 'Stockholm Programme, which saw the light of day in December 2009. In addition to a brief description of the content, this article makes a case, based on four separate arguments, for giving the establishment and content of the Stockholm Programme a prominent place in higher European police education.

## Establishment and content of the Stockholm Programme

On 10 June 2009, the Commission presented its text proposal for the Stockholm Programme. During its presentation, the Director-General of the Directorate-General for Freedom, Justice and Security noted that he had absolutely no illusions that the text proposal he presented would be the final draft of the programme. This prediction was more than accurate. Discussion and consultation around various conference tables resulted in the draft of the programme ultimately being approved by the European Council. The final text was twice as long as the Commission's original draft. Comparison of the two versions reveals considerable differences. The input from the Member States not only led to 'diplomatisation' of the text, as a result of which points of criticism and proposals were formulated less strongly and more guardedly, or even disappeared completely if they were subjected to too much criticism. The latter occurred, for instance, with text proposals on developments which were failing to meet previous objectives. The consultation process also yielded new elements. The drafts underwent significant expansion, particularly with respect to the external relationships of the European Union.

The final result is a safety programme consisting of an introduction and seven chapters, in total 82 pages with 170 concrete initiatives, focusing directly on the interests of the citizens, which can evolve directly from a proposal. A good example of this is the mutual acknowledgement of driver disqualifications between the Member States of the European Union, which is expected to enhance safety on European roads.

Another clear example is the creation of a European register of convicted child abusers. The objective of this instrument is to prevent child abuse by excluding paedophiles from working with children or from living in residential environments, which could put children at risk. The proposal to design an internal security strategy for the European Union is hardly open to standardisation in terms of direct usefulness for the public, not least because no explanation at all is given here of what exactly this coherent strategy should cover.

Cooperation between the police and judiciary are important elements in the programme and are highly relevant for police and judicial practice, as are migration, asylum and international relations. For police cooperation, the chapter on civil law bears less relevance. The proposed policy with respect to the logical and technical European information infrastructure only warrants the attention of specialists. They are provisional facilities for operational police cooperation. For police officers, the programme's introduction and Chapter 4 are essential. Anyone who has more time to look at the programme in depth is recommended to concentrate on Chapters 5, 6, and 7, although a thorough study of the whole programme is worthwhile. Four arguments underpin why the Stockholm Programme should be included in the study and used as reading material for serving police officers as well as police trainees.

## The subsidiarity principle and the international dimension

Member States and Europe were (partly) shaped on the basis of the subsidiarity principle. According to this principle, a higher administrative layer is not activated if a lower layer can act independently. Europe must not therefore interfere in what can be dealt with at the national level. The Stockholm Programme makes this principle very concrete by stating what European police cooperation should cover and what not. The following quotation (p. 40) provides a concise definition.

*'The prime objective of EU law enforcement cooperation is to combat forms of crime that are typically cross-border in their dimension. Focus should not only be placed on combating terrorism and organised crime*

*but also cross-border widespread crime that has a significant impact on the daily life of the citizens of the EU.'*

Cooperation can thus involve very serious forms of crime, but need not. The cross-border character is most decisive and not always the seriousness of the crime. The programme is not completely consistent on this point, however. More or less implicitly, the Stockholm Programme encourages Member States to exchange best practices, even if they have no cross-border features, but are isolated incidents, which occur throughout Europe, as in the case of domestic violence, for example. However, the greatest added value of European police cooperation can be found in the approach to problems whereby Member States are highly dependent on each other when it comes to finding a solution. This is the *leitmotiv* in the programme and is visible in virtually all policy proposals. Anyone who gains insight into the nature of the international dimension will understand how crucial local and national policing, on the one hand, and international criminal investigation, on the other, are related. All three levels are indispensable for creating a working environment that contributes to the safety of citizens. Police officers should be made aware of this connection.

## Freedom, security and justice as basic conditions for the single market

Project Europe is regarded as the most important factor when it comes to maintaining peace and preventing war between the Member States in the past 60 years. Historically, that is an unprecedentedly long period. In addition, the European Union has made a considerable contribution to increasing prosperity on the continent. This prosperity has arisen with the gradual abolition of trade restrictions, differences in import regimes, the removal of borders and the introduction of a single currency. The emergence of one liberalised European market in which goods, services, persons and capital can move freely has strengthened the representation of national interests across the full European territorial spectrum. As a consequence of this, Member States can by no means individually protect their own interests at the national level and therefore have to trust the efforts of other Member States. In the Stockholm Programme, this responsibility of Member States for each other is

very clearly elaborated and clarified. For instance, by the proposals to intensify progress in the implementation of already-agreed measures, the protection of the euro, the reinforcement of such organisations as CEPOL, Europol and Frontex, strengthening Euregions and, last but not least, making information more available to other Member States. Police officers in Member States serve an important function when it comes to protecting European achievements and in enabling them to function.

## The engines of European integration: via mutual trust to mutual recognition

It is highly unlikely that a United States of Europe will be created within a time horizon of 25 years. On the basis of current insights, it is even inconceivable that project `Europe` will ever evolve into a merger of Member States with the abolition of their national sovereignty. The reasons for this can be found in the cultural individuality of Member States, their language and the attachment to and identification of citizens with their own country. Cooperation and integration must therefore run along different tracks, and allow for the accommodation of different objectives at the same time. In this sense, project Europe is unique and cannot be compared to any other supranational or international organisation. Manuel Barroso, President of the European Commission, once referred to Europe in this context as a 'UPO' or Unidentified Political Object. The diversity that is so characteristic of Europe only permits the harmonisation of rules, laws and procedures on a modest scale. Large-scale harmonisation would simply run aground on the differences in 'hard' variables such as a legal or information management system. Harmonisation would encounter most resistance in the softer 'variables', such as differences in existing working methods or the opinions on priorities held by Member States. The knowledge that harmonisation can only be used as a strategy to bring unity in diversity on a limited scale exposed the need to find an alternative to enabling police and judicial cooperation between Member States. That alternative was found in the principle of mutual recognition. Elaboration of this principle means ideally that Member States are prepared to recognise judicial decisions and official acts by the police and judiciary of other Member States as if they were the acts and decisions of the Member State itself.

When this situation is realised, it will entail a massive increase in the efficiency of cooperation. It will be clear that full implementation of the principle of mutual recognition cannot be achieved overnight. Despite this, important progress has already been made. At the moment, there is such a thing as a European arrest warrant. This facility enables Member States to request the arrest of persons who, if they are actually arrested, are handed over to the Member State requesting the arrest without too much additional red tape. A similar facility, though diluted in the negotiation process, is the European evidence warrant, on the basis of which rulings on the evidence and the grounds for this are recognised by Member States other than the Member States which constructed the evidence. The most important precondition for the implementation of mutual recognition is the mutual trust between Member States. The Stocmme provides continual evidence of this awareness. Many measures are geared to building up or strengthening mutual trust.

A good example is the proposal to set up exchange programmes for officials from the police and judiciary, border guards and judges. Police officers in Europe are selected on the basis of a number of qualities. One of these is the willingness and ability of candidates to immerse themselves in the opinions and views of others and to then consider these when forming their own opinions. The principle of mutual recognition demonstrates why police officers are so urgently required to possess this quality. Study of the Stockholm Programme brings the relationship between job requirements and international police cooperation to the surface.

## Human rights and police

The fourth and last argument in favour of giving more prominence in police training to the Stockholm Programme is related to the attention that the programme pays to protection of the public. Powerful initiatives to reinforce freedom, safety and justice in the EU go virtually hand in hand with arguments in favour of protecting privacy. The need to offer safeguards against the improper use of police data crops up, in fact, in every chapter. Protection of the public by the state receives almost as much attention as the protection of the public against the state. Critics believe that the attention in the programme for protection against the state will turn out to be no more than politically correct lip service. I see no reason to assume that this would be the case. This aspect, including the concrete cases made for better protection for more than vulnerable citizens, such as children, minority groups or victims of crime, provide police training with many starting perspectives on the theme of human rights and its transposition into police action.

## Conclusion

The Area of Freedom, Security and Justice is a precondition for the functioning of the internal market. This article makes a case, based on four separate arguments, for adhering a more prominent position in higher European police education to the policy-making process and content of the Stockholm Programme. As has become apparent from our CEPOL study tour, this programme offers an excellent learning mechanism because of the few concrete examples, which allow a deepening of our understanding of police and judicial cooperation in educational settings. The basic principles concern human rights, subsidiarity and the international dimension. A safer Europe can only be realised if Member States evolve from mutual trust to mutual recognition, and if members of the European police community can build cross-border ties through European police education.

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# Chapter IV: Practical Police Problems and Applied Research — Introduction

**Detlef Nogala**

It could pass as general wisdom that the more scientific research is geared towards issues considered as 'real' problems by police officers, the more likely the outcomes of such projects are regarded as 'useful' and accepted among police practitioners. This is the general advantage 'applied research' often has over more reflective, strategic varieties, let alone critical approaches. While this assessment might be taken for granted, it is not necessarily self-evident what exactly a real, practical police problem constitutes, and from which angle it is perceived and defined. A simple starting point would be to declare a police problem those areas of unlawful behaviour, where the police are called upon to intervene, investigate or prevent. The challenge then is that there are many situations, and they change their form and characteristics depending on the position and viewpoint of the observer or stakeholder. In this chapter we have collected contributions that can be easily classified as dealing with research applied to real, practical police problems. The levels of 'practicality' and the approaches to analysing and tackling the underlying problems vary significantly however. The papers in this chapter mostly exemplify the multiplicity of 'police problems' and how differently research can be applied in search of solutions.

To begin, the paper by Stol, Gundhus, Runhovde and Rønning deals with an issue which *prima facie* seems to be a rather mundane police problem: police patrol work. Based on proper empirical observational studies of what police officers in diverse places actually do, when they do patrol work, their approach attempts to capture the broader picture, by also looking at the

context of the well-known daily routine: trying to grasp why patrol work is done in the way it is done. While they mainly present empirical findings for Norway, as one of the five European countries that were part of a wider comparative project, they give an excellent example how proper reflection on key terms and methods used pays off in getting useful practical results, as well as revealing conceptual insights. What appears to be a rather sober empirical stock-taking exercise, led by a dominant managerial perspective of how best to allocate resources, leads to a helpful conceptual model of police patrol work and is convincingly connected to the more fundamental issue on how modern policing concepts are in line with citizens' expectations.

The next two papers, both initially presented in 2006 but nevertheless very much up-to-date in terms of the principle challenges at stake, will take the reader from the day-to-day beat police business on the streets to the more volatile and sometimes tumultuous scenery of public-order policing.

Based on her extended scholarship and publication on urban problems, French professor Sophie Body-Gendrot offers a captivating analytical narrative about the riots that occurred in French cities in 2005. Interestingly, she is following a similar framework of enquiry, which was famously first deployed by the 1967 United States presidential National Advisory Commission on Civil Disorder: What happened? How did it happen? Why did it happen? What (can be) was done? Carefully presenting and reviewing the actions on the parts of rioters as well as police, she makes the point that there was something

quite specifically 'French' about the events and rejects their simple categorisation as 'riots' as well as simplistic one-cause explanations, pointing out the specific circumstances and conditions where they took place.

The notion of 'riots' in the late 20th and early 21st centuries is chiefly associated with the urban, the big cities, perhaps not only in the mind of the public and the media. Rob I. Mawby clearly challenges this notion of public disorders as a police problem solely belonging to the fabric of the urban centres in his contribution. Instead he directs our attention to public order problems for the police in leisure and holiday areas, where anti-social behaviour and crime is often fuelled by alcohol and drug consumption: 'Research suggests that many tourist' areas experience relatively high levels of crime and disorder (…).' He illustrates his argument with four case studies: street disturbances between 'mods' and 'rockers' in Brighton, school leavers holidaying in an Australian coastal resort, Amsterdam's red light district, and Faliraki, a holiday destination for young Brits in Greece. While concerned about the appropriate — and effective — style of policing, Mawby highlights available policy options to deal with the 'police problem' and emphasises the chances of 'community involvement and multi-agency partnerships'. In his view, it would be unfair to focus criticism on the police, for what should not be framed exclusively as a police problem.

The authors of the first three papers in this chapter have shed an analytical light on a specific police — or policing — problems from an external observational point by applying a variety of disciplinary research methodologies. 'External' here means looking at 'the problem' detached from the pressures and limitations of direct operational engagement. Nevertheless their observations are engaged with the issue at hand and, in conclusion, critical but constructive and advice offered, if wanted.

The perspective locus of Long, Alison and McManus´s approach is different: they look at research as a means of operational support to find more effective ways to identify and investigate child pornography offenders. They ask 'perhaps the simplest question the police currently face (…) whether an indecent image offender is committing, or is likely to commit contact sexual abuse against a child?'. In an effort clearly based on an evidence-led approach, they scan the criminological landscape for

what research has to offer as knowledge, which might be useful to guide investigations and operational tactics. Being aware that the nature of this offence instantly crosses national and juridical boundaries, they highlight the potential significance of culture and adequate understanding of the diversity of these cultures in regard to this type of crime. Interestingly, behind the 'outbound' police problem of tackling child pornography another, 'inbound' one surfaces: the need to focus scarce — and obviously insufficient — resources on the most harmful cases and offenders. Efficiency is certainly a reoccurring issue in many other practical police problem areas — and applied research is the vehicle that is called in as a prospective solution to this police problem of organisational nature.

Applied research has significant potential to solve or at least limit practical 'police problems' and will, over time, yield a more evidence- and science-based style of and approach to policing. But can new research and science-based policing methods create their own practical problems — calling for new research to grasp what it happening? That conclusion could be provocatively drawn from the presentation of a French-German comparative research project, which is in its early stages, but still highlights another version of how research is applied to policing problems. In their paper, respective project heads Thierry Delpeuch and Thomas Scheffer present a detailed outline of their research project. CODISP (*Création de Concepts et d'Outils pour le Développement de l'Intelligence de Sécurité Publique*) is introduced as a cultural and social science project on recent forms of knowledge management work in law enforcement organisations. The aim is to analyse the way knowledge management in law enforcement (its methods and forms, as well as the means and degree of knowledge sharing), and knowledge-based law enforcement work (in regard to social environments and types of tort), interact. The project traces and tries to understand the specific workflows occurring in the everyday work of law enforcement staff. The project specifically looks into the question of what role innovative concepts (such as 'intelligence-led policing') play in police work. The outcomes of this research will be translated into training material and, based on this, is considered useful for solving or preventing (new) police problems.

As mentioned before; this chapter opens just a small window onto the wide and varied landscape of the deliverables of scientific research and academic perspectives, which can be useful and supportive for the improved handling of police problems. In ideal case this will be scientific truths delivered for the practitioner's consumption — sometimes inconvenient and occasionally to be taken with a pinch of salt.
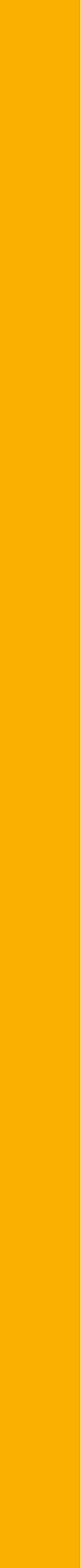
# "Riots" in French cities in November 2005: visions and revisions

**Sophie Body-Gendrot**

France

Words can hide more than they reveal and language has the power to make all look similar. Scholars have thus the duty to bring forward distinctions that have been conflated by common language. Regarding the forms of urban violence which inflamed over three hundred sensitive neighbourhoods in France in November 2005, the media as well as numerous social scientists and politicians referred to "riots". The term evokes fewer riots due to starvation in India than the racial riots in American cities in the 1960s and later, those of Los Angeles in 1992, the images of which have been seen all over the world (Cachet et.al., 2008, p. 263-280) [1].

The use of this word is not appropriate in the French case, as will be shown. Charles Tilly himself (Tilly, 2003, p. 18) explains indeed that this term "embodies a political judgement rather than an analytical distinction", an opinion I share.

To analyse what went on in France in 2005, the questions that President Lyndon Johnson asked Judge Otto Kerner when he appointed him in 1967 as the head of the *National Advisory Commission on Civil Disorder* may structure our roadmap. What happened? How did it happen? Why did it happen? What can be done? What is specifically French in these outbursts conclude this essay.

## What happened?

The first tinder that sparked these disorders occurred on October 27, 2005, at Chêne Pointu, a neighbourhood of Clichy-sous-Bois (referred to by its shortened nomenclature as Clichy), a locality in Seine-Saint Denis (one of 100 *départements* or territorial units), in the Greater Paris. At dusk, a group of boys from a nearby housing project after playing soccer headed to their homes to break the day's fast during Ramadan. Three boys, one of Turkish descent, the other two of African heritage, took a shortcut across a locked construction site. An employee from a nearby funeral home called the police. A patrol car from the Brigade Anti-Criminalité (the BAC, France's anticrime unit) arrived at 5:20.

In Clichy, like much of the Seine-Saint Denis, confrontations are common between the police and boys from public housing projects, who are notably of North African and African descent. As the police car approached, the boys fled, since they were not carrying their identity cards. The BAC unit called in reinforcements and three more cars arrived, a total of eleven policemen. The three boys sprinted and finally came upon a three meters high wall, topped with barbed wire, the property of Électricité de France (EDF). The boys ignored the "Danger/High Voltage" signs and went in [2].

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[1] This text borrows from and updates "Urban "riots" in France: Anything new?" in: Cachet, L. et. al. (2008); *Governance of Security in the Netherlands and Belgium,* Den Haag, Netherlands: Boom Legal Publishers, p. 263-280.

[2] This description borrows from Canadian journalists Luc Bouchard and David Wright who did investigative work after the events in the concerned localities. May they be thanked.

At 5:36, a pursuing officer reported over his radio that the boys were seen climbing into the installation. But as the official report investigating police behaviour (Inspection générale des services) stated one year later, he did not go any further and spotting no move inside the EDF property, he gave up and the police patrol went back to the police station.

At 6:12, the entire neighbourhood went suddenly dark. Two of the youth had misstepped and 20,000 volts of current caused their instant death. The survivor managed to climb out and stumbled upon older boys. A rumour spread among the youth that the police had provoked the incident. Later that day, Interior Minister Sarkozy suggested that if the boys had not been guilty of something, they would not have run. Three days earlier, visiting one of the Paris suburbs, he had declared that he would rid the residents of the riff-raff (*racaille*), a term interpreted as an insult by the youth. The mention of a possible theft, reported as such by the media discrediting the victims, shocked numerous youth who expected words of compassion or at least some respect towards the grieving parents. They took the Minister's statement as a provocation.

Within two hours, in an explosion of rage that was neither planned nor organized, around one hundred young men descended onto the streets of Clichy, chanting "Dead for nothing!. Hiding their faces with hoods and bandanas, they threw rocks at city buses and the police and set twenty three cars ablaze. In usual circumstances, the disorders should have stopped after three or four days. The scenario is well known. French urban areas have experienced it since the first urban disorders took place in 1981 at the periphery of Lyon, then during the 1980s and 1990s with a peak in 1990 in Vaulx-en-Velin, again at the periphery of Lyon. The youth express their anger after an incident with the police with their limited repertoire, they torch cars and garbage cans, break windows and vandalize public goods, they confront the police and after a climax, the disorders recede.

A second unanticipated event then took place. On the evening of October 30, a tear gas canister, as those belonging to the police, fell into the entrance of a storefront mosque causing those inside—parents, family elders—to rush out, angry and humiliated. Some youth claimed that the police had thrown it on purpose and

that Islam was disrespected, the police denied being the author of the act. The consequence is that disorders started again, spreading to seven localities. Then, a strategic error was made by the police headquarters in Paris. Despite local mayors' urgent warnings, the HQ decision was to heavily protect the National stadium in Saint-Denis where a high risk soccer game was to take place on November 2. 800 experienced policemen were sent there rather than to localities adjacent to Clichy where insufficient and uncoordinated police forces including gendarmes confronted the youth. The fourth spark came from the four-day week end (All Saints' Day) which prevented local mayors from mobilizing their usual resources. After six days, 200 cars had been torched. But until November 4, except for one locality, the Eastern and Southern parts of the region remained quiet. Most clashes opposed Compagnies Républicaines de Sécurité (anti-riot squads) and small groups of youth in the Parisian region.

During 25 nights of unrest in November 2005 in three hundred neighbourhoods of two hundred cities (Rivayrand, 2006, p. 56-57):

- 10 346 vehicles were burnt (4 207 in the Parisian region),
- 233 public buildings and 74 private buildings, 7 bus depots, 22 buses or trains damaged or burnt, including 18 religious sites,
- 4 770 persons were stopped (2 808 during the crisis), 4 400 kept in custody,
- 800 people were incarcerated (including over 100 juveniles),
- 11. 500 civil servants, including 4 500 police officers and gendarmes (60 units per night) were mobilized on November 13 and 14,
- over 200 of them were injured during the outbursts (Waddington, King, Jobard, 2008, p. 5).

## How did it happen?

As is usual in urban violence, a small core of youth groups moved rapidly from one area to the other and arson spread to localities West and North of the region. The torched cars or huge garbage cans which attracted the television crews based in Paris were frequently limited to one or two streets. Arson would start in the evening (darkness shielding the youth) and

would stop after the journalists had left. In no locality, did unrest last more than four consecutive nights ([3]).

After November 6, the disorders reached provincial cities: Dijon, Rennes, Soissons, Evreux. In Toulouse, a public library and a commercial mall were damaged. The number of torched cars kept climbing and 274 localities were concerned. On November 7 marking the apex of the contagion, after the Prime Minister had delivered a speech on TV, about 1200 cars were burnt in 300 localities around the country. Then a decrescendo took place and, after November 14, the number of torched cars averaged 100 a night. The weather had turned cold, the actors were tired, numerous arrests followed by real time justice process had occurred and a state of emergency had been imposed.

More than half of the violent actions took place in three regions: Ile de France (35%), Rhone-Alpes (10.7%), Nord-Pas-de-Calais (7%); and in 40% of the urban problem zones of the eight most industrialized and socially polarized départements ([4]). (700 urban areas are labelled "sensitive" or high risk by the French administration). 60% of immigrant families in France live in these three regions.

During these three weeks, "only" one death was registered, that of a senior citizen, the cause being personal revenge rather than the disorders. A 56-year old woman was severely burnt after a bus was torched in the Parisian region. She was rescued by the bus driver (of immigrant origin). Damages have been estimated between 200-250 million Euros, according to insurance companies.

Limited copycat attacks occurred in neighbouring countries. World-wide coverage was given to the incidents with interpretations of racial riots that do not match those offered in France. A proliferation of extremely diverse interpretations followed the events, reflecting the ideology of those who either criminalized the youth or empowered them as the vanguards of a new social movement. The few youth who talked offered a very diverse range of viewpoints, either stating what they thought was expected of them

by the interviewers (we are victims) or denouncing the arsons as "irresponsible" or suggesting other motivations.

## Why did it happen?

It is complex to distinguish between the specific circumstances which triggered the events and the structural dimensions brought forward in the interpretations: they interplay in various degrees, according to contexts. What can be learnt from the perspective of this 'urban violence'? What are the differences between what looks like similar causes and processes and the numerous variations observed in time, place, and social setting?

First of all, a fraction of 15-20-year old male youth from poor areas, French and frequently of immigrant origin (because immigrants are the major component of the working classes in France) acted out of emotion and anger. By any measure, it was not a whole cohort of youth who mobilized. Youth – a deceptive word – are very diverse, some are students, some have regular jobs and keep away from the justice system, some are high school students eager to have fun, others are idle and resentful, their attitudes and age vary along a wide spectrum.

It appears that two interacting factors contributed to urban violence: first, angry teenagers acted out collectively and their actions, made visible by the media, had a contagious effect on other youth; second, other individuals instrumentalised chaos and violence for specific motivations. The first type of actors frequently set fire to public goods including some primary schools (close to their housing projects, schools are the symbol of their frustrated hopes for mobility). It has been estimated that one fourth of those sent before the judge were school dropouts. It seems the choice of targets was discussed collectively and the risks assessed; it was not just mass hysteria (Mohammed).

These events gave an impression of "déjà vu" because every year, since the 1980s, around 10-15 outbursts happen, with a noteworthy evolution. After 1997, as in other countries (Norway, the Netherlands, the U.S. for instance), half of the time, turf wars or quarrels

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([3])  Cf. *Violences urbaines: une exception française*, Note externe de veille 31, Centre d'analyse stratégique, October 23, 2006, p.3

([4])  According to a 2006 Report from Délégation à la ville on urban violence.

about girls or family feuds cause the disorders. Police shootings or chases or justice decisions are less often the cause of disorders. Whether the turfs controlled by dealers remained quieter than others or had been disrupted is a matter of debate.

What was new, besides the four sparks already mentioned, was the huge television coverage of the events. "The fact that at the start, they counted the number of burnt cars, the number of cities, even concerned neighbourhoods, does not help. It creates a sort of Top Ten of the hottest city and as they are somewhat stimulated by the fact that they compete with the youth of the nearby city, they want to cause more damage to be seen", remarked Antoine, a 22-year old (Ciccelli et al. 2006, 35). Then, the media and Sarkozy's political opponents were probably hoping that he would repeat the mistake the Chirac government had made in 1986, when a young man, Malik Oussekine, chased by a motorcycle police squad, died during a student demonstration. The national emotion caused by this event is said to have eased the victory of F. Mitterand in the Presidential election (Fillieule and Jobard, 1998). Youth were stimulated by the presence of television crews and by the potential attention they could get. "Had we engaged in peaceful demonstrations, it would have achieved nothing. The only means for us to be heard was to torch cars while on TV. I would say it worked", a teen-age remarked (Kokoreff, 2008, p. 149-150). The media acted as a magnifying glass, making sense out of isolated acts, rewarding negative heroes, but after a while, denouncing them for their excess.

Torching cars is one resource in the limited repertoire these youths have in marginalized areas. About one hundred cars are torched every week end in France with peaks on Bastille Day and on New Year's Eve. But it should be said that numerous cars burn simply by contact, others are burnt by their owners to get the insurance, conceal a robbery, or get rid of wrecks.

Yacine admitted having thrown objects and "cocktails" at the police during the riots (see Wright & Bouchard, 2006). "It was an incredible release. I felt super." He pointed at a scar above his eye as he was stopped by a squad of CRS with a trunk-load of glass bottles filled with gasoline. He spent the next five days in detention and then was sent to the judge.

Numerous French commentators have resorted to a social stratification perspective and to the theory of relative deprivation to explain the events. They emphasize mounting and cumulative burdens on specific groups in specific places. Clichy is indeed the poorest locality in Seine Saint Denis. Dependent families make up 67.4% of the population and 46.6% are under the poverty threshold. 33% of the residents are not French (45% in Chêne Pointu) and among them, 60% are jobless (Kokoreff 2006, 166).

The (improperly used) term *banlieue* evokes poorly designed urban space including public housing, insufficient and costly transportation, dysfunctional public services (for instance Clichy had no police station at that time, despite continuous political promises to create one). But, when budget cuts hit community organizations in 2002, disorders did not follow. It should also be pointed out that numerous "sensitive areas" remained quiet during the outbursts. The structural explanation is thus limited.

The zones marked by urban violence in 2005 had no prior tradition of disorders. There was no transmission of a culture of protest from the older ones to the youngest. The new sites of violence were characterized by large sub-Saharan families, recently settled. Their concentration and their level of segregation correlate very significantly with the geography of the riots, according to Lagrange. The political representation of these residents is non-existent (Lagrange, 2008, p. 113).

Place mattered and the areas which remained calm (like Marseille or Strasbourg for instance) were frequently those with a strong local culture, energetic social control exerted by families and community organizations. In some of these localities, previous social work had been done, crisis cells established, dialogues led.

Paris never burnt, unlike what was evoked on the international media ([5]), but for other reasons. The city is a highly protected sanctuary and a high priority on the police list ([6]). What occurred was not a Jihad-led

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([5]) CNN sent C. Amampur, back from Irak, as if this were a war and Ben Laden to be found in Seine Saint Denis.

([6]) When there was a rumour on a blog that youth would march on Champs Elysées, 1500 policemen were mobilized, just in case.

mobilization nor race riots (Body-Gendrot, 2007) [7]. Identities in France emanate from turfs, gender, marginalisation. Ethnicity constructed here and now is only one element. Most of these youth acted as French.

## What was done?

At the national level, the state kept the upper hand but with a delay. A state of emergency was pronounced by decree on November 9, reviving a law passed in 1955 at the beginning of the Algerian war. It allowed curfews and home searches all over the territory, the ban of group reunions and the closure of cafés and entertainment places in the risk zones in 25 *départements*. *Préfets* were required to deport undocumented foreigners implied in the outbursts. The Police Prefect from the Seine-Saint-Denis forbade the selling of gas cans in local stores. The state of emergency meant to last three months was terminated after January 4. Very few localities resorted to curfews.

The police and gendarme forces were praised for their efficiency, competence and self-control in order maintenance. It was suggested however that their mode of intervention, while effective and cautious, impacted on the length of the disorders. Their goal was not to enforce mass arrests but to contain urban violence within the sensitive zones. It thus left the fastest running youth free to continue their actions. Due to the politicization of French society, also labeled a delinquent or distrustful society, the use of authority and force is blamed when it is exerted at the expense of the weakest. Vandals are ostracized, but so is heavy repression; disobedience is tolerated, yet people expect the state to intervene to solve their problems. In an opinion poll [8], 66% of the French trusted the Interior Minister for bringing solutions to the marginalized *banlieues* and 63% approved the deportation of foreigners arrested during the outbursts, whether they were legal or not. In 1968, the Paris Police Prefect had warned his men that they might win the battle on the streets but that if they lost their self-control after the first

violent necessary move, "they would lose something very special that they rank highly – their reputation. To hit a man on the ground is to hit oneself", he had said. Consequently, numerous police chiefs admit that their job is to calm their men and "when confronted with fifty youth armed with iron bars, the only civic reaction for the police is to leave and not treat the problem when it is inflamed: it would only worsen the situation and make it impossible to redress later on. The police refuse to contemplate a Pyrrhic victory" (Body-Gendrot, 2007, p. 237).

Police handling of events have very different outcomes. How to manage outbursts varies according to police leadership, initiatives, public expectations, accountability, police ethics, etc. Sometime stops and searches are more revealing about modes of policing than the race or ethnicity of those who are stopped. Compared with the community mode of policing which is much more accountable, the French national police are only accountable to the Minister via the Prefect, which may give some of them a sense of impunity. But accusations of racism are denied.

The accumulated savoir-faire regarding the role police have to play when disorder occurs should to be mentioned. Riot policemen first resort to water pipes against demonstrators, then throw tear gas, then launch an assault, which is the inverse order of what demonstrators expect. They also attempt to isolate the provocateurs or 'potential assaulters' from the followers and voyeurs that they force to disperse. Riot policemen are aware that they are being watched by television crews which may give a hostile coverage of their actions and the presence of which boosts the demonstrators. On the one hand, it is because the police maintain a spatial distance with hostile groups, that journalists can approach the latter so closely. On the other hand, this assumption can be reversed and the police may use the media in the pursuit of their own interests. It is a chicken-and-egg question. Most policemen however are trained to ignore such coverage.

Unlike what happened after the riots of the 1960s in the US with the appointment of the Kerner commission or the Brixton disorders of 1981 followed by the Scarman report, there was no commission of that type convened by the government. It can be interpreted as

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[7]  The report from the International Crisis Group in 2006 hints that because radical Islam is in decline in France and does not attract male youth from housing projects, the latter resort to urban violence. Only 28% of Muslims in France are regular religious practitioners according to recent polls.

[8]  National Gallup Institute IPSOS published in *Le Point,* nov.12, 2005.

its unwillingness to implement strong changes before the national elections in 2007.

As for justice, the curve of massive arrests (2 808 demonstrators were stopped and frisked during the crisis followed that of disorders and shows that real time judicial processes resulted in massive sentencing. 800 people were incarcerated, including over 100 juveniles and the prosecutors were required to be tough by the government. In more than one third of the cases however, youth were not convicted because the proofs against them were not strong enough. Most of them were accused of throwing stones and other objects at the police, others were indicted for arson or vandalism. Those convicted were sentenced to four months of incarceration on average, with two months and a half of suspended sentencing.

At the local level, numerous mayors of urban vulnerable areas mobilized their city police forces (between 16000 and 19000 officers in France), made use of private safety agents, summoned the anti-violence wake cells that had been created years ago. Mediators, volunteers, some of them religious leaders, others adult residents watching the sites and talking to the youth all night long intervened. Special mention should be made of public housing managers in charge of numerous units. Their accumulated expertise led them to 1) systematically review security, alarms, locks, CCTV's, lights, power rooms, elevators, basements, terraces, parking lots, vacant apartments and green spaces. 2) clean wrecks immediately 3) negotiate with youth required to burn garbage cans elsewhere than on the premises. They had daily debriefing sessions with partners (including local police) during the three weeks of outbursts.

## What is so French about these disorders and the responses?

The outbursts are a symptom of the disconnection of an inflated central state and its elites from the people at the margins. The heart of the matter is that the central state does not know what to do with these marginalized *banlieues*. The state acts on long trends, whereas media pressures requires quick responses; its answers are usually technocratic, whereas *à la carte*, tailor-made measures are needed. Hardly any resident

of immigrant origin from these areas is asked to explain how people there feel, think, evaluate the situation and what ideas they have. In France, the higher spheres of the state and intellectuals speak in the name of sensitive areas' residents and do not even try to empower them. The failure of integration in the sense of belonging and "feeling part" of a multicultural society comes from an archaic path dependency characterizing French society and its system of political representation. France is not the only country to blame for its difficulties to deal with "visible minorities" (the very word minority has no official recognition). The Netherlands, Belgium, the UK experience similar problems with some of their Muslim populations but at least experimentations are tried and can be successful. In France, a strongly centralized country, with the largest number of civil servants (30% of the working population) and the largest Muslim population in Europe, it appears that empowering civil society in the solution of its problems is a dream deferred.

In France as in Britain, civil unrest involves second or third generations who, as citizens, expect an equal treatment. In Milan or in Barcelona, outbursts mobilize newcomers. But in UK, in the 2000s, as in former East Germany "Länders", far right activists contend with immigrants, which is not the case in France where symbols of the state are the first targets of the angry youth.

Local authorities do not have enough resources for initiative and remain supervised by Prefects in charge of law and order. A new law passed in the fall of 2006 gave them more leadership over police strategies but mayors did not enjoy being accountable on this matter without additional resources or major changes in the structure of power. The redistribution of social justice is politically risky when many impoverished populations do not vote.

As for the police, comparisons with other countries show that while the French police excel at order maintenance and investigation, they fail at preventing or at anticipating social unrest. French police academies almost never directly tackle the issues of discrimination and institutional racism in training sessions (Body-Gendrot and Wihtol de Wenden, 2003) and on the whole, police unions are hostile to the development of discussions on such issues. Residents are not invited by

police academies to give their reasons for antagonisms between police and youth.

New recruits in the police are frequently under the impression that they are doing the "dirty work" for which society does not want to take responsibility. They receive contradictory injunctions: they are submitted to a culture of results in terms of arrests, required to control the youth' s behaviours and instil social discipline to them; yet they are also asked to avoid any escalation of disorder by going to 'hot' places at the wrong time.

It is most difficult for inexperienced policemen to exert control on housing projects where youth can easily hide. Significant sites like soccer field, buildings' basements and entrance halls, green spaces, commercial centre and stores are under the surveillance of youth groups. There is often only one access road to housing projects closely watched over by youth signalling the arrival of police cars to others.

The level of accumulation of grievances on the part of both youths and the police is a major explanation for why some neighbourhoods experience outbursts of violence and why similar neighbourhoods do not.

Their professional culture leads policemen to see youth in risk areas as 'hostile'. In a mimetic posture, the youth perceive the police as a gang trying to control the public spaces which they have somewhat appropriated and privatized. They complain of harassment and humiliation. Their honour is at stake. On each side, the memory of events and of clashes is perpetuated, with no option for understanding the position of the other. The training of young recruits by police chiefs looks like an uphill battle. The former ask for their transfer as soon as they are sent to Saint Denis. The same is true with the Educational system where students often have a better knowledge of their school than any of their teachers.

Such a social context explains why any incident involving youth and the police looks like a bomb waiting for a match. Youth with no hope for mobility do not believe that social change may reach them positively, they hold both fatalistic attitudes and a feeling of injustice. Under such conditions, why should they adopt the norms of those by whom they feel rejected? Why would they resist the temptation of violence?

## Conclusion

These forms of urban violence 'in crumbles', or 'paper riots' were not "a prelude to negotiation" (Hobsbawn, 1959), they did not lead to further social integration via their transformation into conflicts. Torching cars was not a political statement leading to an entitled empowerment. For the Intelligence Service (RG): "This was a form of unorganized insurrection with the emergence of leaderless and program-less revolt. No manipulation was observed, no action on the part of Islam fundamentalists. The far left did not anticipate the outbursts to its great dismay". This was neither an insurrection nor an uprising either. There were no leaders, no articulated program, no specific grievances, no attempts to connect with the political apparatus as was the case with the Black Power leadership in the U.S. in 1968 or even with the Crips and the Bloods after the L.A. riots in 1992. For the editor of *Le Monde*, "these were forms of violence, vandalism, the expression of a nihilistic rage, frequently from juvenile offenders. Very specifically, the stage before riots, which always have a defined goal, trigger looting, provoke deaths". [9] It is noteworthy that almost no looting happened then and as mentioned before, only one accidental death was registered, almost no firearms were used. These youth asked for nothing, they made themselves visible. They are probably aware that there are no structures and no elaborated social proposals aimed at opening a dialogue with them. Protest is not enough. They are institutionally disempowered and politically ignored. Due to the disconnection of the centralized state and its elites from the meaningful and daily issues in marginalized areas, due to their "distant management" masked under a guise of repressive authority, due to society's and political parties' general indifference to segregated margins, due to a lack of plural political representation, disorders will erupt again.

The length of the disorders, their contagion and the impressive damages they caused revealed the depth of accumulated problems of these areas. Most adults did not support the offenders, but a lot of them said that

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[9] Après le choc, *Le Monde,* 11/29/05.

they "understood" these violent reactions because, since the beginning of the 1980s, no governmental policy has efficiently alleviated the social and economic deterioration that these areas have experienced, given them more efficient institutions (the failure of public education is to be emphasized), dealt with the contempt, discrimination and racism that residents resent, nor has their participation been asked for in urban renewal policies. The images of these outbursts as seen on the media are not without consequences, even though their effect may not be voluntary. "This effect has produced something, like a "passive organization of revolt", with the characteristics of a movement "à distance". For its development, the movement indeed narrowly depended on the media reflecting its own image" (Balibar, 2006, p. 95.).

Did the events change anything? They were never a theme of debate during the Presidential campaign which took place the following year. Majorities supported the return of order, after a moment of 'normative fear'. With the formalization of insecurity as a unified and unifying category, a consensus seems to prevail.

Why does unrest not occur more often? It may be suggested that urban violence is catalysed through a maze of discreet and highly dispositional events which, at a defining moment, fold into one another. It is this combination of chance, context, and causation which should guide further research.

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## Post-scriptum

Ten years ago, I ended my essay on the inability of French elites to increase the upward mobility of marginalized youths and to give a recognition to issues of humiliation, discrimination and racism making them feel second-rate citizens. I did not insist enough on religion, an issue that took a growing importance in the *banlieues*, after 2005. Inserting Islam's values into France's core values and giving a place to (rather than integrating) populations from the South was off the table then, partly due to the electoral strength of the far right in the 2007 elections and partly because of a strong belief in secularization in France. In the meantime, the Middle East and other conflicts took on localized, ethnicised and essentialised forms in neighbourhoods where Muslims are a major component or the population.

Since 2005, besides an urban renewal policy at a cost of 6,6 billion euros, no comprehensive governmental policy alleviated the downtrodden *banlieues*' social and economic deterioration in providing more jobs and public services for impatient new generations. Visible minorities' political representation hardly improved locally and nationally. The French model of policing of stop and search *in the banlieue* was reinforced with the threat of terrorism and the notion of policing by 'consent' was never debated. On the contrary, the police were praised for experienced and firm order maintenance and more weapons of protection were allocated to the forces in December 2005.

After the terrorist attacks of January 2015 against a satirical newspaper in Paris, *Charlie-Hebdo*, the government paid attention to the *banlieues* which were politically perceived as a breeding ground for home-grown terrorism. The Prime Minister, a former *banlieue* mayor, denounced 'a territorial, social and ethnic apartheid' prevailing in those areas. Besides specific anti-terrorist measures targeting 'violent public disorder', anti-racist and anti-semitic measures were given a priority. But then, more lethal terrorist attacks hit Paris again in November 2015. Policemen who had received a strong support from the public in January when some of them had acted as heroes to save potential victims, were approved again by 82% of the French, according to a poll (*Le Parisien* May 18, 2016), a 17% increase since 2014. 56% of the polled asserted that they trusted the police. However, a violent heterogeneous minority made of anarchists, ultra-radicals, politicized youths express hatred -and for some of them, a death wish- regarding the police. Not all of them come from the *banlieues*. Their violent emotions displayed in the public space are oriented against institutions, capitalism and mainstream society in general. As France is currently in a state of emergency, due to a very high risk of terrorism, the issue of the banlieues is no longer a priority on the political and media agendas.
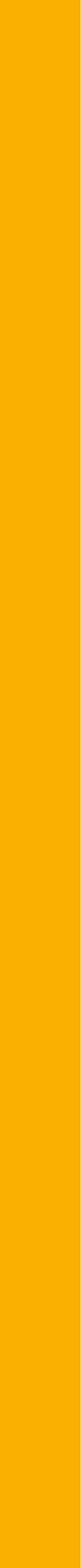
# Policing low level public disorder, antisocial behaviour and alcohol-related crime: from the metropolis to the tourist resort

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(2006 Conference in Bramshill)

## Introduction ([1])

The very nature of *public* disorder means that it has always been a key component of the everyday work of the police, but the nature of public disorder varies markedly. It incorporates terrorism and politically motivated 'single incidents', riots and mass protest, and violence and disorder associated with mass events like the football World Cup or Olympic Games. However, in most countries the police are more regularly engaged in low level street disorder. The maintenance of order on the streets has long been regarded as one of the main priorities of policing (Wilson 1968), and its successful implementation may prevent isolated incidents escalating into more widespread disorder. This resonates, albeit in a rather different direction, through more recent US and British interest in zero tolerance policing, where punitive policing of public nuisances is alleged to prevent minor offenders gravitating to more serious crime (Kelling and Coles 1996; Innes 1999).

In the UK a number of government initiatives have addressed various dimensions of public disorder. For example antisocial behaviour (Burney 2009; Millie 2008; Millie et al 2005) ([1]) and alcohol-related crime (Dingwall 2011; Secretary of State for the Home Department 2012) ([2]) have been prioritised. However, while antisocial behaviour clearly comprises many elements of public disorder, the terms are distinct. Essentially, antisocial behaviour incorporates two dimensions: the way people behave inappropriately in public (e.g. people being drunk or rowdy in public places), and the consequences of that behaviour for the environment (e.g. vandalism, graffiti and other deliberate damage to property). From a policing perspective, the former constitutes public disorder but the latter only sometimes and when the act is ongoing. For example, the act of setting fire to a car is clearly a matter of public order but the consequence, the burnt out car, is not.

Equally, many of the items listed as antisocial behaviour involve alcohol or drug misuse, but not all alcohol or drug related crime can be described as involving public disorder (Budd 2003; Dingwall 2011; Matthews and Richardson 2005; Richardson and Budd 2003). For example, alcohol or drug consumption may lead to other offences, such as burglary, that are unrelated to public disorder, whilst excessive alcohol consumption

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([1]) See also The Anti-social Behaviour, Crime and Policing Act 2014, accessed 25/05/16 at https://www.gov.uk/government/collections/anti-social-behaviour-crime-and-police-bill

([2]) See also: https://www.gov.uk/government/publications/2010-to-2015-government-policy-harmful-drinking/2010-to-2015-government-policy-harmful-drinking, accessed 25/05/16. In 2014 the government also established 20 local alcohol action areas to tackle the harmful effects of irresponsible drinking, particularly alcohol-related crime and disorder, accessed 25/05/16 at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278742/LAAAs.pdf

and its consequences may be confined to private space. ([3]) In the latter context it is worth noting that urban violence in the night-time economy tends to occur in public areas around licensed premises rather than in the licensed premises themselves (Hobbs 2005). However, while public concern over alcohol-related disorder is considerable (Walker et al 2009), fuelled by debates over more flexible licensing arrangements (see Crime Prevention and Community Safety: an international journal 2009), the focus has been almost exclusively on metropolitan locations.

Nevertheless, locations away from the big cities may evidence high levels of public disorder, and present particular problems for the police. One that has remained largely absent from British government debates is the extent of disorder, especially alcohol misuse, in tourist resorts. This is particularly surprising, given an established body of research that demonstrates a close association between tourism and crime (Brunt and Hambly 1999; Pizam and Mansfeld 1996; Ryan 1993). Research suggests that many tourists areas experience relatively high levels of crime and disorder, and that within such areas the routine activities of tourists may lead to them committing crimes (Andrews 2011; Bellis et al 2000; Cohen 1980; Homel et al 1997; Prideaux 1996), becoming the victims of crime (Chesney-Lind and Lind 1986; Mawby, Brunt and Hambly 1999; Michalko 2003; Stangeland 1998), or both. Of course, not all tourist areas are associated with high levels of crime and disorder. The nature of the tourist area has a direct impact upon crime rates and patterns, with those mass resorts marketed at younger tourists evidencing the greatest public disorder problems (Andrews 2011; Bellis et al 2000; Prideaux (1996).

The issue is, from a policing perspective, complex. Residents of major tourist areas are generally critical of the extent to which tourism generates crime and disorder problems (Davis et al 1988; Haralambopoulos and Pizam 1996; King et at 1993; Ross 1992). Demonstrations in 2009 by residents of the British

youth tourist destination, Newquay, provide a graphic illustration of this (Mawby 2012). Similarly, recent demonstrations by residents of Barcelona against unruly behaviour by tourists, including Italian youths creating disturbances in the streets, has led the mayor to curtail tourist development. ([4]) But those involved in the tourism business, such as hoteliers, leisure industry managers, employees whose jobs depend on tourism etc., may be far more ambivalent. Tourist areas do not spontaneously emerge as centres of the club scene, locations where sex and alcohol are an expected part of the holiday 'package'; they are specifically marketed as such and targeted at groups within the population to whom such holidays appeal. In consequence, the police may find themselves policing a contested aspect of public behaviour, where the local public at large hold very different perceptions of appropriate policing from key local businesses – and possibly local government – whose prosperity has been built on precisely that image (Barton and James 2003; Mawby 2012).

This article focuses on the policing of public disorder in such contested areas, by using four examples from the academic and wider literature:

- The policing of street disturbances between 'mods' and 'rockers' in 60s' Brighton.
- Policing the 'schoolies' holidaying on Australia's Gold Coast.
- Responding to Amsterdam's reputation as a center of drugs and sex tourism.
- Faliraki revealed as the sex, drugs and alcohol destination for young people from Britain.
- In the light of these examples, the paper concludes with an evaluation of a range of policy options that have been considered.

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([3]) http://www.ias.org.uk/Alcohol-knowledge-centre/Crime-and-social-impacts/Factsheets/UK-alcohol-related-crime-statistics.aspx, accessed 25/06/16, http://webarchive.nationalarchives.gov.uk/20160105160709/, http://www.ons.gov.uk/ons/rel/crime-stats/crime-statistics/focus-on-violent-crime-and-sexual-offences--2013-14/sty-facts-about-alcohol-related-violence.htm, accessed 25/06/16, http://webarchive.nationalarchives.gov.uk/20160105160709/http://www.ons.gov.uk/ons/dcp171776_394516.pdf, accessed 25/06/16

([4]) www.theguardian.com/world/2014/aug/21/naked-italians-protests-drunken-tourists-barcelona, www.travelmole.com/news_feature.php?c=setreg%c2%aeion=3&m_id=Y%21Y%21_rT_T_mb&w_id=10423&news_id=2014023, accessed 25/06/16, www.travelmole.com/news_feature.php?c+setreg&region=3&m_id=Y%21Y%21vT_Y%21T_m&w_id=31029&news_id=2017470, accessed 25/06/16

## 'Mods' and 'rockers' in 60s' Brighton

Stan Cohen's (1980) seminal work on the 'Mods and Rockers' conflicts in England described the convergence on South and East coast resorts in the 1960s of groups of working class youths, whose behaviour was perceived as a threat to the established social order. However, Cohen was more interested in the amplification process than on Mods and Rockers themselves. Nor does the research focus on tourism; rather, the example of public disorder, what Cohen (1980, 180) calls 'expressive fringe delinquency' at seaside resorts is coincidental; any other example of reactions to youth cultures might have been taken.

The scene of the first confrontation was Clacton, an East coast resort and traditional holiday weekend venue for working class youths from the East End of London. During an especially cold and wet Easter weekend in 1964, fighting broke out between groups of youths, some damage was done to beach huts, and windows were broken. Later confrontations occurred at resorts including Southend, Bournmouth, Brighton and Margate.

According to Cohen, the resorts at the centre of the Mods and Rockers drama had been traditional Bank holiday resorts for London's working classes. They also shared a certain shabbiness, having lost their traditional family holidaymakers to the Spanish Costas. Their facilities were meagre and overpriced and the youths went with the hope, rather than the expectation, that they would experience some excitement, whether this involved sex, drugs or 'aggro'. Following Downes (1966), Cohen saw their reaction as in part a response to the disjuncture between the leisure opportunities promised in the media and the reality of their situation as impoverished working class youths in dead-end and unrewarding jobs:

'All that was left was to make a gesture, to deliberately enter into risky situations where putting the boot in, throwing rocks around, dumping a girl into the sea, could be seen for what they were. Add to this volitional element the specific desires for change and freedom over the holidays, to get away from home, the romance of roughing it on the beaches or sleeping four to a room in a grotty seafront boarding-house, finding a bird, getting some pills. One chose these things, but at the same time one was in a society whose structure had severely limited one's choice and one was in a situation where what deterministic forces there were – the lack of amenities, the action of the police, the hostility of locals – made few other choices possible (Cohen 1980, 183).

However, as already noted, Cohen's work emphasised societal reaction rather than explaining primary deviance. This was done in terms of concepts such as 'moral panic' and 'deviation amplification'. A moral panic is defined as where:

'A condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or (more often) resorted to; the condition then disappears, submerges or deteriorates and becomes more visible' (Cohen 1980, 9).

Cohen then used the concept 'deviation amplification' to explain 'how the societal reaction may in fact *increase* rather than decrease or keep in check the amount of deviance' (ibid., 18). Reaction to local conflict in resorts such as Brighton in part reflected concern over the changing nature of tourism in the area and a forlorn hope for a return to the past. But a localised conflict became redefined as a major social problem. The process whereby this occurred is illustrated by Cohen. For example:

- Fights between loosely formed street groups, some local, were re-interpreted as confrontations between gangs of Mods and Rockers who had converged on the resort from London with the avowed intention of confrontation.

- Essentially working class youths were redefined as affluent and drawn from a wide spectrum, with the assumption that their behaviour was typical of most youths.

- Deliberate intent was accredited in cases where in fact most *'young people present at the resorts came down not so much to make trouble as in the hope that there would be some trouble to watch'* (ibid., 36).

- The impact was exaggerated, both in terms of the costs of damage and the loss of revenue to the resort.

Cohen (1980, 77-143) then went on to assess societal reaction under three headings: sensitisation; the social control culture; and exploitation. Sensitisation referred to the way in which subsequent acts were interpreted and defined as further examples of the phenomenon; thus all resort conflicts and many examples of adolescent hooliganism were reclassified as Mods' and/or Rockers' activities. The societal control culture referred to political and penal response, with tougher policing, harsher sentences and disregard for due process, and clamours for draconian measures to stamp out the 'evil'. The exploitative culture referred to the ways in which various agencies used the inventory for their own ends; for example, by claiming more resources, identifying the moral value of their own organisation etc.

In summary, the process of amplification was seen to involve five stages: *initial deviance* leading to the *inventory* and *sensitisation* which fed back on each other to produce an *over-estimation* of the deviance, which in turn was used to justify an *escalation* in the control culture (ibid., 143).

While Cohen's work allows us to appreciate that disorder in seaside resorts is not a modern invention, the next example, the 'invasion of the schoolies', demonstrates that it is not just a British, or indeed European, issue.

## Invasion of the schoolies

Surfers Paradise, located in the centre of the Gold Coast region of Queensland, grew from a quiet seaside town in the 1960s to become the Australian mecca for young tourists. It is an international resort renowned for its nightlife. At the time of Homel et al's (1997) research there were 187 licensed premises in the area and 22 nightclubs in the small central business district, and the problem of alcohol related disorder was widely acknowledged.

One aspect of this was the identification of Surfers Paradise with the annual 'schoolies invasion'. In Australia, the end of the school year regularly sees thousands of school leavers ('schoolies') descend on coastal resorts to celebrate (Scott 2006). [5] Gold Coast resorts like Surfers Paradise are particularly favoured and indeed to a large extent promote themselves as catering for young singles.

In late November and early December 2002 a succession of schoolies from Queensland, New South Wales and Victoria took over resorts like Surfers Paradise, resulting in drink-related public disorder problems that spilt over into vandalism and violence. For example, on Friday night, 22 November, 67 people were arrested, mainly for assaults and disorderly conduct. This resulted in concern among locals and other holidaymakers, provoked claims that films such as the hit teen movie *Blurred* had encouraged the behaviour, and led to calls for the tourist industry that actively promoted the resorts to school leavers to fund crime reduction initiatives. [6] This resulted in a crime and safety audit and action plan in 2003. [7]

While clearly the initiatives described by Homel et al (1997) did not have a long term impact, they are worth revisiting, both because they demonstrate that a broad menu of policing initiatives can impact upon public disorder, and because the research identifies the limitations to such initiatives.

Fundamental to the situation on Surfers Paradise is acceptance that different constituencies have different perceptions of risk. Local residents were concerned about public disorder, with almost three quarters

[5] See for example: http://www.schoolies.com/what-is-schoolies, accessed 25/06/16
http://www.dailymail.co.uk/news/article-3329849/Schoolies-carnage-continues-Australia-wild-photos-emerge-social-media.html, accessed 25/06/16
https://www.youtube.com/watch?v=guL4yxSDy-4, accessed 25/06/16

[6] David Fickling in Surfers Paradise, Guardian, November 29, 2003, accessed 25/05/16 at www.guardian.co.uk/australia/story/0,12070,1095896,00.html
The following sources were also used here. Accessed 21/11/03, they are no longer available on the internet:
http://entertainment.news.com.au/common/print-Page/0,6164,5517703%5E7485%5E%5Enbv,00.html
www.themercury.news.com.au/common/story_page/0,5936,5544472%255E421,00.html
http://townsvillebulletin.news.com.au/print-page/0,5942,5438850,00.html
http://www.goldcoast.qld.gov.au/t_news_item.asp?PID=2303&status=Archived

[7] http://www.goldcoast.qld.gov.au/crime-safety-profile-of-surfers-paradise-6066.html, accessed 25/06/16

concerned at lack of safety at night and at public drunkenness, a view echoed by many retailers who had relocated elsewhere. However, owners of the pubs and clubs in the area saw the image of Surfers Paradise as the night-time leisure capital of Queensland as crucial to their success. The initiative therefore aimed to draw these various constituencies into an alliance, whereby a reduction in antisocial behaviour would be seen to benefit all those concerned. The mechanism whereby this was to be achieved involved the creation of a multi-agency partnership incorporating licensees, local government, police, health and the public to focus on:

'(T)he way licensed venues are managed (particularly those that cater to large numbers of young people); the "re-education" of patrons concerning their role as consumers of "quality hospitality"; and attention to situational factors, including serving practices, that promote intoxication and violent confrontations' (Homel et al 1997, 266).

Specific examples included:

- Security audits, using police and security firms' data and observational approaches.
- Registration and training of security personnel.
- Joint patrols by police and private security personnel.
- A shuttle bus service to enable patrons to leave the area safely.
- Neighbourhood watch.
- The creation of a Venue Management Task Group and separate Monitoring Committee.

The latter were seen by the evaluation team as crucial. The Venue Management Task Group was important in promoting standards whereby pubs/clubs would operate in ways that reduced the risk of alcohol-related disorder. For example: low alcohol drinks were promoted at discounted prices, rather than Happy Hours; problem drinking on the premises was better controlled; the availability and quality of food was improved; and there were restrictions on size and strength of drinks. Where licensees were seen not to be complying with this model, they were brought before a peer-based Monitoring Committee, which aimed to achieve a resolution that was acceptable to all parties. The police and licensing authorities were not represented on the committee, but the Monitoring Committee referred on cases that could not be resolved voluntarily.

Homel el al (1997) reported an impressive short term impact for the initiative, both in terms of outputs and outcomes. Licensees were assessed as operating according to the new standards, and the extent of alcohol-related disorder reduced appreciably in the first year of the initiative. However, a year later, problems were resurfacing, which the researchers to a large extent attributed to the reduced effectiveness of the Monitoring Committee. They argued that the initiative succeeded in that local communities came to recognise that it was in their interests to move away from cut-throat competition based around excessive alcohol discounting and towards upmarketing the resort, and that empowering these constituencies provided the most effective forum for achieving this, but that the withdrawal of central funding and a move to empower the Venue Management Task Group contributed to individual licensees flouting the rules in the interests of short-term profits. As a result, by 2002 local people were once again calling on the police to win back the streets.

Certainly, the evaluation by Homel and his colleagues suggests that partnership work to enhance policing of public alcohol-related disorder can be effective. However, given the short term impact of the initiative it is worth considering how the initiative might have been improved. One aspect, for example, which is surprisingly absent from the discussion, is the impact that physical situational crime reduction measures such as improved street lighting and CCTV might have had on creating safer public space (Mawby 2014). Most importantly, though, the initiative appears to have ignored the infrastructure within which Surfers Paradise was, and continued to be, marketed as the place young people went for alcohol, sex and drugs. If tourists are encouraged to go to a venue for its night-time economy, and then told when they arrive that it would be better if they behaved differently, resistance is scarcely surprising. If licensed premises on the Gold Coast are to promote more responsible night-time leisure pursuits this needs to be reflected in the ways in which areas like Surfers Paradise are marketed.

## Responding to Amsterdam's liberal identity

The questions raised for public order by Amsterdam's reputation as the European capital of sex and drugs tourism, on the face of it, appear somewhat different. However, where the result is that young males are attracted to the streets of the Netherland's capital city, similar problems arise.

Both sex tourism and drug tourists can be defined either narrowly or widely. In the former case, tourists may choose a particular holiday in a particular location in order to engage in sexual activity as a major part of their holiday, or (as for schoolies on the Gold Coast) or young British tourists holidaying in Spain (Andrews 2011) they may see sex as an important, but by no means necessary, ingredient (Jones 2001). Similarly, one might distinguish between drug tourists who are attracted to the area by the local culture, of which drug use is an intricate part, and those who are attracted exclusively by the opportunity to use drugs (Uriely and Belhassen 2005).

The expansion of foreign tourism and increased migration of impoverished women from poorer to more affluent societies have combined to fuel an expansion in sex tourism and tourist destinations defined by sex tourism. Amsterdam is a case in point. While prostitution in the city has been long established (Boutellier 1991; Brants 1998) and has been encouraged by what Brants calls the 'fine art of regulated tolerance', sex tourism is a comparatively recent phenomenon (Nijman 1999) but one that is crucial to Amsterdam's (and the Netherlands') income from tourism (Carter 2000; Dahles 1998; Wonders and Michalowski 2001). However, the way that sex tourism develops in different societies is moulded by the structure and culture of the host (Carter 2000), as Wonders and Michalowski (2001) note in a comparison of Amsterdam and Havana.

While drug tourism is also associated with South America, and Asia (Uriely and Belhassen 2005; Valdez and Sifaneck 1997), nowhere is the association between drugs and tourism more evident than in the Netherlands. As Nijman (1999) explains, this is relatively recent and somewhat contrived, with Amsterdam now holding many of the characteristics of an alternative lifestyle theme park.

According to Gemert and Verbraeck (1994, 156):

*'By the early 1970s, Amsterdam had become a mecca for students, tourists and dropouts; the National Monument at the Dam square became a popular gathering place for hash-smoking "hippies".'*

While drug use is illegal in the Netherlands, the policy of 'expediency' allows key players in the local law enforcement system to enforce the laws differently. In Amsterdam and other larger cities, this has resulted in the condoning of the sale of soft drugs in the 'coffee shops'. Jansen (1994) reported that in the early 1990s some 1,000 coffee shops in the Netherlands, and about 300 in Amsterdam, were openly selling hashish. Many of these specialised in providing marijuana for tourists. Policy changes mean that marijuana can only be purchased and smoked within coffee shops and there are now about 200 licensed coffee shops in Amsterdam (Ross 2015). [8] In particular, the Damstraat district, at the heart of tourism in the city, became established as the main location for purchasing hashish and the centre of the coffee shop phenomenon (Gemert and Verbraeck 1994). Nevertheless, hard drugs had become increasingly available in the area, with tourists creating much of the demand.

The precise relationship between tourism and drug use was examined in some detail by Korf (1994). He argued that the spread of illicit drug use was primarily associated with youth tourism. Indeed, until the mid-1970s the majority of arrests by the Amsterdam Narcotic Squad were of foreigners. The first drug tourists were mainly 'hippies', using cannabis and psychedelic drugs like LSD. The liberal policy of the Dutch government towards soft drugs, the provision of early support programmes, and a more sympathetic approach to treatment for addicts (compared with neighbouring Germany), encouraged foreign visitors in search of either supplies or help. However, by the early 1980s, the Dutch government, concerned that its policies were attracting foreign users, shifted emphasis: policing of foreign dealers was increased and methadone programmes made less accessible to foreign nationals.

With regard to crime, Korf (1994) found that most of his sample of drug users were significantly involved in

[8] http://www.amsterdam.info/coffeeshops/, accessed 25/06/16; http://www.amsterdam.info/drugs/, accessed 25/06/16

additional illegal activities as a means of supporting their habit. Nevertheless, a minority of this was property crime, with the drug business and sex markets providing the main sources of income. However, he noted that property crimes were more common in the main tourist season, suggesting that tourists may be targeted by drug users. Drug tourism may thus impact upon the likelihood of tourists becoming the victims of property crimes like robbery and theft from the person.

However, it seems to have been the impact of drug (and possibly sex) tourism on public order that has provoked a reaction to this tourism-generated identity from Amsterdammers (Nijman 1999), paralleling a move, in recent years, towards less liberal criminal justice policies. This incorporates the partial abandonment of 'limitless tolerance' towards a 'two track policy' in which the interests of society are considered alongside those of the drug user. According to this, drug users would receive some well-defined assistance and would not be targeted by the police, unless they were seen to cause nuisances for their environment (Horstink-von Meyenfeldt 1996; Lemmens and Garretsen 1998; Leuw and Marshall 1994). It may thus be that the nature of drug tourism in Amsterdam will change. However, current estimates are that drug tourism significantly contributes to tourism revenue (Ross 2015). A similar situation applies to the sex industry.

## Faliraki as the sex, drugs and alcohol destination for young people from Britain.

Faliraki is located in the north east of Rhodes. It is a small town, with all the bars and clubs being concentrated into two streets, each approximately 500 yards long and running at right angles to one another. One street consists of bars while the other houses the clubs. The capacity is approximately 8,000–10,000 and the clientele is almost exclusively young (16-25) British nationals. The clubs and bars are generally owned and/ or managed by Greek nationals, but many of the staff are from the U.K.

Until the end of the sixties, Faliraki was just another agricultural area. Then at the beginning of the seventies and in common with many Mediterranean resorts, Faliraki started to attract more and more

tourists from across Europe. [9] However, while much of Rhodes has remained targeted at family holidays, Faliraki rapidly developed into a resort marketed as a 'hedonistic destination' (Prideaux 1996), appealing to young single holidaymakers looking for a holiday based around alcohol and sex. Young tourists were attracted by advertisements by such organizations as *Club Med*, with an emphasis on alcohol and casual sex. The *Club 18-30* website, for example, in its 'What's On' section, promised:

'You name it you can do it in Faliraki. Check out SPANK – the ultimate school disco experience, NymFOAMania – get lathered & leathered at the new foam party @ BED club and don't miss ONE NIGHT STAND – the raunchy interactive cabaret – and they're just for starters!' [10]

The advert went on to would-be visitors that:

*'Event packages cost approx. £115 for 1 week and £165 for 2 weeks… see your Clubrep for details.'*

The problems of crime and disorder associated with this environment monopolised the British press over the 2003 holiday season. However, before focusing on the events of 2003, it is important to stress two points. First, official crime statistics are misleading, even more so in Faliraki than in most of Western Europe. Many crimes are never reported to the police, and where they are recording is unpredictable. Second, crime and disorder problems were evident in earlier years. Yet despite – or perhaps because of its established reputation - Faliraki continued to thrive. The ITV *Club Reps* feature in January 2002 that associated Faliraki with binge drinking and unlimited opportunities for sex accelerated the expansion of (young British) tourists and shifted the definitions of normal and acceptable behaviour. Later that year the *Guardian* featured under the headline 'Erotic Emma: drunk and at risk' a story about the risk of rape in Faliraki, repeating a Home Office warning to females holidaying there alone (Gillan 2002). The *Evening Standard*, on June 28th 2002 reported:

'GREEK police have launched a crackdown on British holidaymakers in the resort of Faliraki on Rhodes after a record number of arrests for "advanced sexual

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[9] The above details taken from www.faliraki-info.com/falinfo.htm accessed 19/11/03

[10] www.club18-30.co.uk accessed 28/11//03.

activity". Four holidaymakers have been thrown off the island and sent back to Britain. Six have been jailed for indecency and another three are being held in custody for drug offences. A senior police officer on the island said: "We have never had so many British cases at Faliraki within just one week. We are determined to clean up the resort. Sexual activity is out of control and it is the British to blame." The drive was launched this week and already 13 British tourists have been arrested. Police patrols have been more than doubled in the town and on beaches. The police spokesman said: "There have been a number of rapes in Faliraki and they often go unreported. We are deeply worried." '

However, 2003 was the year in which Faliraki appeared to monopolise the British news. Following the death of 17 year old Patrick Doran, stabbed with a broken bottle in a nightclub brawl, the British press directed its attention at the problems of violence, public disorder, drunkenness and overt sexual behaviour in the resort. Reports included accounts of local police attempts to clamp down on deviant incidents, local reactions to the problems, the involvement of senior police officers from Blackpool in attempts to restore order, and – ultimately - attempts to rebrand the resort.

On one level, the problem in Faliraki is described in terms of the public nuisance resulting from drunken holidaymakers annoying local people, creating excessive noise, and defacing the environment with the flotsam of their nights' revelry – litter, vandalism, and the least palatable residues of urine and vomit. Such public disorder issues were accentuated by drug dealing that occurred openly in the pubs and clubs. On another level, this drunkenness resulted in more serious offences, where it increased aggression and reduced inhibitions among potential offenders and diluted any security concerns potential victims might have held. Pub brawls were a nightly feature, albeit they rarely had such tragic consequences as the death of Patrick Doran. Rapes, involving both British and Greek perpetrators, also appeared relatively common, if rarely reported and even less rarely recorded (Gillan 2002; McVeigh 2003).

The way the resort was managed appears to have contributed to the problem. The bars and clubs were poor quality and the total lack of any regulation meant that the risk from fire was dominant. The absence of trained door staff and the over-riding demand to maximize income led to there being no control on numbers admitted – indeed the door staff was commonly witnessed selling beer or collecting admission fees.

The style of policing, which in Greece still tends to be para-military, scarcely helped. There was no police station in Faliraki with police being sent from nearby Kalithies. Partnership working was an anathema – when a Blackpool officer on secondment mentioned Problem Oriented Policing this was met with hostility by older officers. There was also no attempt at early intervention or prevention by the police so that if there were early signs of a problem brewing neither the police nor the untrained door staff made moves to suppress it. When an incident required the presence of the police they were contacted but on arrival either did nothing or arrested people without discrimination and providing no reason. There was also no CCTV.

The extent of disorder in Faliraki was incontestable. The amount of crime resulting from it was more contentious. Undoubtedly, though, to the British press in 2003, Faliraki was a 'Greek tragedy' (McVeigh 2003; see also Brunt and Davis 2006), a resort in the grip of a drunken mob. The bad publicity forced the authorities to seek out solutions, providing the next instalment in the amplification process.

In responding to the demonisation of Faliraki, the police adopted three policies aimed at reducing levels of public drunkenness and associated disorderly behaviour. Firstly, they attempted to restrict the practice of organised bar crawls. Secondly, they acted against public 'displays of indecency'. Thirdly, they adopted a more proactive approach to drug misuse.

It had become common practice for holiday reps in Faliraki to organise bar crawls, billed as nights out to introduce newly arrived tourists to the local 'attractions'. These involved tourists paying in advance for the night and being taken to about ten pubs and clubs, where the drinks were provided 'free'. Drinks commonly include a combination of spirits, drunk from a communal 'goldfish bowl'. In some cases, male and female tourists were segregated but then met up at the last venue where the exchange of aggressive and sexually explicit insults was encouraged. While the pubs and clubs involved clearly benefited from this arrangement,

emphasis was placed on the commission earned by the tour reps. Police strategy involved arresting holiday reps involved in promoting 'bar crawls'. For example, in August 2003 five reps, from First Choice 2wentys, Club 18-30, and Olympic Holidays, were arrested and held in custody overnight. In fact, the cases were dropped and no reps were convicted of 'the illegal conduct of the profession of tour guide'. However, the message seemed to get across to tour companies and the organised bar crawls were cancelled or rearranged as bussed events.

By no means all disorder arose as a result of the organised bar crawls, though, and the police correspondingly addressed the problem of public indecency associated with drunkenness. This involved the arrest and subsequent successful prosecution of males and females for exposing themselves in public arenas. In most cases, these were males, 'mooning' in the streets. However, the case that most caught the imagination of the British press featured, Jemma-Anne Gunning, who celebrated her victory in a 'Beautiful Bottom' competition by exposing her breasts. [11]

Finally, the police applied a more proactive approach to drug misuse. Deploying undercover operatives, they targeted particular clubs, arresting – sometimes on little or no evidence – those suspected of using illegal drugs.

While these responses were accorded a high profile in the British media, the sending to Rhodes of two senior British police from Blackpool, following a meeting between the police, tour operators and the British Consul, provided a tidy 'conclusion' to the saga, especially given that one of the officers was the aptly named Superintendent Andy Rhodes. However, while the message in the press was largely reassuring, our discussions with the officers concerned suggested that Faliraki has some way to go if it is to reinvent itself as a safe and orderly resort. Nevertheless, by 2015 it appeared that most of the disorderly behaviour associated with Faliraki was a distant memory. [12] Before focusing on the future, it is, however, crucial to

understand the past. That is, how did Faliraki achieve its 2003 reputation?

What is evident in Faliraki is that as tourism developed on Rhodes, Faliraki repositioned itself as a destination for mass tourism, especially marketed at younger British holidaymakers attracted by its promise of hedonistic heaven. This suited both the British travel industry and local tourism entrepreneurs. As Jeannette Hyde (2003) observed in a short but perceptive piece in the *Observer*:

*'The Greek authorities should be doing some real soul searching right now. Rather than flinging in jail or fining every girl who flashes her breasts, they should be asking themselves how they can destroy the monster of Faliraki in Rhodes that they have created.*

*'If the Greeks had not marketed Faliraki as a "yoof" destination, they wouldn't have the problems they have today. You can't say "Let's bring lots of youngsters to our shores to spend like crazy in clubs and bars making the owners handsome profits then complain about the type of business you have created. It's like a lap-dancing club complaining about too many lairy drunken men on the premises.*

*'Youth tourism based on the promise of sun, sex and sand is the business they have chosen to go into. Nobody forces hotels to sell loads of rooms to tour operators such as Club 18-30 and 2wentys. Faliraki hotel and bar owners obviously weren't worrying about the problems of policing drunken, violent youths when the money was being dangled in front of them by British travel companies.'*

*Equally to blame are the British travel agents who 'dangled' the promise of rising profits. Yet while there is some indication that Faliraki businesses have had a change of heart, the British tourist industry has been at pains to deny any responsibility.*

Finally, the role of the media is important to understanding Faliraki's developing reputation (Brunt and Davis 2006). On the one hand, the programme 'Club Reps' shown on ITV in January 2001 is singled out as the catalyst that led to the increase in 'yob culture' in Faliraki. On the other hand, sensationalist reporting of public disorder incidents in the British press in the

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[11] http://news.bbc.co.uk/2/hi/uk_news/england/somerset/3164765.stm, accessed 19/11/03

[12] http://www.mirror.co.uk/news/world-news/decline-faliraki-after-10-year-clean-up-2103167, accessed 25/05/16

following years made overnight, if temporary, celebrities of those arrested. The increased importance of social media since then adds a new dimension to this.

As in Surfers Paradise, only if this image can be reversed is it practical to adopt policing strategies that can adequately address the public disorder that is apparently endemic. These are discussed in more detail in the following section, which draws together the lessons from the four case studies.

## Policy options: policing public disorder in tourist areas

In considering the various policy options open to agencies involved in policing public order in tourist resorts, I want to draw out five dimensions that have become evident from the case studies discussed. These relate to security personnel, security-related technology, criminalisation, effecting behaviour change regarding responsible behaviour, and challenging resorts' images.

- *Security personnel:* Cohen described public demands for tougher policing. In both Amsterdam and Faliraki a key response appears to have been a toughening up of police approaches. However, as the latter example illustrates, this may be counterproductive where the 'sinners' become 'folk heroes'. Involving other agencies in policing, through getting other key players to accept that the problem is not one solely for the police, was seen as fundamental in Surfers Paradise; this comprised both the involvement of other 'police' (private patrols and club door staff) and a broader multiagency partnership engaged in the wider policing process.

- *Security-related technology:* Apart from a noted absence in Faliraki, little mention of this is made in the case studies. While the research evidence is mixed (Farrington and Welsh 2002; Gill and Spriggs 2005; Welsh and Farrington 2002), both CCTV and improved street lighting would appear appropriate in tourist areas where street crime is concentrated.

- *Criminalisation:* In Amsterdam more emphasis has been placed on criminalising public aspects of drug misuse, while in Faliraki 'mooning' was defined as criminal. In each case, a distinction is drawn between behaviours that are acceptable in private space but, because of their impact on the wider environment, are unacceptable, and should be legislated against, in public. However, both Cohen's work and the

more recent example of Faliraki suggest that criminalisation alone is insufficient and, in focusing on individuals' behaviour, may shift attention away from the wider environment that condones, or even encourages, that behaviour.

- *Effecting behaviour change regarding responsible (i.e. social as opposed to antisocial) behaviour:* In Surfers Paradise the emphasis was more upon clubs and pubs cooperating in moves to change the environment within which drinking occurred.

- *Challenging resorts' images:* Cohen's seminar work illustrates the dangers of hostile media reaction to the problems of public disorder in tourist areas, by identifying the ways in which the problem may be amplified; in the rather different era of *Big Brother,* the example of Faliraki indicates that far from acting as a deterrent, media publicity may allow problem drinkers the stage to justify their behaviour! Interestingly, though, only in the case of Faliraki do we find some outside commentators raising broader concerns about resort images.

While each of these aspects is important in addressing the policing of public order issues in tourist areas, here I want to conclude by focusing on just two: security personnel and challenging resorts' images.

### Security personnel

There have been at least three approaches to improvements in security personnel. Firstly, in a number of countries specialist squads of tourist police have become key features of resort areas. Secondly, other personnel have been incorporated into patrol work. Finally, the importance of partnership working in the policing enterprise has been acknowledged.

The creation of specialist tourist police reflects both a concern for tourist *victims* and recognition that conventional police are not always aware of the relationship between tourism and crime and disorder. In the USA, Muehsam and Tarlow (1995) used a questionnaire in five tourist areas to assess police attitudes towards tourists. In general they found police to be aware of the important financial contribution that tourism made to their communities, and positive about tourism and their involvement with tourists. However, they failed to appreciate the relationship between tourism and crime and were sceptical about the need for specialist training. Muehsam and Tarlow consequently went on to offer three day training programmes for the police to make them more aware of crime related tourism issues, introduce them to

multi-agency work with the tourism industry, and help them develop better skills for interaction with tourists.

Specialist units of tourist police have been established in a range of countries (D'Arcy 1995; Tarlow 2000; Mawby, Boake and Jones 2015; World Tourism Organisation 1996). One of the earliest and most ambitious developments was in Thailand. [13] However, whereas the internet is a prolific source of data on tourist police units, there has been little written in the academic literature. In one notable exception, Pizam, Tarlow and Bloom (1997) provide a review of police policy towards tourism in three major tourism areas: Orlando and New Orleans in the US and Cape Town in South Africa. All three sites had suffered the negative effects of crimes aimed at tourists and had responded by setting up specialist tourist units within the police. In South Africa, the nationally organised South African Police Service (SAPS) operated tourism units in five tourism centres, including Cape Town. It focused on crime prevention and worked in partnership with tourism assistance units arranged by the tourist industry to provide a 'policing umbrella' of support. [14] In New Orleans a special area based police unit was formed in 1985, concentrated in the main tourist area. Some 60 officers were specially trained to deal with tourist crime. The emphasis, again, was largely on working in partnership with the tourism industry and through increased patrols in hot spots. In Florida, Orange County Sheriff's Department was one of the first in the country to form a specialist unit, the tourist-oriented police (TOPS). Comprising some 60 officers, TOPS is involved in providing crime prevention advice to hotels as well as high profile police patrols. The sheriff's department also operates a victim assistance programme, with an emphasis upon helping tourist victims. Gallivan (1994) provided an account of similar initiatives in Miami, where bad publicity led the police to establish a raft of initiatives, including TRAP (the Tourist Robbery Abatement Program) and STAR (the Sunny Isles Tourist and Resident Program).

One aspect of the development of specialist tourist police has been the incorporation of alternative policing agencies, including volunteers and private security, into patrolling public areas. It is possible to chart an expansion in private security across most western societies (Bayley and Shearing 1996; Johnston 1999; Jones and Newburn 2002; ibid 2006). Clearly private security has come to play a significant part in the tourism industry, where resorts or holiday complexes may hire guards as protection. Local governments in many resorts also employ staff who have a general responsibility to support tourists, and this may incorporate a responsibility for aiding the police by dealing with tourist victims or reporting potential flashpoints to the specialist police. [15] However, there is, to our knowledge, no research evidence on the impact of any new forms of 'multilateralized policing' on disorder in tourist areas.

The creation of specialist tourist police has also added to a growing appreciation that crime prevention is not solely the responsibility of the police, and that community involvement and multi-agency partnerships are crucial. This applies equally to the tourist industry, where both the World Tourism Organisation (1995) and the US initiated White House Conference on Travel and Tourism (1995), for example, have urged the tourism industry to co-operate with the police in developing community safety plans. Although traditionally the tourist industry has tended to abdicate its responsibilities, a number of authors have identified a growing willingness for partnership work from, for example, hotels, travel agents and private security police (Pizam, Tarlow and Bloom 1997). The importance of implementing partnerships in tackling tourism security issues is further emphasised in a recent study by the European Forum for Urban Security (EFUS 2015; Mawby 2016). As we have seen, partnership work to enhance policing of public alcohol-related disorder also seems to have been effective in Surfers Paradise (Homel et al 1997). Nevertheless, Mawby and Jones' (2007) evaluation of the Torbay Hotel Burglary initiative provides a salutary reminder of the difficulty of involving tourism bodies in partnership work.

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[13] See for example: http://www.phukettouristpolice.go.th/in-dex-eng.html, http://www.phuket-tourist-police-volunteers.com/
http://www.vice.com/en_uk/read/a-night-out-with-the-for-eign-tourist-police-in-thailands-seediest-city-704, all accessed 25/05/16

[14] See also George (2001).

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[15] Shearing and Stenning (1996) provide an interesting account of the policing of Disney World.

### Challenging resorts' images:

However, while the involvement of the public police and alternative security personnel in the policing of tourist areas is an important element of maintaining order, it is not sufficient. Policing does not exist in a vacuum; nor does public disorder. To assume that the police, even in conjunction with an impressive array of partners, can handle public disorder, in British seaside resorts, Australia's Gold Coast, Amsterdam, or Faliraki, is to place too much faith in reactive policing. British lads and ladettes do not 'happen to go to resorts like Faliraki or Newquay and get sucked into an alcohol driven culture once they arrive. Many tourists choose Amsterdam because of its reputation as a sex and drugs city that caters for the interests of specific types of tourist. Tourist areas, in most cases consciously, build up reputations and actively market themselves for designated audiences. Many workers in the tourism industry are drawn to seek employment in such resorts because they also identify with the image (Prideaux 1996).

Those involved in the tourist industry have invested heavily in their resort's image and thus initially at least have a stake in maintaining that image. Equally, local and national governments also have a stake in the image, in so far as regional or national prosperity may depend on it. The same is true of the opium trade and child sex trade in different Asian countries. In order to successfully police the public disorder that certain types of tourism bring to many tourist areas, it is therefore imperative to change the image of such resorts and, correspondingly, the way that image is marketed. Homel and his colleagues provide an excellent example of how this might be achieved, by focusing on engagement and self-interest: engagement in that

players are brought into the decision making process and empowered to become involved in change, and self-interest in that it is important to develop profitable alternatives, a lesson that appears to have been ignored in Faliraki. [16] However, the Gold Coast strategy appears to have been a reactive one: aimed at managing a resort that young tourists went to for alcohol, drugs and sex, rather than changing the resort's image more fundamentally.

In many cases this also requires convincing governments. This may be a case of providing an alternative model of equally profitable tourist development. In other cases, as the examples of Amsterdam, Newquay and Barcelona suggest, it may be a case of demonstrating that local people (local voters) are highly critical of tourist developments and see the negative impacts as outweighing the positives.

What I am suggesting is that it is unfair to focus criticism on the police or tourists for public order problems in tourist resorts. Key players in local and national government and in the tourist industry create resorts that benefit themselves and market the resorts accordingly. Tourists who arrive to 'live the dream' that has been commodified can scarcely be blamed. Nor can the police, caught between the interests of local residents and those of tourism's infrastructure, and often with their own agendas to balance alongside these. Policing tourist areas is too important an issue to leave solely in the hands of the police. In this respect, at least, it is no different to the policing of public order in general. Policing public order is a key task of the police, but maintaining public order is not exclusively their responsibility.

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[16] http://www.mirror.co.uk/news/world-news/decline-faliraki-after-10-year-clean-up-2103167, accessed 25/05/16

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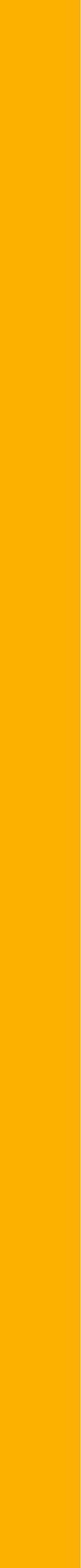
# Police patrol work in Norway and the implementation of community beat policing

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## Introduction

Police patrol work is key to understanding police management and police-citizen interaction. In this paper we present the methodological framework and some findings from a comparative study of police patrols in Europe. The motivation for this study is that people in society and those who are responsible for the management of police work, should know what officers do in order to be able to give a meaningful interpretation of police management and of the democratic control of the police.

In our study police patrol work is seen as constituted by police activities. We have observed what police officers do when they are out on patrol. The main question explored is what determines what is involved in police patrol work. But there is always something before the police officer's activities, namely the contextual factors that explain why police officers do what they do, such as level of urbanisation, work load, group culture and police management. This context can be referred to as the 'why' of police patrol work. In this paper we will present a conceptual model capturing both the 'what' and the why' of police patrol work.

The outcome of the police officer's activities can be viewed as police effectiveness. However, this study is about police actions, about what police officers do

when out on patrol, it is not about police effectiveness. In the end one should be concerned with the social effectiveness of policing. After all, the core issue in policing is to secure a satisfying level of safety; police action is the means to this end, not an end in itself. But since police actions are important elements in the constitution of police performance, one of the core issues in police management is to give direction to what police officers should do or do not do when out on patrol. Furthermore, within the framework of this study we are not interested in how fast police officers do what they are doing.

In this paper we will describe the methodological framework, and thereafter we will introduce some results from Norway. In a concluding section we use these findings to discuss various models of implementing community beat policing.

## Definitions

Before we describe the method we will define the central terms 'emergency patrol' and 'community beat patrol'. The emergency patrols basic assignment is to supervise their patrol area and react to citizen calls. Most often they are uniformed police officers in a marked police car, usually two (in Norway, three), being supervised by a command and control centre.

What the officers should give attention to between citizens' calls, differs from place to place. What officers actually do between citizens' calls is remarkably the same in almost all places: they keep an eye on the traffic: they give attention to traffic violations and they carry out car stops and searches (Stol et al 2006).

'Community beat policing' is not as standardised as emergency patrol. While doing community beat policing the officers normally work alone; they usually do their patrol work in uniform but also regularly in plain clothes, for example when they are visiting citizens at home. As a rule a community beat officer's basic assignment is to build up and maintain relationships with the public and/or to prevent or tackle law and order problems, preferably in close cooperation with other welfare agencies. In other words, the officers follow a problem-orientated style of policing. When out on the beat, they walk or cycle, but community beat officers also patrol with a car. Different from emergency patrol officers, community beat patrol officers are not supervised by a command and control centre and as a rule they will not be assigned to citizen calls.

Another core term is 'incident'. An incident is each encounter between a police officer and a citizen. We also speak of an incident in cases of emergency calls that are passed on to the officers but that are not followed by an encounter between the officers and the public. An encounter is reported if a police officer and a citizen have verbal or non-verbal contact and the officer is performing in the role of the police.

## Method

The research design is built on earlier research on police patrol work in the Netherlands and Belgium, in total seventeen observation studies (Stol 1996; Stol et al., 2006). The aim is to enlighten the characteristics and in particular the peculiarities of local police patrol work -emergency patrol as well as community beat policing. To do this we need a method of drawing a picture of patrol work and we need a frame of reference to distinguish between the more or less standard findings and the non-standard or unusual ones.

The method of the research is systematic social observation. Systematic, because observations are directed by structured protocols, including a list of variables that have to be recorded about each incident; social, since the method is based on participating observations in a police team. This method is basically a qualitative method. Since we make use of structured protocols, we could speak of a qualitative method with a systematic approach. The field worker is attached to a group of police officers, which means that he or she will be out on patrol with different police officers. The idea is not to draw a picture of the style of policing of one specific officer, but to draw a picture of policing in a certain area.

In total the team of experienced academics in the field of police studies, consisted of seven persons from the five different countries; the Netherlands, Belgium, Denmark, Germany and Norway. They took care of getting access to police forces, the recruitment of qualified field workers and the writing of a book about this study. The 'we' also includes thirteen field workers. In all of the five countries we wanted to make observations in two places: one place representing police work in an urban area and the other place representing police work in an area with a low population density. We also wanted to observe emergency patrols as well as the local form of community policing. We carried out the field work in twelve places ([1]). In four out of five countries we managed to get access to the type of police teams we were searching for ([2]).

Between September 2005 and March 2007 we observed emergency patrols as well as community policing in the twelve places, a total of 24 observations. Each observation consisted of us following the standard police duty schedule during twenty shifts. The field workers produced two key documents: their completely worked-out field-work notes and SPSS code forms — one for each incident. Although the field workers were asked to describe every incident in their own words, they were also asked to take into account the SPSS variables when describing an incident. He or she made also notes about,

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([1]) The twelve places are: Groningen (NL), Leeuwarden (NL), Assen (NL), Roskilde (DK), Hillerød (DK), Bochum (D), Münster (D), Brussel (B), Dendermonde (B), Aarschot (B), Oslo (N) and Lillestrøm (N).

([2]) Denmark is the exception here as both of the police teams were located in the countryside.

for example, what police officers said about priorities in police work, and about what the officers did between the incidents. Management were interviewed, and the field workers wrote an additional field-work report with information about the city involved, the police force's organisation structure and local police policy.

In various ways attention is given to the inter-observer reliability. Stol supervised the field work in all participating countries, and was also able to read the languages of the countries involved. Preceding each field-work, Stol discussed the working procedures to be followed on the basis of an observation protocol with the local research team. The protocol included definitions of key concepts and instructions on how to record the observations, and provided the field workers with guidelines about how many and what kind of duties should be included into the field-work. Every description of an incident together with the corresponding SPSS code form went through a working procedure that was designed to achieve the highest possible level of inter-observer reliability [3].

The basic idea with the frame of reference is quite simple, and, consequently, the instrument is easy to use. For example, observation of emergency patrol work in the twelve cities, may discover that 57 per cent of all the incidents from all places have to do with maintaining the law. This 57 per cent can function as a reference number. This kind of average appears to be quite stable over time and place, which means that the characteristics of police patrol work are quite stable over time and place [4]. However, the average values are no more than a tool helping us to discover special characteristics of local police work. Average values are not norms. If some local police patrol work significantly deviates from the average values, it does not mean that this patrol work is better or worse than the average. It's different. In this study we want to find an answer to the question of what causes the difference.

Hence, we have a method for drawing a picture of police patrol work and we have a frame of reference that we can use to discover characteristic features of the patrol work in question [5]. Systematic social observation draws a picture of patrol work using several characteristics that are derived from the kind of incidents the officers deal with. The characteristics are:

- work load or the number of incidents per hour;
- the sort of incidents police patrol work consists of, such as traffic, serious crime, networking;
- the outcome of incidents: do police officers give a warning, fine someone or perhaps make an arrest?;
- police mobilisation: do the police come into action because of a citizen call or was the incident a police initiative?;
- the marginal persons the officers have to deal with, such as addicts, mentally disturbed persons, homeless persons;
- police knowledge of people in the neighbourhood;
- the use of information sources — since that is a key factor in the production of knowledge, which is a core issue in police work.

When certain characteristics deviate from average value, we search for an explanation in the conceptual model [6]. The conceptual model consists of seven explaining factors, and is based on earlier research. As illustrated in figure 1, three factors on top and the one on the left refer to organisational issues. Three factors on the bottom of the model refer to aspects of the sociological environment of the organisation. These factors are explaining what is involved in local police patrol work, in the centre of the model.

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[3] Since we have observed 4 183 incidents and the SPSS form consists of 62 variables. During the field work Stol checked about 260 000 times if a specific piece of the field work notes matched with its corresponding SPSS-value. During the emergency patrol we observed a total of 1 166 hours police work on patrol. We recorded 2 089 incidents. We were on patrol with community beat officers during 809 hours. During these hours we recorded 2 094 incidents.

[4] Stol´s (1996, Stol et al., 2006) earlier research produced a database about police patrol work, and the proportion of incidents that fall into the category 'maintaining the law' is 56 per cent.

[5] The method and the frame of reference are free. They are both well documented in English and they are known as 'freeware' because we believe that if we want to develop police studies in Europe, it is important that we can use each other's research methods and that we, as a result, can compare our research findings and learn from each other.

[6] In 2004, on the basis of the work of Sherman (1980) and Bayley (1985, 1994), and methodologically mixed observational studies, Stol et.al. attempted to find a conceptual model for police patrol work, to give impetus to the further development of a theory (2006: 170-5). After the study this model was redesigned and extended, and we revised the conceptual model of Stol et.al. (2006) into Figure 1.
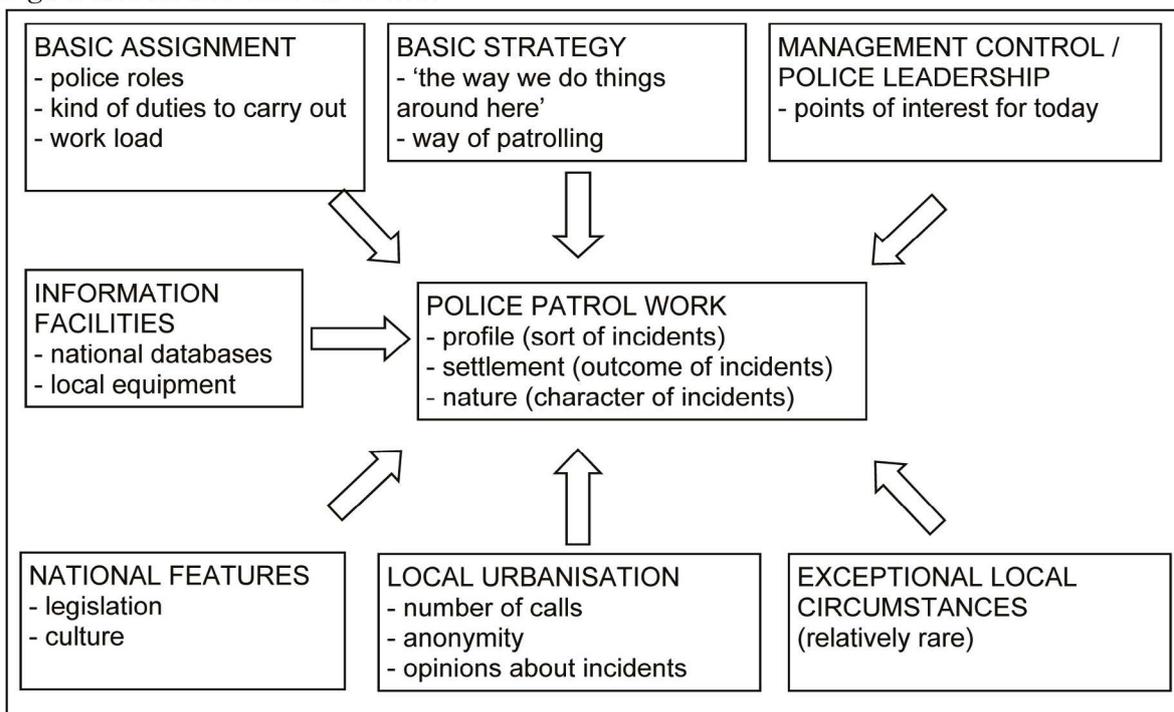
*Organizational and national context*



**Figure 1: conceptual model of police patrol work**

'Basic assignment' refers to the principal task or role the police officer in question has to fulfil. Basic assignment is the answer to the questions, 'how do we structure our organisation?' or 'what kind of police roles do we wish to distinguish?'. 'Basic strategy' is the answer to questions such as 'what are the principle elements of this police role?' or 'what are the basic ideas of this kind of police work?'. 'Management control' or 'police leadership' refer to everything that police chiefs do to stimulate or urge officers to undertake specific actions when out on patrol. 'Information facilities' refers to the databases the officers have access to and it refers to how easy it is for the officers to get access to the data. 'National features' refers to national peculiarities, such as specific pieces of legislation or cultural characteristics that are typical for a certain country. 'Local urbanisation' refers to the number of inhabitants per square kilometre. 'Exceptional local circumstances' refers to phenomena that clearly dominate police work in a certain area.

## Some results from Norway

We will now present some of the tables that follow from our observations and show how these tables lead us into the world of police management. Before we have a look at the data, it is important to emphasise that a table where 50 per cent of all incidents lie in the sphere of traffic, indicates a certain proportion of all incidents, not a proportion of time. We start with presenting some tables from observations of emergency patrol and community beat patrol, and compare these with our frame of reference. The results will lead us to a discussion about the implementation of community beat policing.

### Emergency patrol

Let us first have a look at emergency patrol. Table 1 shows how many incidents the emergency patrol officers are involved in per hour.

**Table 1**
Work load (incidents per hour)

|  | Average 12 cities | Oslo | Lillestrøm |
|---|---|---|---|
| Emergency Patrol |  |  |  |
| Incidents | 1.8 | 1.4 | **1.2 |
| Citizen calls | 0.8 | 0.6 | 0.6 |
| Police initiatives | 1.0 | 0.8 | **0.6 |

*: p<0.01; **: p<0.001 (independent T-test)

Table 1 shows that the Oslo figures do not deviate from the reference numbers. In other words: these figures do not indicate that emergency patrol work in Oslo has specific characteristics. There might be many specific characteristics with emergency patrol work in Oslo, but this table does not make them visible. The table for Lillestrøm shows us that emergency patrol officers are involved in few incidents per hour. Specifically, the officers in Lillestrom do not come into action on their own accord so often. Table 2 indicates an answer.

**Table 2**
Proportion of traffic (%)

|  | Average 12 cities | Oslo | Lillestrøm |
|---|---|---|---|
| Emergency Patrol |  |  |  |
| All incidents | 41.6 | 37.7 | **30.1 |
| Citizen calls | 18.9 | 9.5 | 30.6 |
| Police initiatives | 62.9 | 69.1 | **29.5 |

*: p<0.01; **: p<0.001 (Z-score for proportions)

Table 2 shows that emergency patrol work in Lillestrom only has a small proportion of traffic incidents. Especially when police officers come into action on their own accord, the proportion of traffic is relatively small — no more than 29.5 per cent, while the average percentage is 62.9. In other words, Lillestrom emergency patrol officers do carry out significantly less car checks than the average proportion.

It is not immediately clear why this is so. This finding seems to be contrary to the fact that traffic is prioritised in Lillestrom's activity plan. However, Romerike police district have a special traffic unit located at Lillestrom police station. Its main priority is to carry out roadside checks and take action against traffic violations. Four times a year the traffic unit organises a large-scale road-side check in cooperation with other agencies and with emergency patrol officers. We have observed such a happening but we did not include this shift in our analysis because during this shift the emergency patrol officers were not assigned to emergency patrol as defined in our study.

The fact that the emergency patrol officers have to cover a large patrol area also plays a role. As the chief of police stressed during an interview, the officers have to drive long distances from incident to incident. Maybe this can explain why the daily working routines in the Lillestrøm emergency patrol do not leave much room for incidents initiated by the officers. They are just too busy travelling from A to B. Instead of a 'stop and search strategy', which would cost them too much time, we saw them using a 'check on the move' strategy, with help from their colleagues from the incident room. Since traffic checks on the move do not include a police-citizen interaction, these police initiatives are not incidents in our study.

Another explanation is that emergency patrol officers are not asked by management to take action in the

sphere of proactive policing outside the area of traffic. It was the chief of police's opinion that officers have no time left for police actions on their own initiative.

These findings point to a correlation between police numbers and the proportion of traffic in police patrol work. Stol et al. (2006) ran into this issue several times in the course of the observational studies on police patrol work. There is a connection between proportion of traffic and work load: the less occupied the officers are, the more traffic incidents (car stops and searches). The less citizen calls, the more police officers will come into action of their own accord in the sphere of traffic. Consequently: increasing the police numbers means that police management de facto gives priority to car stops and searches, unless police management

is capable of ensuring that police officers do otherwise — which is rarely the case. Of course, police management are able to define other priorities than traffic, and they do. But the problem is that they do not translate priorities such as 'violence', 'youth' and 'drugs', into concrete activities that police officers can (and should) undertake when out on patrol. Consequently, police officers stick to what is easy for them to do: take a number plate and check it, stop a car and check its driver.

### Community beat policing
Table 2 shows that community beat policing in Oslo as well as in Lillestrom have relatively few incidents per hour.

**Table 3**
Workload (incidents per hour)

|  | Average 12 cities | Oslo | Lillestrøn |
|---|---|---|---|
| Community Beat Patrol |  |  |  |
| Incidents | 2.6 | ** 1.8 | **1.5 |
| Citizen calls | 0.4 | 0.4 | 0.6 |
| Police initiatives | 2.2 | ** 1.0 | **1.0 |

*: p<0.01; **: p<0.001 (Z-score for proportions)

This can be explained by the fact that the officers do not often come into action of their own accord. Community beat patrol (CBP) officers in both cities are quite reactive and not very proactive — compared to the average. How can this be explained?

The CBP in Oslo, as well as Lillestrom, is done by 'regular' police officers. They are focused on emergency patrol routines and other established police tasks; they are not CBP officers in the real sense of the word. When they are on the street in the role of 'community beat patrol officer' they perform this task as if they were officers in an emergency patrol car, waiting for headquarters to assign jobs. The consequence is that police officers

assigned to community beat patrol are being assigned jobs by a command and control centre.

In all countries in our study a core issue in policing is that the police have to work on improving the relationship between the police and the public. A central strategy here is the implementation of community beat policing. Community beat patrol officers should establish and maintain relationships with the public. In our study we have noted when the police officers meet someone they know during the incidents. The idea behind this is that officers who have established good contacts in their neighbourhood, will often meet someone they know. Table 4 shows the results.

**Table 4**
Proportion of incidents in which police officers meet someone they know (%)

|  | Average 12 cities | Oslo | Lillestrøm |
|---|---|---|---|
| Community Beat Patrol |  |  |  |
| Incidents | 30.9 | ** 1.3 | 18.3 |
| Traffic | 7.5 | 0.0 | 6.7 |
| Social problems | 57.5 | ** 6.3 | 42.9 |
| Other | 38.3 | ** 1.3 | 22.2 |

*: p<0.01; **: p<0.001 (Z-score for proportions)

Table 4 shows that the proportion of incidents in which the community beat patrol officers in Oslo meet someone they know is very small compared to the average: 1.3 percent while the average is 38.3 percent. The second-smallest proportion was observed in Aarschot, Belgium (13.6 %) and the third-smallest in Lillestrom, Norway (18.3 %). Even when the officers in Oslo deal with social problems — like domestic disputes, homeless persons, mentally disturbed persons — they meet an acquaintance in a relatively small proportion of all incidents. Population density may be of relevance here. But is not the decisive factor since the other cities in our study with a high population density do not have a proportion that is significantly smaller than the average: Brussels: 63.4 %, Groningen: 40.8 %, Leeuwarden: 30.8 %, Bochum: 25.0 %. It is not possible to identify a specific type of incident that is responsible for this 1.3 per cent in Oslo. It seems an overall phenomenon.

Although in Lillestrom the proportion of incidents in which the officers meet someone they know is no more than 18.3 per cent, this proportion is not significantly smaller than the average. We came to the conclusion that a decisive factor here is that community beat patrol in Oslo, as well as Lillestrom, is done by 'regular' police officers. They perform the role of community beat officers as if they were emergency patrol officers, waiting for a call. Their mindset is towards reactive policing, not proactive community policing. Since Lillestrom is a smaller community, the police officers still meet someone they know once in a while. Oslo community beat policing has hardly any ties with the general public. It is more directed towards law and order maintenance.

## Discussion

The style of community beat policing in Oslo as well as in Lillestrom was reactive and not directed towards improving the relationship between the police and the public. The intention of our observational study is not to evaluate the situation in a specific police team. The main goal of the study is to provide police management with better insight into police patrol work and its manageability. So, let us now move to a broader perspective and ask ourselves the question of how the police can implement community policing.

In essence there are two implementation philosophies. The philosophy we have observed in Oslo and Lillestrom is what may be called the philosophy of the wide movement. In this vision all police officers should move towards community beat policing at the same time. All police officers have to move simultaneously from a reactive to a proactive style of policing. The opposing strategy is what we could call the strategy of the pioneers. Some officers start with community beat policing, stimulating others to do their share in this movement. And we can imagine several strategies that lie somewhere between these two far ends.

Based on our observations we can distinguish between five models of community policing. The models are what one may call 'ideal types'. They are analytical constructs grounded in empirical research. We have not observed one of these models in a pure form. However, if one looks at police patrol work in a certain place, it is quite easy to recognise one of these models as the main structuring principle behind community beat policing.

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(1) The first one may be called the support model. In this model, community beat officers are put at the service of other authorities, such as police chiefs and judicial bodies. We have observed this model to a certain degree in Belgium.

(2) The second model is what may be called a reactive model of community policing. Officers assigned to community beat policing are put at the service of local society. A part of their work consists of dealing with calls from the public. It is not difficult to recognise community beat patrol in Oslo and Lillestrom in this model.

(3) The third model is the POP model, from problem-orientated policing. Perhaps we could better call this model POP-light. CBP officers conduct an analysis of criminological and/or social problems in their neighbourhood and then proactively try to solve these problems, preferably with the help of other welfare agencies.

(4) The fourth model is the full-POP model. This one is the same as POP-light but in addition to POP-light, emergency patrol officers are put at the service of the community beat officers. In other words, in this model community beat officers give direction to what emergency patrol officers undertake during the time between calls or during the time when they are not assigned to emergency patrol.

(5) The last model is the same as the full POP model but with no officers assigned to emergency patrol. Emergency patrol as such no longer exists. If there is an alarm call any officer may go to the scene to settle the incident. After the incident is settled he or she continues working on priorities in the light of problem-orientated policing. We have not observed this model in practice. So far, this model only exists in the mind of some police chiefs and in some policy documents.

To conclude, we will present three examples of organisational structures that we have observed in our study. Each represents one of the above models. The first is the situation we have observed in Oslo and Lillestrom (Model 2).



Different ways to organize CBP: Oslo and Lillestrom ('wide movement')

Chief of Unit → Deputy Chief → Police officers assigned to basic police services → Community Beat Patrol / Emergency Patrol

Model 2: Officers assigned to CBP are put at the service of local society (reactive model, like EP).
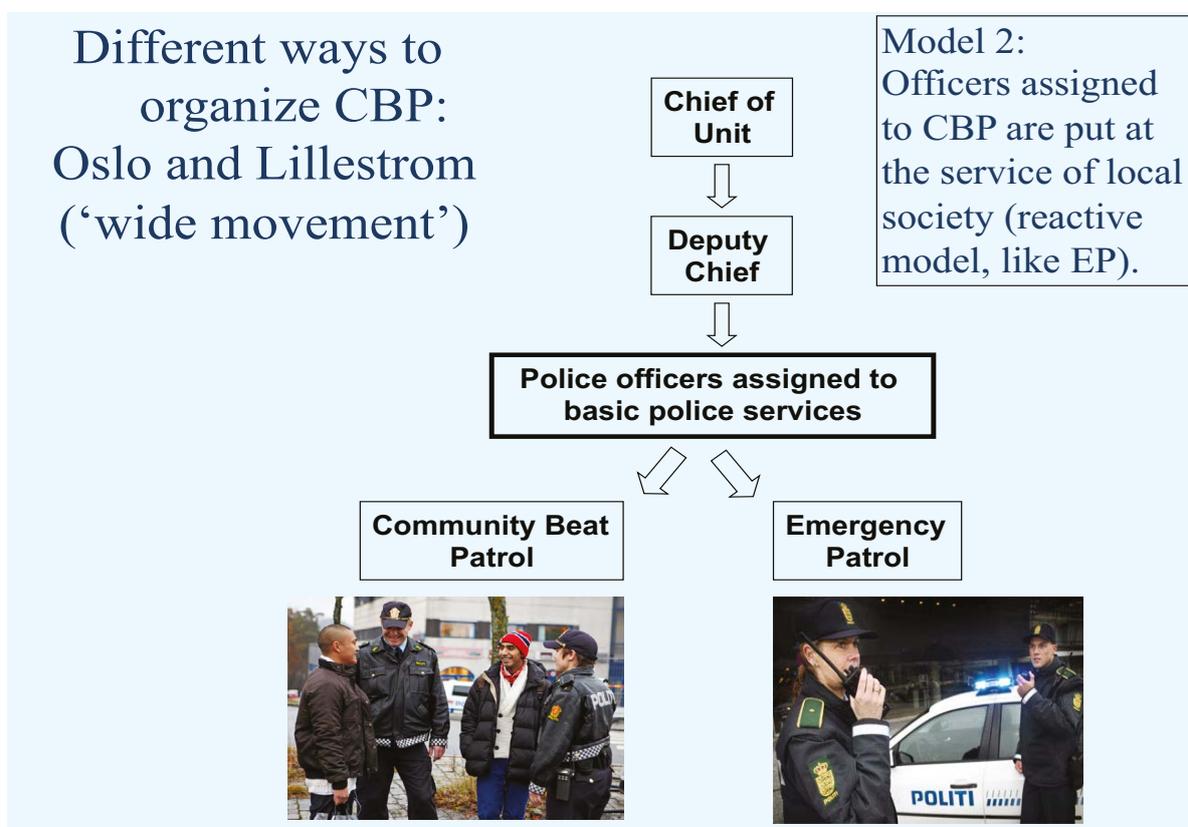
At the top of the organisational chart is the police management in the form of a police chief and a deputy chief. In the centre is the group of officers who are assigned to basic police services such as emergency patrol and community beat patrol. The officers rotate between these tasks. Since, in police culture, emergency patrol is the dominant role of the two, these police officers tend to do community beat policing in an emergency-patrol style. The results indicate that this way of organising community beat patrol is not the way to successfully implement this style of policing.

The second example is the situation we observed in, among other places, Groningen and Assen, the Netherlands (Model 3).

## Different ways to organize CBP: Groningen and Assen ('pioneering movement')

Chief of Unit

Deputy Chief

Community Beat officers ⟷ Police officers assigned to basic police services

Community Beat Patrol

Emergency Patrol

Model 3:
CBP officers conduct an analysis of criminological/social problems in their area and act pro-active (POP model).
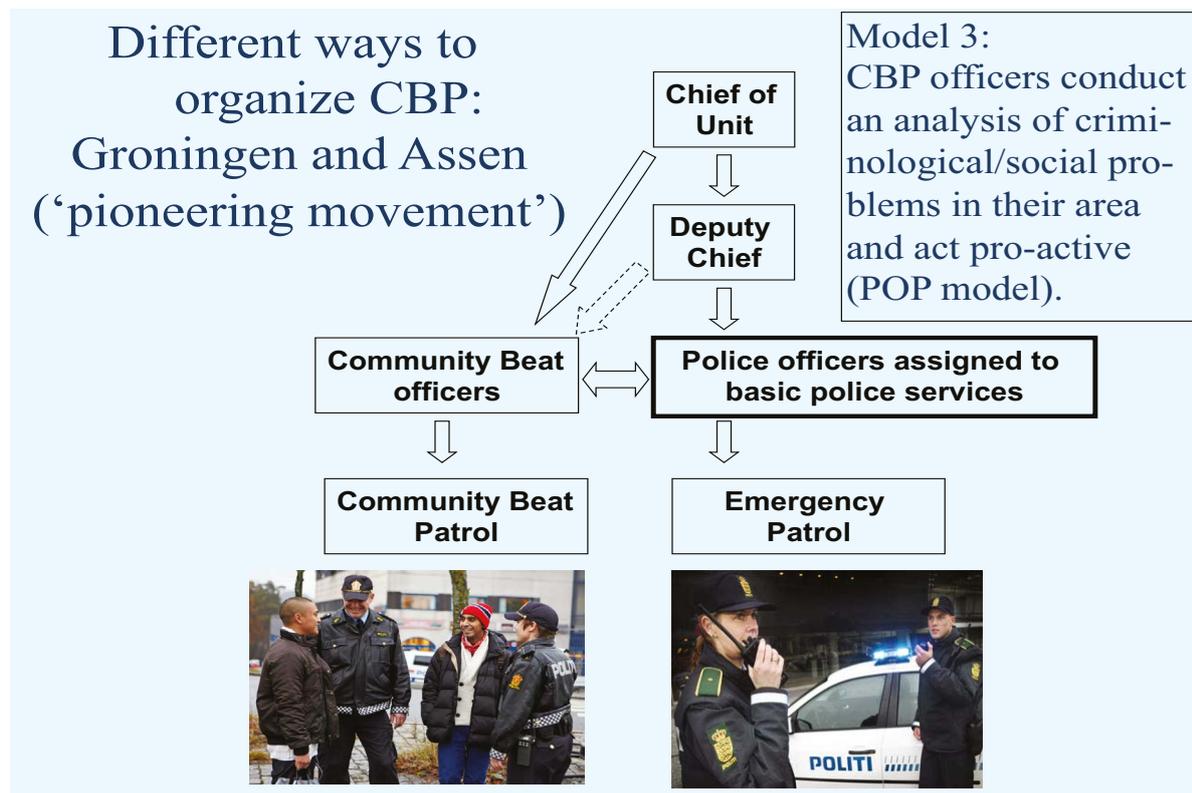
At the top of this organisational chart is police management. Then there are two different lines travelling top-down. The one on the right is how the emergency patrol is organised, exactly the same as in the example above. The top-down line on the left shows how the community beat patrol is organised. Community beat patrol officers are located directly under the chief of the unit and it is these officers who are assigned to community beat patrol. To assure that the two types of officers cooperate, they have to consult with each other. The idea is that community beat officers inform the others about actual problems that need police attention. Since community beat patrol officers fall directly under the chief of the unit, they are seen as important. The effect of this, however, is that in daily practice no one manages community

beat policing. The deputy chief is not in charge. The chief of the unit is too busy. In everyday practice we observed that community beat officers practice a style of policing that is different from the emergency-patrol style: more towards proactive policing, more towards problem-orientated policing, more towards building relationships between the police and the community. However, there is quite a distance between the two types of officers. It is very difficult for the community beat officers to push the other officers towards another style of policing.

The third and last example shows a variation on the second one. We observed this in the city of Leeuwarden, the Netherlands (Model 4).

Different ways to organize CBP: Leeuwarden ('CBP in command')

Chief of Unit

Community Beat officers

Police officers assigned to basic police services

Community Beat Patrol

Emergency Patrol

Model 4:
Same as 3 – in addition to which EP officers are put at the service of CBP officers (full POP model).

The main difference is that this third organisational chart does not have a deputy chief. Instead of this official, the chart shows the position of a community beat officer with executive powers. This community beat officer plays two roles. Firstly, he goes out on patrol, but only now and then since he has another and more important role to fulfil: he runs a group of police officers, and he assigns jobs to them in the sphere of community policing. In this way emergency patrol officers, if we still might call them so, are directed towards a community-policing style of policing. The effect of this is that police officers in Leeuwarden, patrolling the inner city, are less orientated towards traffic violations and more to other problems in the neighbourhood. For example emergency patrol in Leeuwarden consists of only a small proportion of traffic incidents. It is the smallest of all twelve cities in our study. The next-smallest was the one that we have observed in Lillestrom.

## Conclusion

The outcomes of our study illustrate that the tables that constitute our frame of reference, such as the proportion of traffic, are indicators of important features of police patrol work.

What we learned during the course of this study, it that police management is strong on basic assignment — at designing a new organisation and at moving police officers from one department to another. Do we need to do more on youth problems? Just appoint ten more juvenile police officers. Do we want to improve police-citizen relationships? Let's appoint ten more community beat officers. But police management is weak at the next step: basic strategy. What is our idea of community beat policing? What exactly does it mean to be a community beat patrol officer? Of course it is clear that community beat patrol officers should establish and maintain relationships between the police and the public. But police management need to express a clear picture of what a community

beat patrol officer should be doing on a day–to-day basis. How does one do 'community beat policing'. Does a community beat officer have to write tickets? Does he or she visit schools? If so, to do what? Does such an officer walk the beat in uniform? There are so many questions about how one could and should fulfil a certain police role.

If the police want to move from an old-fashioned, reactive style of policing towards community policing or problem-orientated policing, they have to do more than just ask emergency patrol officers to also fulfil the role of community beat officer. And neither is it enough to appoint some officers as community beat officers. Although their patrol work is different, they do not have the power to change the rest of the organisation. Our study indicates that if one really wants to get a different style of policing off the ground, one should appoint community beat police officers with managerial powers.

We need police management that is capable of giving direction to what police officers do. After all, only then can it be useful to increase police numbers, and only then 'more police officers on the streets' will not automatically mean 'more traffic checks'. Only if basic strategy is clear, is it useful to put 'more blues on the beat'. It is the task of police management to keep the debate going about what are good practices in terms of police activities. It is their task to set goals and to evaluate police effectiveness. Consequently, in the end it is also their task to decide what kind of activities a certain type of police officer should or should not undertake — because police activities are a key factor of police effectiveness.

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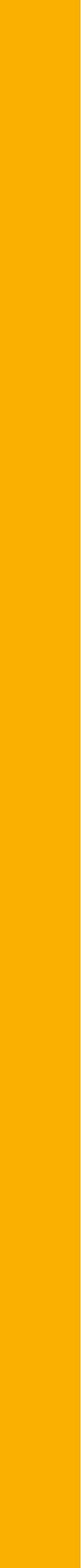
# Child pornography offenders and practical research: an evidenced-based approach to prioritising the investigation

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To develop a common tactical approach in the protection of children, law-enforcement agencies are required to strengthen networks and relationships across Europe and the world (CEOP, 2010). What constitutes as a child pornography offence within Europe varies considerably, although there is a common understanding that a combined approach is needed to deal with the 'explosive growth in child pornography' (Schell, Martin, Hung & Rueda, 2007: 47). Detections in child pornography offences are increasing at an alarming rate (Wolak, Finkelhor & Mitchell, 2009) requiring law enforcement officials to find new ways to manage the sexual exploitation of children. Perhaps the simplest question that the police currently face is whether an indecent image offender is committing, or is likely to commit contact sexual abuse against a child? (Eke, Seto, Williams, in press). From a European perspective the further question is whether cultural specificity exists? Recent studies have begun to explore the specific relationship between possession of the actual child pornography and the likelihood of being a contact offender (Long, Alison, McManus, McCallum, under review; McCarthy, 2010). These studies were based on a corpus of knowledge which has effectively examined three questions: (1) what are the key features of 'Indecent Images of Children' (IIOC) offending? (2) how do offenders use IIOC within their offending? (3) how prevalent are contact sexual abusers within indecent image offender samples? This paper will therefore present an overview of the three questions and then describe the current issues within contemporary studies around the ability to prioritise child pornography offenders.

## Defining child pornography: indecent images of children

In terms of defining 'child pornography,' several researchers (e.g., Calder, 2004; Beech, Elliott, Birgden & Findlater, 2008) have adopted the definition proposed by Edwards (2000: 1): 'child pornography' is a record of the systematic rape, abuse and torture of children on film, photograph and other electronic means'. However, according to Beech et al. (2008: 219), abusive imagery of children can also include what they refer to as 'everyday or 'accidental' naked images of children'. Some individuals with a sexual interest in children possess images and videos that are legal (e.g. magazine photographs of children). Thus, it may be more productive to consider child imagery on a continuum, ranging from legal imagery to those at the extreme end, depicting sexual assault (Taylor, Holland & Quayle, 2001; Quayle, 2004). Indeed, solely concentrating on the illegal content of an individual's collection limits understanding of the meaning applied by the offender to specific material that may be indicative of a sexual interest in children. For instance, individuals may gain pleasure from obtaining legal images to complete a series or 'story' (Quayle & Taylor, 2002). It should be

noted that throughout this paper the preferred term indecent images of children (IIOC) is used as the authors believe this term best reflects the illegal and indecent nature of this crime.

There is significant variance in the legal definitions of child pornography within Europe and the world. In the United Kingdom (UK), the Sexual Offences Act (2003) extended the Protection of Children Act (1978) introducing new offences to deal specifically with the exploitation of children through indecent images of children (Sentencing Guidelines Council, 2007). Formalised in a Court of Appeal case, the Sentencing Advisory Panel (SAP) introduced guidance on the levels of IIOC, which in ascending order depict the seriousness of the offence. Table 1 represents the five 'types' or 'levels' of IIOC (in ascending order) cited by the Sexual Offences Act 2003: Definitive Guideline (Sentencing Guidelines Council, 2007: 109).

**Table 1**
SAP Image levels indicating levels of indecent images of children (IIOC).

| Level | Description |
|---|---|
| 1 | Images depicting erotic posing with no sexual activity |
| 2 | Non-penetrative sexual activity between children, or solo masturbation by a child |
| 3 | Non-penetrative sexual activity between adults and children |
| 4 | Penetrative sexual activity involving a child or children, or both children and adults |
| 5 | Sadism or penetration of, or by, an animal |

Unlike other typologies (e.g. the COPINE scale ([1]); see Taylor et al., 2001), the levels set out by the Sentencing Guidelines Council do not include legal images of children or material that does not depict erotic posing (but nevertheless portrays children either fully clothed or in their underwear). This is because, under UK law, such content is not illegal and would not be used for sentencing offenders (Beech et al., 2008).

In addition, the Sentencing Guidelines Council (2007) stipulates the importance of the victim's age when assessing the seriousness of the offence. It states that images which portray children under the age of 13 should incur a higher starting point for sentencing than those images featuring 13-15 year olds. Similarly, images possessed of victims aged 16/17 years carry a lesser starting point for sentencing than IIOC depicting children aged 13-15 years. Taylor et al. (2001) suggest that the age of the child, the amount of IIOC, the way it is organised and whether it contains private material should also be considered when defining IIOC. Indeed, these considerations are reflected within the

Sentencing Guidelines as aggravating factors within UK law (Sentencing Guidelines Council, 2007).

Within the academic literature three key questions were addressed in an attempt to explain the relationship and whether IIOC offenders constitute a new type of offence or new way of offending (Bourke & Hernandez, 2009).

**(1) What are the key features of IIOC offending?**
Internet World Stats (2008) state there are currently over 1.5 billion Internet users across the world. Since there is no single, regulatory body governing its use, the ability to control its content is limited (Beech et al., 2008). Individuals who have a sexual interest in children are free to form social networks, referred to as virtual communities (Renold, Creighton, Atkinson & Carr, 2003) with other like-minded people. Quayle and Taylor (2002) state that this can potentially empower and justify sexual interest in children. The internet also functions in such a way that it allows individuals to engage with others who share the same pro-offending attitudes (Beech et al., 2008). The quantities and ease of access to indecent images and other like-minded individuals around the world enables an offender to normalise child sexuality, and subsequently they

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([1]) The COPINE Scale is a rating system created in Ireland and used in the United Kingdom to categorise the severity of child pornography.

begin to objectify the child and the actual harm that takes place (Beech et al., 2008). The immediacy of the internet may act as reinforcement with the behavioural response likely to develop. If this is combined with masturbation the behaviour can become highly reinforcing (Gifford, 2002) and can encourage an individual to further disengage in social interaction with the real world, potentially increasing any social problems that originally existed (Morahan-Martin & Schumacher, 2000; Quayle, Vaughan & Taylor, 2006).

## (2) How do offenders use IIOC within their offending?

The role of IIOC within an individuals' offending behaviour (i.e. in terms of its function and relationship to contact offending) has been the subject of much debate, with no conclusive answers being drawn (Taylor & Quayle, 2003). One argument postulates that IIOC are part of the development of offending potentially leading to contact sexual behaviour with a child (Buschman, Wilcox, Krapohl, Oelrich & Hacket, 2010; Sullivan, 2002), while others state that the IIOC act as a diversion from escalating their behaviour (Riegel, 2004). Another perspective considers that some offenders are already contact abusing children and use IIOC as another part of their paedophilic lifestyle, when for example, access to children is restricted (Bourke & Hernandez, 2009).

### IIOC as part of development of offending

Quayle and Taylor (2002) suggest IIOC may provide a blueprint educating an offender how to abuse a child. It has been argued that those who view pornography can become de-sensitised to the material with repeated viewing conditioning arousal resulting in the individual seeking out more violent, explicit images (Zillman & Bryant, 1986). Sheehan and Sullivan (2002) refer to this within IIOC as fantasy escalation effect. It has been suggested that IIOC are an aid to fantasy enabling internet offenders to search and select material they find most arousing (Quayle & Taylor, 2002). One aspect of the fantasy is the creation of an unrealistic expectation of child sexual encounters. The images often portray children smiling and somewhat complicit in the activity enabling offenders to cognitively distort children as sexual beings (Howitt & Sheldon, 2007). This can increase cognitive distortions reducing inhibitions to contact abuse against a child (Print & Morrison, 2000), or

as Sullivan (2002) posits, spiral their offending behaviour by fantasising with images. The images may serve as a motivational factor 'triggering subsequent grooming behaviours' (Buschman et al., 2010: 208).

### IIOC as diversion from contact offending

Riegel (2004) conducted an anonymous survey and found that 84.5 per cent of participants stated that viewing erotica did not increase any desires to contact abuse, with 83 per cent believing it acted as a substitute for contact abuse. More generally, research agrees that not all offenders who use IIOC to facilitate arousal will inevitably develop into contact offenders (Seto, Hanson & Babchishin, in press; Sullivan & Beech, 2004; Osborn, Elliott, Middleton & Beech, 2010).

The increased ability of IIOC offenders to relate to fictional characters may somewhat hinder them from progressing onto contact abusing a child regardless of their failure to desist collecting (Elliott, Beech, Mandeville-Norden & Hayes, 2009). A recent meta-analysis by Babchishin, Hanson and Hermann (in press) examining characteristics of IIOC offenders stated that increased self-control and other psychological barriers may be the difference between offender groups that inhibits these offenders from acting out their paedophilic fantasies.

### IIOC used as part of an already established paedophilic lifestyle

An American study by Bourke and Hernandez (2009) suggested that a new type of offending exists where the child sexual offender uses IIOC as an extension of their already paraphilic lifestyle. Their self-disclosure data suggested that most offenders were already contact abusing before becoming involved in IIOC. Similarly, Sheehan and Sullivan's (2010: 164) recent study on producers of IIOC also concluded that the internet may provide 'post-hoc justification rather than a primary precipitating factor' for contact abuse. Nevertheless, the 2 369 % increase in the overall number of contact sexual offences disclosed within Bourke and Hernandez's (2009) study may suggest that sexual fantasies using IIOC to stimulate and reach masturbatory fantasy are rarely limited to fantasy.

### (3) How prevalent are contact sexual abusers within indecent image samples?

Contact sexual abusers do exist within IIOC offenders. The ongoing debate is in what proportion and at what stages. A recent meta-analysis found approximately 12 % of IIOC offenders have historically contacted offended against a child, increasing to 55 % when using self-report data (Seto et al., in press). Interestingly, they found the Bourke and Hernandez (2009) self-reporting data that 84.5 % of IIOC offenders had contact offended against a child was a statistical outlier. European studies have reported significant variance with 4.8 % of child pornography offenders having previous convictions for contact abuse of a child (Endras, Urbaniok, Hammermeister, Benz, Elbert & Rossegger, 2009), however when using self-report data this has increased to rates such as 47.8 % (Quayle & Taylor, 2003). This questions whether the differences in prevalence rates of contact offenders is due to methodological variations or whether there are cultural differences. It could be argued that there is a subgroup of IIOC offenders who pose a high risk of contact offending. The task for the police, irrelevant of geographical boundaries, is to determine who poses significant risk, and prioritise the protection of those children.

### Can offenders be differentiated according to their use of IIOC?

There is a lack of research that has examined the differences between contact and non-contact offenders in terms of their IIOC possession. Research that does exist has tended to concentrate on IIOC offenders without contact offences rather than comparing them to contact offenders. In a recidivism study with a follow-up period of 1.5 to 4 years, Osborn et al. (2010) used the risk matrix 2000 revised and found none of their internet sex offenders went on to sexually re-offend regardless of their risk categorisation. None of the high-risk offenders were found to possess images at SAP level five. They concluded that the level of image possessed had no impact on their potential risk of re-offending. This finding may not be surprising as Gallagher et al. (2006: 63) found the 'most serious images were the least numerous'. Furthermore, they found when examining video IIOC, level-four IIOC as the highest percentage with level five the lowest, indicating the format of the image may have an

impact on possession. Conversely, Laulik, Allam and Sheridan (2007) reported that the majority of internet offenders possessed images at level four or five. These two studies illustrate the variety of findings in emerging research in relation to IIOC type and level. Larger studies concentrating on the level of IIOC available for offenders have reported a continuing trend with a significant proportion of websites (58 %) showing images at levels four and five (Internet Watch Foundation, 2008). Although it is unclear whether these trends are related to risk, research has acknowledged the importance of understanding how the possession of images at any image level relates to risk of harm to children (Carr & Hilton, 2009).

### Does cultural specificity exist?

There is no research which has compared child pornography offenders across several countries distinguishing contact offenders from non-contact offenders. However, it is accepted that an understanding of potential cultural differences is required to effectively protect children from harm (CEOP, 2010). Studies are only now emerging which examine how child pornography possession relates to risk of contact sexual abuse within their own countries. A recent American study that has examined how IIOC possession relates to risk is McCarthy (2010). She sampled 110 offenders (56 non-contact offenders; 51 contact offenders) convicted of IIOC offences in the aim of identifying potential risk factors associated with contact sexual abuse. She found that contact offenders were significantly more likely to possess larger child pornography collections than non-contact offenders. She also concluded that contact offenders were more likely to engage in grooming behaviour than non-contact offenders (such as sending adult pornography to potential victims; however this would constitute a different offence within the UK). Usefully, McCarthy (2010) has attempted to establish that differences between the offender groups and their IIOC offending behaviour exist however, as with Long et al. (2010) caution should be exercised with small effect sizes.

From a UK perspective, Long et al. (under review) examined the differences between contact and non-contact offenders within their IIOC offending behaviour and possession. This study examined 60 offenders, 30

contact and 30 non-contact offenders who had been convicted of possession, making, or downloading IIOC in both still and video format. The aim of the study was two-fold. First, was to examine whether there were difference between contact and non-contact offenders in terms of their IIOC possession. Second, was to examine whether images possessed by contact offenders related to their contact offence. Contact offenders were found to have significantly less IIOC (still and video IIOC). This pattern was also found when analysing still images and videos separately. Contact offenders possessed a significantly lower proportion of level-one videos (i.e. IIOC depicting erotic posing with no sexual activity). On the other hand, contact offenders were significantly more likely to own a greater proportion of level-three still IIOC (i.e. images depicting non-penetrative sexual activity between adults and children) and level-four IIOC (penetrative sexual activity between adults and children). In summary, contact offenders possessed more severe imagery proportionally. The Long et al. (under review) hypothesis is that the behaviour depicted in the IIOC could relate to the offences known to have been committed. This may suggest that contact offenders preferred IIOC at similar levels of abuse to those offences they are committing, a notion hypothesised by Quayle and Taylor (2002). In terms of whether images possessed by contact offenders related to their contact offence, the more severe the contact offence committed, the higher the level of IIOC in the offender's possession. The gender and age of the children in the IIOC was associated with the gender and age of the contact offence victims. Furthermore, contact offenders were more likely to display polymorphic behaviour (those who possessed IIOC depicting children of both genders also contact offended against both genders) and a smaller age range within their IIOC possession. Finally, when examining criminal histories, contact offenders were significantly more likely to have a conviction for non-sexual offences (i.e. theft) when compared with non-contact offenders. Similar results have been found with stranger rapists (Davies, Wittebrood & Jackson, 1998). In summary, contact offenders appeared more specific in their IIOC possession and it related to their contact offending.

## Conclusions

A clear European and global picture is needed to understand cultural specificity and the links between child pornography and contact offending. This paper has described the three questions relating to IIOC: (1) what are the key features of IIOC offending? (2) How do offenders use IIOC within their offending? (3) How prevalent are contact sexual offenders within IIOC samples? It has also examined whether cultural specificity exists and concluded that significant further research is required.

The conclusions of this paper are that child pornography is widely available, affordable and has global social networks associated with it. Due to the criminogenic environment that the internet often represents (Wortley & Smallbone, 2006), these social networks frequently ignore geographic boundaries. In these cases diplomacy, continual liaison and understanding of differences in legislation will assist in protecting children from harm (CEOP, 2010). There are debates as to how child pornography is used but essentially they are used as part of the contact offending, to complement it or to divert from it. This focuses law enforcement responses to build and develop networks to tackle those offenders that commit the most serious offences.

Finally, in terms of prevalence of contact offenders in IIOC offender groups, while there is little agreement in how many IIOC offenders are contact offenders it is agreed that a subgroup exists that presents a real risk to children. In terms of policing, the real question is how do the police identify those that present a high risk? Any empirical research that can assist with this will allow the police to deliver the requirement to 'focus the available resources in a way which best protects the public from serious harm' (MAPPA, 2009, p. 32).

In many respects the fact that the high-risk subgroups do exist may encourage further research and police activity to try to ascertain and understand where the risk lies. This is increasingly important where laws may differ, but research is needed to understand if the behaviours remain the same. Whatever the conclusion, research of this type will assist a European and potentially international approach to safeguarding and multi-jurisdictional law enforcement. As Glasgow (2010) emphasises, police and researchers have a rich

source of data available with a golden opportunity to develop risk assessments. The exploratory studies outlined in this paper have taken tentative steps towards identifying factors that suggest likelihood of contact offending. These studies have only reviewed a single country perspective. The obvious gap that needs to be filled is empirical research that considers cross-border, European and international offending. By examining the details of child pornography cases and identifying factors that suggest the likelihood of contact offending, there is the possibility of preventing and ceasing contact sexual abuse. It is acknowledged that there are difficulties in using such data with issues of undetected contact offences (Buschman et al., 2010; Bourke & Hernandez, 2009) and differences in recording information (Alison & Canter, 2005).

The need to manage risk may be one of the most significant changes in policing and law enforcement generally in recent years (Ericson & Haggerty, 1997). Policing now has a tighter focus on risky offenders (Kemshall & Wood, 2008). Practical police-led research has begun to assess likelihood factors and, with increased research and understanding, will hopefully progress to the development of risk assessments. In the meantime, such studies provide policing with an empirical basis to assist and inform decisions with the aim of safeguarding children. The issue of cultural specificity and working together to identify contact offenders Europe-wide is now a focus of the European partnerships. At present, projects are under way between countries such as the United Kingdom, Estonia, Ireland and the Netherlands to explore these research questions and hopefully provide likelihood factors that may protect children across Europe.

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# How do German and French police forces know (differently)?

## Bringing together different knowledge cultures through ethnographic explorations

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## Introduction

Throughout Europe and North America, police services are increasingly turning towards proactive, problem-orientated approaches. Some cultivate what is called 'intelligence-led policing" — even down to the local level. The research hinges on this general trend in order to renew the understanding of the practical relations of local knowledge and organisational knowledge, especially in the field of security. It focuses on an important aspect of practical police work and scientific research alike: the translation and mobilisation of ad hoc (local) knowledge into organisational knowledge. The CODISP project analyses and compares the knowledge cultures that evolve with the prevalent demands of preventive, proactive and problem-orientated policing. It does so in order to initiate and support actual organisational investments into the strengthening of the 'intelligence function', as well as into the professionalisation and the 'infostructure' (Pan and Scarbrough 1999) of this now omnipresent branch of police work

Our research looks at the ways in which local knowledge is gathered and translated — or should at times not be translated — into intelligence that matters for local security networks and policies. And, conversely, we aim to determine how and to what extent this intelligence that is rendered available organisationally can be subject to learning and appropriation by professionals who undertake operational and supervising missions.

Moreover, the research assesses the impact of the practical implementation of organisational process, tools and systems, which can be considered as components of the 'intelligence function' inside police services, as well as the effect of the use by police organisations of knowledge which has been produced by other local actors who share information with the police. To put it simply, the project studies to what extent and how, within Germany and France, knowledge-led policing tools and systems can make their way into various epistemic cultures of police units, and how these tools and systems are employed by police to respond to new demands of problem-orientated, preventive and proactive policing?

## Intelligence doctrine in context

According to the literature, collecting, managing, analysing and exploiting information related to security has become a central aspect in daily police work: to the extent that sociologists now describe police officers as 'knowledge workers' (Haggerty & Ericson, 2005, 2000, 1997). Similarly, information is considered as a 'general paradigm of ordinary police activities' (Brodeur, 2003). Police agencies are assessed as 'learning organisations' that cultivate more or less restricted knowledge economies. However, the police cannot be preconceived as one homogenous body. 'Personal knowing' and 'organisational knowledge'

(Hughes & Jackson 2004) remain distinct and necessary epistemic qualities within the organisation.

## A new police doctrine

Since the beginning of the 2000s, a research movement on police activities has been specifically focusing their studies on the relationship between knowledge and action when dealing with security problems. This collection of works, essentially Anglo-Saxon, proclaimed a new police doctrine: intelligence-led policing. Until today, however, this doctrine caused conceptual problems. Is it a separate mode of policing? Or is it a component next to others in rather traditional modes (Ratcliffe 2003)? Is it just a new managerial discourse which remains largely disconnected from the common 'case approach' process of knowledge construction in law enforcement organisations? What is more: are there functional equivalents of the Anglo-Saxon notion of 'law enforcement intelligence' in terms of knowledge management within the French and German police, such as local knowing or knowledge networks? Our research envisages these conceptual matters as empirical questions: how do the French and German police services respond to the new knowledge demands/offers that come about especially with preventive and proactive police work?

The academic studies on the doctrine of intelligence-led policing emphasise the role of information gathering and analysis in the management of police activities and in the governance of security policies. They focus on how police organisations discover, recognise, categorise, interpret and understand the various issues relating to safety, crime and disturbance of public order. They examine how the development of an 'intelligence function' can influence the functioning and outputs of police organisations, but also, more broadly, the governance of local security policies. The research moves these approaches back to daily police work and, in doing so, considers the potentials and limitations of new forms (and doctrines) of knowledge-management practices.

These knowledge-management practices within the police involve a range of activities which aim to:

- collect and manage relevant information for the actors in charge of prevention and security issues;

- assess the threat level represented by these issues in order to determine what problems have to be targeted as a priority;

- produce and distribute knowledge about these issues to elaborate practical solutions and their implementation;

- evaluate the impact of the actions taken.

Knowledge management should confer upon local actors a pragmatic understanding of situations and problems that can be turned into action strategies (Lemieux, 2006). It should also solicit suggestions and approaches to crime reduction. The knowledge, or intelligence, should increase the capacity to anticipate critical situations, misdemeanors and disorders. They should also allow stakeholders to rationalise the use of their resources. The latter should focus their attention and efforts on the problems that most contribute to the deterioration of security. Knowledge management not only aims to increase the quality of information released to decision-makers, but also to increase their ability to use the analysis results elaborated especially for them.

As Jerry Ratcliffe (2002) indicates, the introduction of intelligence-led policing initiatives seem to encourage police organisations to go beyond a narrow and reactive conception of raw information exploitation, characterised by the predominance of information that derives from citizen complaints and criminal enquiries, which are both are collected after incidents have happened. The doctrine, in line with problem-centred policing, prefers a comprehensive and proactive conception, which allows for a preventive attitude towards various forms of criminality and public disorder.

Beyond the police force, all public actors likely to contribute to insecurity reduction are to evolve towards more 'proactive' and 'strategic' action modes. In such a system, there is a great need for active information research and scientific problem analysis, just like there is a need to calculate the best value costs/advantages for operational measures set up to respond to the problems (Maguire, 2000; Maguire & John, 2006). In general, the new forms of policing demand security management where profitability and performance have become essential parameters (Lemieux, 2006). This evolution fits into a wider movement of 'managerialisation' of public policies (Delpeuch, 2006),

and brings about new legal, professional and practical problems caused by rising bureaucracy and formality.

## The implementation of the doctrine in various countries

Great Britain is in the vanguard of the international movement of intelligence-led policing doctrine. In 2004, it set up a National Intelligence Model (NIM, the result of a study started in 2000) whose task was to standardise and promote new knowledge practices and tools. Information ought to be processed at three interconnected levels: local, regional and national. Each level has been equipped with its own intelligence management tools — intelligence units, various committees where police chiefs can gain knowledge about the 'burning problems' from analysts and from representatives of other public and private organisations. Additionally, each level has been asked to adopt a learning attitude towards its own routines and work practices. The police services are expected to function as branches of a learning organisation.

In the United States, since the 11 September 2001 attacks, police forces have been encouraged by federal authorities to carry out reforms based on the intelligence-led policing doctrine. A national development programme has been set up with the aim of modernising equipment, improving professional training, generalising good practices, and sharing information between police agencies at different levels. The American doctrine implies that all local police forces — whatever their size and organisation mode — should develop the ability to manage and efficiently exploit the information gathered from an extensive range of open and closed sources, as well as transmit the knowledge generated from that information to the internal and external actors who most need it to carry out their security tasks. Local police must also be able to receive, manage and build on information coming from external institutional sources. All the components of police organisation are hard-pressed to acquire a culture of information (Carter, 2004). The intelligence-led policing doctrine in the United States is in line with the problem-solving approaches that came about in the 1990s and which consist of identifying the causes of security problems using tools and analysis methods that enable the development of responses towards the actual causes of criminality and public disorder. Some experts criticise problem-orientated policing for failing because of a lack of analytical capacities inside police organisations (Eck and Spelman, 1989). Intelligence-led policing promised to overcome these shortcomings.

By contrast, in France, the interest in intelligence-led policing has only emerged recently and partially. Interest arose when the system of national security intelligence was reformed in 2007 and 2008. Since then, new intelligence tools were created to provide local police services with analytical products which are supposed to improve decision processes for operational and tactical purposes. However, the efficiency of the tools and methods largely remains to be assessed until today. And, the know-how that has been constituted either at the central level or in the context of local initiatives, needs in order to be spread across the country, a broad and rich conceptual apparatus that allows any assessment to identify functional equivalents in police knowledge management. Here, our heuristic distinction of local and organisational knowledge and the analysis of their translation into each other marks out a valuable starting point for grounded research.

One of the prominent aspects of French intelligence know-how, which should be carefully compared with similar German experiences, is the emergence of deliberative forms of information aggregation and problem analysis which have gradually emerged from the development of local security partnerships since the beginning of the 1980s. These forms of joint production of law enforcement intelligence take place in various local security committees, information-sharing networks and bilateral inter-institutional cooperations. These partnerships associate actors such as municipalities, courts, social services, schools, public transportation and housing projects etc. Their degree of formalisation and institutionalisation varies depending on the sites and on the issues. On the whole, they have allowed actors characterised by different knowledge cultures, professional interpretation frameworks and institutional interests to learn how to exchange information and how to discuss possible responses to the issues. In many French localities, the inter-organisational sharing of information and analysis has become an established practice which influences the decision-making process in the organisations which are integrated in security networks. In some

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territories, these practices have strongly contributed to improving the outcomes of local security policies.

In the case of Germany, the research is confronted with another diverse picture. The police is administered on the state level, complemented by self-organised networks in the municipalities. Here, local security concepts gave rise to an enormous diversity of projects, themselves specialised on 'burning issues', on ' hotspots' with a mix of security/criminality matters or on 'target groups'. Through these initiatives, preventive/proactive policing grew to be an important part of daily police work. Now, it does not just collaborate with social work, but shares some of its social properties, including its client-centred perspective. This transformation of police work caused new demands on the level of education, as well as new demands for the organisational culture as such. In terms of knowledge work, these developments towards proactive policing have been managed rather on the project level, less within the police organisation as a whole. German police schools aim to meet these new demands in terms of social learning and reflection (such as anti-racism training). The dimensions of knowledge work and 'learning organisations' — plus their inherent limitations — await further attention.

In the German context, because of the heterogeneous and decentralised structure of the police services, intelligence-led policing never turned into a paradigm or doctrine in the first place. If at all, intelligence-led policing has been reserved for special analytical units at the federal level. For instance, the German Federal Criminal Police Office (BKA) — together with European partners — developed techniques of 'geographical and strategic early detection' in order to 'reveal connections between different phenomena' and 'to prepare the police force to make steps in terms of setting objectives, planning strategies and prioritising policies' (www.cepol.europa.eu). However, such scenario techniques, differentiated by types of delinquency, seem to overburden local security networks. On a daily level, 'intelligence' seems restricted to ad hoc risk assessments involving an intimate understanding of participants and their 'normal' actions. Local police work focuses on — careful, acceptable, operational — networking, the building of trust relationships, and at times the advancement of its applied, organisational knowledge economy. It is more knowledge-led than intelligence-led.

## Analysing knowledge-led policing in France and Germany

Some sociologists see knowledge-led or intelligence-led policing as a managerial discourse which, deep down, is unlikely to alter mundane vision and thinking in the police force. In their opinion, the police force is still a profession orientated more towards coercive action than towards analysis and reflection. Police activities essentially remain focused on reactive responses to occasional events reported to them or detected by them. The function of intelligence, as these researchers observe, is only effectively instrumental in a minimal number of police events and cases (Brodeur & Dupont, 2006). Several authors doubt it would be possible to rationalise information circulation and exploitation in police organisations, as intelligence is traditionally exchanged in an informal and personal manner often reproduced by the dominant mechanisms in professional learning and transmission practices (Manning, 2003; Shearing & Ericson, 1991).

But there are several reasons to consider the emergence of knowledge-led policing as a major expression of a paradigm shift in the field of security policies. Local networks in public security have evolved significantly. Hypothetically, they render intelligence systems more useful and applicable: territorialisation of public action, generalisation of contractual and partnership initiatives and widening (through different forms of mediation, prevention and citizen involvement) of the range of responses to be used in dealing with security problems. In such a context, for local security policies to be effective, the knowledge economy needs to fulfil a number of requirements: the capacity to understand local specificities, the aptitude to share pertinent information with local public and private partners, collective deliberation of the significance of collected data, as well as the capacity to use shared information and knowledge for the joint elaboration of coordinated action strategies. Moreover, the doctrine expects police organisations to improve their effectiveness despite their decreasing means, which invites them to equip themselves with knowledge tools in order to make better use of the resources already obtained by members of the organisation on various levels.

## A comparative approach to studying knowledge-based policing and the ways to improve it

Our comparative study take on these managerial changes will contribute to these debates on a substantial basis: firstly by comparing the various national articulations of an international doctrine as such; secondly, by showing how exactly the status of various knowledge in institutionally diverse police organisations; thirdly, our grounded research will specify the practical relevancy of knowledge environments and knowledge tools beyond mere self-descriptions of the respective police services. Our aim is to come close to the complex and integrated police work and to introduce basic improvements for these situations.

Comparing the French and the German cases lies at the heart of this endeavour. The comparison is performed in four steps:

(1) Mapping the fields: we map our respective fields according to the organisational structures, hierarchy levels, programmes of good practice and formal/procedural paths. The institutional maps are used as patterns of possibility, meaning as a framework that shows how certain modes of knowing and forms of knowledge are feasible at certain sites within the respective organisation. This includes prescriptions for the aggregation, storage and compiling of data, the use of electronic format versus paper copies and reports, etc.

(2) Grounded practice research: on these grounds, we organise our practice research. We place field researchers in selected sections of policing, where they will conduct a lengthy thorough ethnographic observation of the daily knowledge work (4-6 weeks in each setting). These sections are confronted differently with the requirements of knowledge-led policing. They serve these requirements differently according to the practical, local limitations that are themselves to be taken seriously as pragmatic tactics and rationales. Only on these informed grounds do we develop semi-standardised interviews in other cities and on various hierarchy levels: we conduct a series of 1-2 week 'short studies' of 10-15 particular localities in each country, mainly based on interviews and documentary analysis, as well as a series of visits in police academies in France, Germany, Great Britain and the United States.

(3) Thick comparison: grounded in the local police work, we discern relevant patterns and factors of knowledge-led policing. This assures that the research is empirically driven; that it links up on the actual experiences and competencies of practitioners. This way, we will thicken our research in this bottom-up methodology: from real cases (fieldwork research) to general organisational patterns (semi-standardised interviews).

(4) Integrating basic analytical perspectives on knowledge in learning organisations: the literature on learning organisations starts from two basic analytical perspectives. It focuses either on knowledge production or on knowledge consumption. Our research integrates these two directions in order to compare the info- and infrastructures in diverse police organisations. The analytical questions are: what local knowledge is produced within security networks and how, if at all, does this knowledge circulate in the police organisation? Is knowledge produced for, or consumed by ways of geo-coding analysis, criminal investigative analysis, tactical crime analysis (pattern identification relevant for the deployment of the patrols) and strategic analysis (for resource allocation of personnel and materials), etc.?

(5) Comparing practical solutions: our joint research projects aims for best practice cases in order to analyse in detail the practical solutions that made these successes possible. The practical solutions will be presented in workshops to academics and, more so, police practitioners from France and Germany. By narrating and analysing these positive cases, we aim for new intern organisational publics that allow knowledge to circulate more freely to those members that are in need of a broader repertoire of practical solutions.

(6) Results, diagnostic and applied: as a result we will be able to characterise the respective epistemic cultures of policing beyond mere national containers. Parts of these cultures are programmes, techniques, professional solutions and attitudes towards knowledge production/consumption.

Knowledge-led policing is put in context(s) by then and can be reformulated as a doctrine in more realistic and embedded terms. Rather than celebrating doctrines, we will downsize them to their actual potential and limitations.

## Identifying good practices in the field of public security intelligence

Scientific works dedicated to the doctrine of intelligence-led policing have underlined four types of pitfall for organisations that try to increase the role of the intelligence function in managing their everyday activities: (1) the agents' reluctance to adopt formalised and standardised modes of information conservation and transmission; (2) tensions between operational and specialised police forces on the level of empirical methods and data assessments; (3) the difficulty of obtaining resources in order to implement intelligence-led infrastructures in organisations already saturated by multiple demands, and finally, (4) the difficulty of producing valuable information and up-to-date diagnoses for day-to-day policing.

Our research investigates these tensions between the doctrines and the ground work plus the ways in which these tensions are translated into everyday dealings and routines. More generally, our research will renew the understanding of public action development and behaviour processes in the security field, focusing on an aspect of local management that is often overlooked in police management literature: the institutional processes of (ad hoc) fabrication, (biased) interpretation, (limited) circulation and (pragmatic) utilisation of operational knowledge, including the paradigmatic conflicts and paradigms accompanying these processes.

In addition, we isolate the conditions and processes which enhance learning and allow the use of concepts, thinking modes, work methods and technical tools inherently linked to public security intelligence, by local security actors. The comparison of these components will assist the grounded modelling of learning organisations in the field of policing.

Moreover, our joint research will qualify the human dimension of the processes by which the knowledge systems of the function of intelligence operates. Previous research suggests that even if more and more sophisticated tools are made available to agents involved in this function, improving professional capacities constitutes the first condition necessary for the enhanced production/consumption — and circulation — of knowledge.

In order to analyse the organised processes of knowledge production/consumption, we aim to answer rather detailed research questions:

- Within the organisations and services taking part, how do the different types of concerned agents mobilise the resources given by the function of intelligence? In the solving of which situations and problems is organisational knowledge considered in-/appropriate?

- What actors are receptive to the offered knowledge and methods? How do they justify the use of organisational knowledge and what drives/delimits their knowledge production for the organisation? How does career profile, training and professional experience matter?

- Conversely, which actors passively or actively resist the development of the function of intelligence? How do they explain and justify this resistance? How can we utilise the critique in order to offer more appropriate knowledge systems that meet the ethical, legal and social requirements highlighted by these local critiques?

We ask the same questions in our two respective fields and we endeavour to determine the practicalities and local conditions that promote or, on the contrary, inhibit the coproduction of knowledge in prevention projects, municipal initiatives and task forces.

The reconstruction of knowledge practices and processes implies that there is a limited and ordered range of principles, rules and procedures applied by the police forces. They acquire certain rules and sources, appreciate them in their local relevance, turn situated experiences into decontextualised data, bring some (not all) data into circulation, share some (not all) data with other units, update some knowledge in the light of new insights and demands, and frequently reflect on the limitations of their methods — at times by using scientific support. Furthermore, knowledge processes are subject to forms of accountability as a technique to render them available to organisational and managerial oversight. We study these realms as distinct epistemic sub-cultures that are only partially integrated on an

organisational and systemic level. The recurring urge for transparency within the intelligence doctrines is a forceful expression of these fragmentations, including micro-politics and the struggles accompanying it.

In police organisations, the quality of knowledge and analysis processes depends on the weight given to them by its factions and sub-cultures. Knowledge is itself objected to interpretative struggles and competing schemata. The factions qualify or disqualify knowledge — and allow for additional enquiries or upfront usage. In particular, units who have special access to the best sources (e.g. operational units) must get used to transmitting information to knowledge systems: in a selective manner (screening out unreliable or useless information), in the necessary format, with the adequate level of detail, while observing a certain number of precautions. All this refers to the wider, but fragmented epistemic culture, in which knowledge and knowledge processes are weighed against each other.

Our own attempts to stabilise and rationalise knowledge-led policing in public security refer to an existing nexus of research in the workplace, management, information and policing studies. In terms of its development at the level of local actor networks, several works (Donzelot & Wyvekens, 1998; INTERSECTS study) have shown that the viability of partnership systems depend on their aptitude in stabilising and sharing procedures that encourage exchange productivity, fuel trust and direct inter-organisational conflicts. The latter involves efforts to assess the needs and capacities of network partners and to establish exchanges within such a system (diagnosis, consultation, performance monitoring, implementation of adequate technical tools, conditions to be respected in terms of confidentiality and compliance with the rights and liberties of citizens, etc.). However, the formalities and complexities of these knowledge exchanges encourage an 'underlife' (Goffman 1961) that crosscuts the procedural realm for pressing purposes.

Our research contributes to these demands by adding up an inventory of the good practices (more or less) effectively implemented by interior security forces and partnership bodies, both French and German, in the public security intelligence sector. It will examine in detail the functioning of units, services, organisations and partnership networks which have demonstrated a strong capacity to obtain, analyse and efficiently exploit information and knowledge in local security problems. Moreover, it will draw lessons for both countries on the reflections and experience developed in the other country. This inventory in both countries will constitute a repertoire of 'ready to use' elements in the elaboration of a general public security intelligence doctrine. The communication of this inventory to professionals in local settings will take the form of a 'practical solutions and best practices directory'.

Any knowledge-led policing involving both local and organisational knowledge, implies a whole range of professional skills: organising and stimulating knowledge sharing within police services and partnership networks, knowing how to deal with and exploit information provided by partners, being capable of a constructive dialogue with partners with regard to information interpretation, knowing how to identify the likely characteristics of problems in a perspective of prevention, defending the viewpoints of one's own institution and collectively assessing the results of taken actions, etc. These skills need to travel within the organisation in order to provide a solid and broad foundation for a knowledge system to work.

The objective of the research is, thus, to supply police services with a professional arena and public dedicated to turning knowledge processes and the involved methods into objects of internal reflection and collective design. To that end, the research will assess the existing training courses in France and Germany in the public security intelligence sector, so as to supply police schools with practice-informed elements to enrich training modules. The emphasis and the critique of knowledge-led policing thus involve the early stages of human resources development: recruitment, job descriptions, skill standards career profiles. It involves, moreover, a critical culture that involves boundary work within the organisation and towards potential partners and audiences 'outside'.

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# Chapter V: Organised Crime meets research — introduction

**Hans-Gerd Jaschke**

From a political and a policing point of view, organised crime is a dark spillover-effect of globalisation. The collapse of the cold-war-confrontation between East and West after 1990, the beginning of a new world order and disappearing borders in Europe after the Schengen agreement have intensified international cooperation of criminal groups in many fields. New possibilities of developments in communication technology and quick communication all over the world are offering new perspectives in the main fields of organised crime, such as trafficking of drugs and human beings, piracy of products and money laundering. Improving cross-border policing is a main answer to the threats of transnationally operating criminal groups. However, what can be assumed on the research and knowledge level, what do we know about 'organised crime' and the operating groups behind it?

The opening contribution of this section scrutinises organised crime research from a general point of view. **Hans-Jörg Albrecht** points out that the understanding of 'organised crime' has moved from the 'Sicilian style' towards meaning a network of structures. It is diverse, complex, less organised and less hierarchical. Most of the research is initiated by the police and driven by topics around the organised crime phenomena. Little research interest can be identified in the field of policing organised crime. Regarding the whole area Albrecht highlights the 'lack of empirical research on organised crime'. The use of intelligence and cross-border police cooperation are strategic answers to modern organised crime. With regard to EU resolutions highlighting that monitoring telecommunications may help in investigating organised crime cases, the political dimension appears quite clearly as a growing tension between freedom and security.

*László Salgó*, at the time of the conference in Traiskirchen Assistant Director of Europol, gives an introduction to the Europol 'Organised Crime Threat Assessment' (OCTA), a continuous report about the development of organised crime in the EU, produced from 2006 to 2011. He gives information about the history of OCTA, the sources of the data collection and the environment of intelligence-led policing. As Albrecht had emphasised before, Salgó reports that criminal markets and regions are focused on by OCTA. Thirdly, operating groups, their typology and their possible clusters are part of the OCTA report. By combining different factors, such as destination markets, criminal group types, migration processes and others, OCTA identifies five 'criminal hubs' in the EU: North-West, North-East, South-West, South and South-East. Each of them is related to specific criminal flows from other parts of the world, from South America, Asia and Russia. Trends in 2008 showed that organised crime groups were 'transnational, multi-ethnic and poly-crime' and 'increasing their influence in the economic, social and politic environments'. Salgó draws a picture of organised crime that confirms existing studies of the phenomena but asks once again for further research strategies.

'The OCTA is only the first step on a long journey' - **Michael Levi** argues in his comment. He questions the 'threat assessment' as a procedure as well as both terms: 'Threats to whom and what and from where?' And:

'How do we really prioritise threats?' There is a need for more clarification for the other term 'assessment'. What activities are covered by an 'assessment'? Thus, Levi's meritorious approach leads to raising questions to be discussed both now and in the future.

It is not only a problem of terminology; we also have to start organised crime research by accepting an uncertain world. **Tom Vander Beken** is in favour of the application of scenario techniques which might anticipate plausible futures. He argues that the mainstream of organised crime assessment is directed towards risk-calculation models, which are based on uncertain quantitative frameworks. Possible risks or threats cannot be measured by data calculation only; other factors are part of the game. 'It is argued', he continues, 'that scenario exercises in which uncertain elements are accepted contain promising possibilities for crime assessments to address and prepare for multiple futures.'

**Didier Bigo**, **James Sheptycki** and **Han Jaffel** pick up again the term and the meaning of 'organised crime'. Following their approach, it seems to be impossible to give an exact definition, because it has meant different things over time. There is a historical dimension but also a geopolitical dimension: South American, European and Russian historical developments have created different forms. Sometimes and somewhere organised crime is more or less 'disorganised', deregulated and connected with local frameworks. With regard to the organisation structures the authors distinguish — following von Lampe — five main ideal types:

- criminal networks with, firstly, 'no social support structure in the milieu of operation';
- those 'rooted in marginalised subcultures';
- those 'rooted in mainstream society';
- those with links 'in power elites';
- 'criminal alliances between underworld and upper world or mafia-like organisations'.

Thus, the authors offer a very different and complex picture of what organised crime means today. Their contribution presents some suggestions for building future organised crime threat assessments.

SOCTA (the serious and organised crime threat assessment) is developed and operated by Europol. The follow-up to OCTA starts in 2013 and will finish in 2017. **Tamara Schotte** summarises, at the end of the section, brief information about SOCTA. The programme is in line with the organised crime situation reports (OCSR), the first Europol reports from 1994, when Europol was still the Europol Drugs Unit, the organised crime reports (OCR) from 2002 and OCTA from 2006 up to 2011. SOCTA will be 'a forward-looking document, with a primary focus on future developments in criminal threats'. Schotte emphasises the separation between the SOCTA methods of analysis and scientific research: the SOCTA approach is 'to facilitate effective interventions', moreover there is 'the need for speed, secrecy and professional trust'. The final ideas of the section may generate new discussions about scientific research and intelligence-led policing data collections.

# Police, policing and organised crime: lessons from organised crime research

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## 1. Introduction: research on organised crime and organised crime policies

Over the last three decades organised crime has been assigned a top priority on the European Union's crime policy agenda. This parallels international concerns for organised and transnational crime which is also expressed in the 'Transnational Crime Convention 2000' providing a normative framework for (global) anti-organised crime policies. Anti-organised crime policies have been devised on national, European and international levels. A dense network of conventions not only deals with organised crime per se but also with single elements like corruption, money laundering, human trafficking and the trade in illicit drugs. Investigation of organised crime is entrusted to specialised police units - within the European Union Europol has been given the task of supporting member countries' police forces in investigating organised (and cross-border) crime.

Lessons from organised crime research, which can be drawn for the purposes of policing, require first of all a summary of what is known about organised crime (UNODC, 2010). Research on organised crime evolves around various phenomena of transaction crime, social control of organised crime, performance of police in containing organised crime, cross-border police cooperation and interactions between organised crime as well as organised crime policies and control practices (Fijnaut and Paoli, 2004). Research is encouraged by a growing interest in intelligence-led

police and policing. However, what can be observed is an extremely skewed distribution of research on organised crime. Organised crime research in Europe is skewed along countries, types of crime, research methods, leading research questions and interests. Most organised crime research originates from a small number of European countries where criminological research is well developed.

The bulk of research on organised crime is based on police measures and statistical accounts drawn from official sources. Most research is also initiated by police. There are few ethnographic and field studies on organised crime; research is focused on selected phenomenon of organised crime, among them drug trafficking [1] and more recently human trafficking (UNODC, 2009). Policing organised crime is under-researched. Police cooperation, cross-border policing, Joint Investigation Teams (JITs) have found but little research interest [2] (see Rijken and Vermeulen, 2006; Maguer, 2004). As regards performance of police in the investigation of organised crime and evaluation of organised crime policies, extremely little academic research can be found (Kinzig, 2004).

Organised crime remains a controversial issue. This is due to problems of definition, the politically mobilising nature of the concept of organised crime, unresolved

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[1] The establishment of the European Monitoring Centre on Drugs (EMCDDA) is an expression of the European Union interest in systematic data collection as regards all aspects of illicit drugs.

[2] So far only one empirical study has been carried out on JITs.

conflicts with regard to the issue of jurisdiction and the question of which instruments should be adopted in tackling it. Conflicts emerge around the question of whether the concept of organised crime should play a role in designing normative and organisational frameworks of policing, law enforcement and cross-border cooperation. The view that the concept of organised crime is too restrictive and excludes a significant and relevant share of cases in need of cross-border cooperation is gaining support. Instead of the concept of organised crime, a harm-based approach is suggested — through adopting the concept of serious crime. Serious crime is considered to be better suited to identify crime and concrete situations where European (and international) police and judicial cooperation is warranted (Dorn, 2009). In fact, with serious crime, various forms of economic crime, environmental offences, terrorism, serial murder and serial rape, distribution of child pornography may fall under the mandate of Europol (House of Lords, 2008b, p. 18). The spread of undercover policing and other measures of secret investigation, as well as far-reaching financial sanctions responding to organised crime, trigger conflicts with fundamental rights and basic principles of procedural fairness. Security becomes a leading goal in organised crime policies generating tensions as regards freedom and privacy. Moreover, conflicts arise around European institution building.

## 2. What does research tell us about organised crime and how can organised crime be measured?

The emergence and the course of transnational organised crime are closely associated with basic changes in modern societies. These changes affect labour markets, the economy and basic mechanisms of social integration. Transnational crime is also linked to migration and immigration and those processes which have led to multicultural or multi-ethnic societies in both Europe and North America, and with that towards a trend to a horizontal social order. Changes concern not only the emergence of transnational enterprises and a globalised economy but also the emergence of transnational communities which bridge borders and cultures. Transnational crimes, that is crimes affecting more than one country or nation at a time, as well as crimes characterised by their cross-border nature

certainly are not new. Transnational crimes have always been part of the crime phenomenon. What has changed is the quantity and quality, as well as the structures, of transnational crime which today are determined by market and political economy, organisation and networks, rational choice and migration.

The concept of organised crime can be traced to two theoretical approaches. The first views organised crime as linked with the traditional subcultures of the modern metropolis. These subcultures are also dependent on shadow economies which on the one hand provide for the economic basis for what once was called the professional criminal (in particular the professional thief) (Sutherland, 1937) and on the other hand provide an environment for a network of professional criminals on the basis of deviant norms and values (see Fijnaut, 1990, p. 54). In fact, what is described in much of contemporary literature on these subcultures of organised crime is the underworld, which sometimes is even conceived as a competitor to conventional society. However, as we observe in many societies there exists a multitude of arrangements between these underworlds and conventional society, which are functional insofar as the underworld and the shadow economies operating within provide the supply which is demanded in conventional society. The demand for drugs, prostitution or gambling emerges outside shadow economies and keeps these economies alive. The arrangements vary and also include various types of corruptive relationships (Williams, 1995, p. 5).

The second theoretical approach necessary to understand organised crime refers to crime as a rational enterprise. It is obvious that the enterprise-related characteristics of organised crime prevail today and that subculture-based characteristics are on the retreat. Organised crime thus comes in the forms and with the structures of ordinary and conventional economic behaviour. Visible differences have faded away and organised crime becomes indistinguishable from other types of economic behaviour. This can be demonstrated for example for various forms of economic crime, in particular money laundering where nothing in the offender or in the act itself lends itself to a clear identification of the act as criminal or deviant. The offender and the acts do not carry any signs of crime or deviance that we are used to relying upon with respect to conventional crime. The significant

difference between organised and conventional crime today therefore essentially concerns the emergence of new problems in criminal investigations, which are the consequence of adjustments and changes in rational, organised and enterprise-like crime. Adjustments consist of getting closer to conventional society and abolishing subculture-related and therefore visible differences. Organised crime creates problems of law enforcement because the forms and procedures of conventional society are used (which make identification of criminal acts and suspects a difficult task). What contributes to these law enforcement problems certainly is new types of criminal legislation which — like for example money-laundering statutes — as a point of departure take perfectly legitimate behaviour (handling assets or money) with illegality invoked only by the criminal origins of assets.

Knowledge about organised crime stems mainly from police accounts which are published on a regular basis by police forces in some European Union member countries (Savona et al. 2005). While in the past such accounts were based on case-counting practices similar to regular police statistics, more recently the focus is placed on Organised Crime Threat Assessments. Since 2006 Europol publishes such threat assessments as a result of The Hague Programme (Presidency Conclusions, 2004) and the implementation of The Hague Programme (Commission Communication to the Council and the European Parliament, 2005). Advantages of threat assessments are seen as providing a tool which is not restricted to a retrospective view of organised crime cases but allows for an assessment of trends and emerging dangers. However, published organised crime threat assessments do not go beyond simple descriptions of where centres of organised crime are assumed to be located ('organised crime hubs') and which do not provide for substantive information on how various criminal markets will develop and which organised crime groups will participate in such markets. Moreover, European organised crime threat assessments are faced with the general problem of comparative crime and justice data in Europe.

Despite the obvious lack of empirical research on organised crime (see Kleemans, 2008, p. 5; van Duyne and Vander Beken, 2009) policy-makers continue to make statements on an increase of organised crime activities and in particular on the increasing threat

coming with such activities. In the EU Strategy on Organized Crime 2000 it was stated that „the level of organised crime in the EU is increasing'(Official Journal of the European Communities 2000/C 124/01, p. 3). The United Nations Office for Drug Control and Crime Prevention declared in 1999 that „organized crime groups have expanded their dimension and activities worldwide and are currently a global threat posing a concrete danger to the international community' (Centre for International Crime Prevention, 1999, p. 4). The European Parliament — just months away from the credit crunch and the collapse of financial markets as a consequence of licit banking activities — insisted that „organised criminal groups are becoming increasingly complex and structured business organisations capable of penetrating economic and financial markets and of distorting them" (European Parliament recommendation to the Council, 2007). Europol warns that „the OC environment in the EU is evolving and dynamic'(Europol, 2008, p. 18) The most recent global transnational organised crime threat assessment presented by UNODC reiterates the assumption that 'organised crime has diversified, gone global and reached macroeconomic proportions'(UNODC, 2010, p. ii).

Official assessments of organised and transnational crime thus still convey a picture of organised crime that is not different from the picture which at the beginning of the 1990s served to create the impression that exceptional crime threats need to be responded to by exceptional (substantive and procedural penal) measures. This picture of organised crime conveys messages of threats to social, economic and political stability, assumes doubtful causalities and presents doubtful solutions. The 2010 UNDOC report on global organised crime lists six consequences of the analysis (consequences which were stressed already in the 1990s): (1) purely national responses are inadequate; (2) states have to look beyond borders to protect their sovereignty; (3) since transnational organised crime is driven by market forces, countermeasures must disrupt those markets, and not just the criminal groups that exploit them; (4) since traffickers follow the paths of least resistance — characterised by corruption instability and underdevelopment — it is essential to strengthen security and the rule of law; (5) since criminals are motivated by profit, the key is to go after their money; (6) since the wide-open window of trade

is letting criminals in, it is essential to install filters (filters evidently shall replace borders and — going beyond that — control the flow of information through the internet) (UNODC, 2010, pp. ii-iii).

Organised crime assessments and policies derived from such assessments detach themselves from those policies that have emerged in the areas or markets which are closely linked to organised crime activities. However, the analysis of policing organised crime is dependent on and part of the analysis of the markets where criminal groups and networks operate. The field of policing illicit drugs provides a good example. There is consensus that drug policies have to be evaluated as regards implementation and outcomes and that drug policies should be based on evidence (Bennett and Holloway, 2010) which provide learning opportunities and adjustments. It is also fair to say that process and outcome evaluation are considered to be a cornerstone of a rational drug policy. However, the question arises of what indicators are suited to measure the success or failure of drug policies and at what cut-off point should drug policies be regarded as a success or a failure and therefore be subject to changes (see in this respect for example the Report on Global Illicit Drugs Markets 1998-2007 (Reuter and Trautmann, 2009)). The debates on the policy of the United Nations which pursued the vision of a drug free world to be achieved over a certain period of time may serve as an example for far-reaching goals which create great expectations but evidently cannot be achieved (as a crime-free or a violence-free world cannot be achieved).

Indicators used in evaluation research and research on the implementation of drug policies concern drug-related death, admissions to treatment, treatment success, prices of illicit drugs, drug-use rates (in particular among young people) and rates of problem drug users etc. (Reuter and Trautmann, 2009). However, what has been neglected so far concerns indicators related to drug markets. Supply reduction, although a main goal of the law enforcement part of national and European drug policies (and in fact a main goal in policing organised crime), evidently is difficult to achieve (and of course also difficult to measure). However, if policing organised crime shall be subject to evaluation, then more detailed data on various aspects of interdiction and law enforcement are needed (see Beau Kilmer and Hoorens, 2010, outlining the need for systematic and

detailed data collection on drug seizures, the amount of drugs and the context of seizures in terms of particular investigative practices). A main problem which is rarely addressed in debates on how to police drug markets (and only rarely in general crime policy) concerns the continuing replacement of small-scale and large-scale traffickers as well as street retailers, a characteristic of most transaction crime. Where a drug-trafficking operation is dismantled and traffickers are imprisoned there is obviously no shortage of individuals and groups to replace those who have been taken out of the market. The consequence of successful law enforcement operations is rather an increase in violence because of conflicts coming with the re-ordering of drug markets (see Moeller, 2009, pp. 337-345 ([3]); Reuter, 2009). Policing drug markets (and organised crime groups operating in these markets) evidently results in various side effects and has — during the last 40 years of increasing efforts to contain the flow of illicit drugs over borders — not resulted in significant reductions of supply nor in an increase in the price of drugs (Reuter and Trautmann, 2009). Control and policing illicit drugs and drug trafficking today then are placed within broader agendas which focus on markets of violence (Karstedt, 2002), the systemic use of violence in drug markets (Friman, 2009), the role profits from drug trafficking play for insurgencies and terrorist groups (Wennmann, 2005, p. 486) and the relationship between organised drug trafficking and terrorism (Shelley and Picarelli, 2002; Oehme III, 2008). Illicit drugs represent 'conflict resources' which receive more international attention since the 1990s (Elwert et al., 1999; Security Council Resolution 1625/2009 which recognises the relevance of natural resources for 'new' wars and crimes against humanity). Heroin fuels the war economy in Afghanistan as is cocaine driving violence in Columbia, Mexico and other Latin American countries (Reuter, 2009). The 2008 report of the EMCCDA mentions among the costs of illicit drugs also the destabilising effects of drugs on countries of production and transit (EMCCDA, 2009, p. 5) and points to the role of drug policies in international relationships and foreign policies.

Organised crime is first of all related to red-light districts, shadow economies and black markets which

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([3]) An example is provided by Moeller describing how effective police interventions in Christiana and the retail markets for cannabis has resulted in structural changes of the drug markets that brought also more violence.

are structured along varying conditions established through more or less strict prohibition and regulation of services and commodities. Organised crime thus refers to a category of crime that is shaped by the political economy and decisions on which dangers or threats in a society should receive priority. Drug markets, markets in stolen goods, human trafficking etc. point to transaction crime. Transaction crime poses particular challenges for law enforcement due to the lack of victims and information provided by victims. Immigration and migration play a certain role in discourses on organised crime.

Another discourse emerging around organised crime refers to its transnational and cross-border character. In Europe, the opening of borders has fuelled debates on security challenges provoked by criminals capable of roaming freely across Europe (Faure Atger, 2008).

Concerns about limits to local law enforcement are raised. Global networks through which drug and human trafficking is organised, cyber criminals and international terrorism are contrasted with criminal law and law enforcement confined to a state's territory and not capable to pursue effective containment policies (Kinzig, 2004, p. 77).

Rationalisation evidently is a core element of organised crime. The view on crime as a profit-generating activity is linked to the persistent involvement in illicit markets. Particulars of illicit markets concern operation without and against the state. This in turn explains why illicit markets operate in different ways than licit markets. Market orientation is expressed in the minimisation of specific transaction costs (risks associated with law enforcement). Such transaction costs concern detection and the loss of drugs or other commodities and criminal conviction and a criminal sentence. Transaction costs may be reduced through reducing the number of customers and employees (perpetrators), through incorporating transactions into kinship and friendship networks or reducing the probability of complaints. The latter may be achieved by threats and violence, making victims accomplices or by bribing enforcement staff.

Research on organised crime reflects a basic change in concepts. Organised crime today is understood as operating through networks (and not through hierarchical organisations with physical infrastructures and large investments). Networks provide criminals with diversity, flexibility, low visibility and durability (in particular through redundancy). While network cores are characterised through strong bonds and trust which stem from shared experiences and common narratives (prison and youth gangs), common ethnicity, clan/family ties or shared values (religion), the peripheries of networks display less dense patterns of interaction and weaker relationships than the network's core. These characteristics play a critical role in networks, exhibiting and exploiting 'the strength of weak ties' (Granovetter, 1973). The periphery allows the network to operate at a geographical and social distance. This facilitates more extensive operations, more diverse activities and the capacity to carry out effective intelligence collection. It is most probably through these peripheries that contacts are facilitated, common interests are identified and illicit market operations are prepared. Hawala-based financial transactions demonstrate the effectiveness of such networks. In particular ethnographic research would be needed to understand the functioning of criminal networks.

Summarising the change, it can be stated that the understanding of organised crime moved away from organised crime 'Sicilian style' towards an understanding of organised crime which is less organised, less hierarchical, smaller than imagined, less profitable than imagined, more diverse and more complicated, embedded in local environments through markets and local policing. Moreover, there are no signs of influence on administration or politics through corruption (with some known exceptions). However, the phenomenon of transnational organised crime itself is part of a trend towards the integration and convergence of social, cultural and economic systems, it is in particular subcultural systems which display symptoms of globalisation and integration, with transnational terrorism being insofar an exception as it aims at disintegration. The process of integration is based upon well-known general trends such as mobility and globalisation of economy. Smuggling and trafficking in goods, services and humans represent the 'underside' of the (global) legitimate trade, these activities are driven by laws (defining the scope and content of trafficking and smuggling, or the goods and services that are provided) as well as by demand (which emerges from conventional society and for example

from the established sex markets) (Andreas, 1999, p. 86-87; Kelly and Regan, 2000, p. 1).

Transnational organised crime thus also concerns sensitive topics as it raises ideological questions in terms of responsibility and explanation (Le Breton and Fichter, 2001) and it is linked to human right issues (in particular when it comes to secret investigations and profiling) (Senior Coordinator for International Women's Issues, 1998). The attachment of global public bads and threats (corruption, money laundering, infiltration of the licit economy and the political system) to organised crime magnifies the threats seen in organised crime itself. Discourses on global bads point to an increase in heterogeneity of European societies, the weakening of social bonds, the weakening of informal social control and the growth of mistrust in the state and state institutions. The concerns for global bads have also resulted in defining common (global) interests in disrupting continuing criminal enterprises that feed on illicit markets of drugs and human trafficking, in protecting the licit economy against threats resulting from criminal groups investing dirty money likely to result in distorted competition and corruptive effects, preventing infiltration of financial institutions through organised crime groups, protecting the social fabric against economic and political influence of criminal organisations, protecting the integrity of the financial system and reducing the impact of markets of violence (blood diamonds, conflict resources) and contributing to the rebuilding of failed or weak states.

## 3. A two-pronged approach of policing organised crime: intelligence and cross-border cooperation

The emphasis in organised crime policies is placed on repression. The main pillars of repression consist of following the money trail with dense control of money laundering and asset forfeiture, new investigative techniques which are based on secrecy and internationalisation of control. A new architecture of security for Europe is emerging which brings with it institution-building and networking with a particular focus on the collection of intelligence and cross-border cooperation. A wide range of working groups today is dealing with issues related to organised crime and policing organised crime within the framework

of the European Union. The complexity of the networks increases when looking beyond Europe at the international level. In the European Union, a contact network of police was established through the European Police Chiefs Task Force (EPCTF) which has adopted operational and strategic tasks. The Police Cooperation Group (PCWP) is responsible for general and technical matters of cooperation. The Terrorism Working Group (TWG) deals with issues concerning counter-terrorism through exchange of information and the analysis of threats. A Multidisciplinary Group on Organised Crime (MDG) is entrusted with the task of developing guidelines on how to coordinate control of organised crime. The Horizontal Narcotics Group (HNG) coordinates police cooperation with third countries and works on measures aiming at reducing supply and demand for illicit drugs. The Europol Working Group has been established to negotiate regulations applicable to Europol. The implementation of the Action Plan on Organised Crime is monitored by a Multidisciplinary Group on Organized Crime (which today goes by the name 'Working Party on General Matters, including Evaluation' and brings together police, prosecutors and policy-makers). COSI (Standing Committee on operational cooperation on internal security) adds to the density of networking as do further working parties and groups which deal with border and immigration issues, data exchange, the Schengen Information System etc.

Most important in European Union approaches to controlling organised crime is a focus on information and intelligence as well as the exchange of intelligence between police forces. According to 'The Future Group Report 2008' an 'information tsunami' has occurred which has to be exploited effectively in order to improve law enforcement. The conviction that 'information is the key to protecting the public and in an increasingly connected world in which public security organisations will have access to almost limitless amounts of potentially useful information' (The Future Group Report, 2008, p. 43) is guiding the development of policing organised crime. Automated data exchange, the elaboration of a European Criminal Intelligence Model (ECIM) and a focus on intelligence-led policing are the key elements of crime-control strategies. However, numerous problems are encountered in the implementation of the second-generation Schengen Information System (SIS II). Besides technical problems,

there seems to be some obstacles in information exchange and information sharing. Member States of the European Union are accused of not being prepared to share information in all cases (Hojbjerg, 2004, p. 53), a practice certainly explained by the differences in legal frameworks and cultural determinants of the relationship between intelligence on the one hand and law enforcement on the other hand (Hojbjerg, 2004, p. 53). Therefore it is demanded to make Europol a centre of information collection both from law enforcement and intelligence sources in order to be able to generate a 'full and comprehensive picture'(Hojbjerg, 2004, p. 56). The question which then arises, however, concerns whether such full and comprehensive pictures will be helpful to understanding organised crime (and other forms of serious crime) and to respond effectively.

Control of organised crime adopts a significant role in the process of establishing an area of freedom, security and justice. The promise of a European model which convincingly balances mobility, security and privacy, however, seems to be difficult to achieve as the goal of establishing a high level of security evidently dominates and moves security to the centre of policy-making. Security is related to risk, dangers and trust. Security refers to a basic human need and to a complex idea. Essentially, security follows from trust (or confidence) that risks will not turn into damage and that the consequences of risks can be coped with by society and individuals. The core of security concerns normative structures which define which extent of security can be expected, how security is achieved and how failure of security is dealt with. Concepts of security in the context of policing have changed over the last decades (Krauß, 2008). A move away from a comprehensive concept of social security (which is the very basis of personal freedom) to a concept of public security and from there to the assessment and response to threats can be observed. This includes a move away from the prevention of concrete dangers and investigation of concrete suspicion to the prevention of risks and precursors of dangers. The move towards risks and threats comes with an emphasis on collecting intelligence and exploiting the 'information tsunami'.

Assigning security a high priority in European Union policies has consequences for police and policing. The demand for security is (in principle) unlimited and will never be satisfied (Hassemer, 2006). Evidently a paradox

becomes visible as with security increasing, the demand for security increases, too. The United States Presidents Commission 1967 stated that there would always be too much crime (Report by the President's Commission on Law Enforcement and Administration of Justice, 1967, p. 22); the same applies to security as there will be never enough security (or there will be always too much insecurity).

Police and policing are assigned a crucial role in the achievement of security through the control and containment of organised (or serious) crime. Policing organised crime can in principle be evaluated along different lines. However, the most important question to be put forward concerns: How do those illicit markets develop which are subject to various forms of policing and law enforcement (and what are the effects of successful investigations and prosecutions of organised crime cases)? Other questions are related to specific policies implemented to counter organised crime. Besides the use of secret investigative measures, forfeiture instruments and ways to improve European and international police cooperation, it is of course also of interest to know how cases defined as organised crime are investigated and prosecuted and what outcomes can be observed.

An in-depth study on investigating, prosecuting and adjudicating cases defined by police as organised crime was carried out in Germany (Kinzig, 2004). The analysis shows that the core elements of the (police) concept of organised crime (division of labour, commercial structures, threat or the use of violence, corruption) were only present in a small share of the cases (Kinzig, 2004, 714-715). Interviews with offenders adjudicated and sentenced in organised crime cases underline what was outlined earlier, loose networks and the ad hoc formation of groups on the basis of needs and interests. Although a large share of organised crime cases are international and cross-border, crime investigation problems due to cooperation with foreign law-enforcement agencies are not significant (Kinzig, 2004, 381); more problems arise out of attempts to actively generate information and the implementation of secret and undercover operations (Kinzig, 2004, p. 792).

Policing organised crime concerns in large parts policing shadow economies and international trafficking. Performance therefore should be measured

primarily by the development of key indicators in such markets. While drug markets in this respect have been studied in various aspects extensively during the last 40 years, much less research is available for other markets (illicit forms of pornography, labour trafficking, sex, stolen goods etc.). Even for drug markets, however, a lack of reliable data is deplored which results in rough estimates on various indicators of supply and demand with large error margins. Recently, an in-depth study of the drug market and the effects of drug policies was carried out for the European Commission (Reuter and Trautmann, 2009). The study summarises the evidence on the wholesale and retail markets of heroin, cocaine, cannabis and amphetamine-related substances and how various policies influence these markets. The data demonstrate clearly that interdiction efforts and law enforcement neither affected the prices of heroin, cocaine, cannabis and amphetamines, nor did they affect the availability of these drugs (Reuter and Trautmann, 2009 15-21). Interestingly enough, despite a significant increase in the rate of cocaine and heroin seizures (cocaine seizures up from 23 % in 1998 to 42 % in 2007; heroin seizures from 13 % in 1996 to 23 % in 2006 (from the estimated global output of heroin and cocaine) (Reuter and Trautmann, 2009, p. 18)) a long-term decline in drug prices can be observed (Reuter and Trautmann, 2009, p. 20). The study also concludes that the overwhelming majority of those involved in drug markets only make modest incomes (Reuter and Trautmann, 2009, p. 15) (which in turn sheds some light on the role that forfeiture and confiscation policies will play). Policing and prosecution have effects though. These effects, however, concern the modalities of drug trafficking and drug distribution. Trafficking routes and trafficking methods are changing constantly, interacting with law enforcement operations.

Investigation and prosecution of organised crime cases rely heavily on secret investigative measures, in particular the interception of communication. This is plausible as much of organised crime concerns transactions which are based on communication. Wire-taps, telecommunication transaction data and their retention, data mining, informants and undercover police are among the investigative techniques that have been added to the catalogues of police powers since the 1970s (Marx, 1988, 4-5). When putting forward the question of 'how are new investigative measures implemented and with what consequences?', there is not much in terms of socio-legal research on the use and results of new investigative techniques, despite their use being justified as a last resort, falling under the principle of proportionality and representing an effective instrument in containing organised crime.

The European Union has in several resolutions and documents highlighted that monitoring telecommunication is particularly helpful in investigating organised crime cases (Council Resolution OJ 4/9/1996; Council Conclusions of 19 December 2002). The Council of Europe has voiced similar conclusions (Conseil de l'Europe, 1996). However, the salience of monitoring telecommunication and the benefits drawn from such controls for law enforcement follow from the covert and secret penetration of citizen's privacy and therefore from the infringement of fundamental rights (Bacigalupo, 2001, p. 132) that are protected by national constitutions, the European Convention on Human Rights and International Human Rights instruments. Hence, wire-tapping and eavesdropping have to be balanced against rights that are enshrined in Article 8 I, II of the European Convention on Human Rights (and that are also mentioned in Articles 7, 8 of the European Union's Human Rights Charter, in Article 12 of the General Declaration of Human Rights as well as Article 17 of the International Covenant on Civil and Political Rights) (OECD Council, 1993; Council of Europe, 1981). Various decisions of the European Court on Human Rights have dealt with legal requirements of telecommunication control. According to these decisions first of all a statutory basis must be made available by parliaments (ECHR, 1984) which is seen to be legitimate only if the necessity to infringe on privacy by way of wire-taps or eavesdropping can be established in a democratic society. Then, the European Court on Human Rights confirms that Article 8 of the European Convention on Human Rights (ECHR) may be restricted only with the goal of pursuing national and public security, the economic well-being of the nation, prevention of crime and social unrest, protection of public health as well as the basic rights of others (Kopp. vs. Switzerland, 25.3.1988; Valenzuela Contreras vs. Spain, 30.7.1998). These principles are also underlined in Directive 2002/58/EC of the European Parliament and the Council which says in Article 15 I that the fundamental rights of privacy and data protection may be restricted only if such restrictions amount in a democratic society to necessary, adequate

and proportional measures to protect national and internal security and to prevent and to repress crime.

Surveillance of telecommunication and retention of telecommunication data points also to the request of balancing security and privacy in creating the envisaged area of security, freedom and justice. In particular Directive 2006/24 EC obliging Member States to introduce retention of telecommunication data for a minimum of 6 months and a maximum of 24 months has resulted in an ongoing debate on how much personal information may be collected legitimately and whether control of organised crime (and other serious criminal offences) justifies retention of personal data without prior suspicion of having committed a criminal offence (see Albrecht, Grafe & Kilchling, 2008).

In general, there is not much known about the use and the results of secret surveillance technologies in organised crime cases. Few studies have been carried out which demonstrate that surveillance of telecommunication is focused on drug trafficking, that significant variation exists as regards its deployment in crime investigation (Albrecht, Dorsch & Krüpe, 2003; Dorsch, 2005; Krüpe-Gescher, 2005; Meyer-Wieck, 2005) and that illicit markets adjust to secret investigations.

When turning to the question of what can be expected from specific strategies that aim at money laundering control, forfeiture and specific offence statute that target either conspiracy or membership in a criminal association, we find also that evaluation research is rare and that not much is known about police performance in implementing such policies.

Evaluation of the effects of money laundering and forfeiture policies is difficult as outcomes will be dependent on the size of drug trafficking proceeds which cannot be identified without accepting large error margins. However, internationally, estimates on the rate of confiscated proceeds do not amount to more than marginal taxes on illicit goods and services (which indeed are modest compared with ordinary taxing). (Reuter and Truman, 2004; Yeandle, Mainelli, Berendt, Healy 2005)

While collection and analysis of intelligence as well as cross-border exchange of intelligence are seen to be key elements in successful approaches to organised crime (Block, 2008), it is also evident that implementation of related policies come with various problems. It was stated that the vast majority of information exchanges between police forces occur outside the formal systems and outside Europol which provokes the question of whether Europol in fact may play a convincing role of serving as a centre of collection and exchange of information (House of Lords, 2008a, p. 12). It is then reported that up to 80 % of bilateral engagement occurs informally and outside Europol. Lack of 'confidence and trust' in handling and protecting the data is evidently a crucial obstacle to establishing formal information channels.

Information on how and to what effect cooperation is implemented in the form of Joint Investigation Teams or other ways is scarce; in particular systematic evaluation research is not available (Block, 2008, p. 74). Knowledge in general comes from case studies as well as national reports which summarise information from various sources.

## 4. What lessons should be learned?

The concept of organised crime is not used as an element in criminal law and criminal procedure. Its value for police and policing seems to be small at best. It should be replaced by either a general reference to serious crime or crime catalogues which can be brought in line with those crime catalogues that authorise secret investigations.

Policing organised crime essentially means policing markets and sometimes marginal, minority and elite groups. Research and policies need to address illicit markets.

Policing organised crime is linked to demand emerging in conventional society. Repression alone is therefore insufficient. Administrative preventive responses have to be included and alternatives to penal prohibition have to be considered as well.

There is need for information on police cooperation, practices and legal as well as practical problems arising from cooperation. This also includes the need for

information on causes of problems, in particular the role of trust (Royal Canadian Mounted Police, 2003).

Performance of police in dealing with organised crime policies has to be measured through various indicators, among them indicators related to enforcement (arrests and convictions) but also indicators related to illicit market related (prices, availability).

(Organised) crime therefore is always local. Local police most often do not recognise their crime problems in national, European or global accounts. Local experiences and local knowledge therefore should be given greater attention.

Threat assessments are inherently normative. Threat assessments cannot be reduced to a data-based analysis.

There is an urgent need for independent evaluation research and a research programme which focuses on the key elements of collection of intelligence, exchange of data, operational cooperation, organised crime case investigation and processing as well as its outcome and those police powers which have been introduced specifically for the containment of organised crime.

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# Scientific approach to the OCTA report from an analytical, operational point of view

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## 1. Background

Whilst distinct in its origin, ownership, scope and structure, the current OCTA is a reflection of the uninterrupted continuity of a linear evolution since 1993, when the European Council decided that an annual strategic report should be published to provide an insight into organised crime (OC) within the EU. This decision instituted the production of the *Organised Crime Situation Report* (OCSR); at first, by the Presidency and later by Europol. This decision was formalised in Enfopol 161 as 'a mechanism for the collection and systematic analysis of information on international OC' ([1]).

In Enfopol 35, the Council gave a binding, more solid structure to the OCSR and requested that Member States demonstrate a higher level of commitment ([2]). In 2001, some Member States ([3]), aware of the limited prognostic value of a situation report, proposed to evolve the OCSR into a threat assessment. Europol agreed with the proposal, complementing the document with an empirical assessment of the threat analysis and changing its name to an Organised Crime Report (OCR). However, in order to modify the structure outlined in Enfopol 35, it was necessary to have a new Council document unanimously agreed upon by all Member States.

The painstakingly slow process of agreeing upon and drafting a new Council document was cut short by the sudden eruption of The Hague Programme.

## 2. The task

The Hague Programme was finalised by the European Council in November 2004, and emphasised the need for a future-orientated assessment of organised crime (OC) to support law enforcement efforts in the EU. The Organised Crime Report (OCR) had therefore to be replaced with the Organised Crime Threat Assessment (OCTA). Whereas the OCR primarily focused on the description of the OC situation in Europe, the OCTA puts an emphasis on the qualitative assessment of this complex and multi-faceted phenomenon. The OCTA, being a forward-looking document, helps decision-makers to identify strategic priority areas in the fight against serious and organised crime and initiate an intelligence process to define operational targets. By doing so, the OCTA also supports the streamlining of law enforcement activities at a European and regional level.

As such, the OCTA is a core product of the intelligence-led policing concept and its drafting is one of Europol's top priorities.

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([1]) Document 12247/1/94 Enfopol 161 rev 1.

([2]) Document 6204/2/97 Enfopol 35 rev 2.

([3]) Belgium, Spain and Sweden.

## 3. Data collection and sources

The sources used by Europol to draft the OCTA are many and varied. The first and foremost are the Member State contributions. Such contributions are drafted in line with precise intelligence requirements (IR) in the form of questionnaires. The transparency of the process lies in the fact that the IR are approved by the Member States' representatives within the OCTA Working Group, by MS central authorities and by the Management Board of Europol.

Other questionnaires, less detailed, are sent to third countries (such as Norway, USA, Switzerland, Colombia, Croatia, Turkey, etc.) and third bodies (for example Interpol, FRONTEX, OLAF, UNODC, etc.), and the resulting contributions provide a much-needed wider perspective to the document.

Another fundamental source is Europol itself, with its experts and the wealth of information — also of strategic value — contained within its AWF's. Specific questionnaires are sent to Europol's experts, AWF project managers and analysts.

A well-developed public and private partnership allows Europol to collect information on a wide array of fields in which public and private sectors can complement and integrate law enforcement findings. Also in the delicate and ongoing methodological phase, the input given by the public and private sectors, and in particular by academia, has been and is of the utmost importance.

The given deadline for all contributions is 31 October.

From 1 November, the drafting of the OCTA begins.

On the basis of structured intelligence requirements, the Member States contribute information on their OC environment.

It was decided to split the subject 'organised crime' into two parts: OC groups and criminal activities, so that the contributions from the Member States focus on these two topics. However, such division was operated with the understanding that, at the end of the analytical process, these two paths must meet in order to reach a synthesis, taking into account all facets of organised crime.

Europol uses this information to develop a complex assessment of the threat from organised crime in the EU that is built upon sub-assessments concerning the structural and functional features of OC groups, the role of facilitating factors and the geographical dimension of crimes and criminals.

## 4. Criminal markets

The threat from OC, with regard to criminal markets, is assessed in the light of the following horizontal indicators:

- Document forgery and identity fraud;
- Technology as a facilitating factor;
- The misuse of the transport sector;
- The exploitation of the financial sector;
- Globalisation and borders.

These five horizontal facilitating factors present opportunities to OC. Changes within them could change opportunities into threats, as may law enforcement bodies attempts to tackle these issues.

For example, technology is a facilitator in various traditional crime types ranging from fraud to theft and trafficking in human beings, but its abuse has also created completely new forms of crime.

Through the said facilitating factors, criminal markets are analysed, in particular the following areas:

- Drugs;
- Illegal immigration and trafficking in human beings;
- Fraud;
- Counterfeiting (documents, commodities and money);
- Money laundering.

## 5. Regions

The OCTA covers the EU, however, it cannot be ignored that Europe, due to its geography and cultural, social and historical differences, is not a homogeneous entity so it may also require a regional priority setting. Therefore,

although the European dimension is the primary focus, the OCTA also accounts for regional divergences.

Much focus is provided for the geographical dimension of OC in the EU, to complement the relationship between crimes and criminals and provide a context for their whereabouts. Four regions of the EU have been outlined:

- South-West;
- South-East;
- North-East;
- Atlantic.

## 6. Analysis

The collected information is analysed from the two perspectives outlined above, i.e. criminal markets and regions.

In order to explore OC from the 'criminal markets' perspective the following tools are used:

- Geographical spread of criminal activities;
- OC groups involved;
- Facilitating factors providing opportunities.

In other words, the tools of the OCTA conceptual model are applied to the single criminal markets. This criminal-markets perspective can only provide a partial understanding of the threat from organised crime to the European Union.

The same approach is applied to the EU regions. Four regions of the EU have been analysed: the North-West (or Atlantic), the North-East, the South-East, and the South-West regions. The aim is to highlight their peculiarities through the already-mentioned common lens that are the tools of this conceptual model:

- Criminal markets;
- OC groups active there;

Main facilitating factors providing opportunities.

The information analysed and the tools used are always the same but the perspective is changing (from criminal markets to regions). This allows the

identification of dynamics that would otherwise remain unnoticed or unfocused, thereby improving the understanding of the threat from organised crime to the European Union.

## 7. The Third Dimension: OC Groups

After having examined the OC phenomenon from the criminal markets and the EU regions perspectives, a third dimension is still missing.

This is the reason that the next OCTA(s) will aim at assessing OC through a third, fundamental perspective: that of OC Groups, their typology and their possible clusters.

As already known, intelligence-led policing mainly focuses on criminals and not on crimes. One of the reasons for this resides in the simple assumption that 90 per cent of crimes are perpetrated by 10 per cent of criminals: while it is impossible to effectively prosecute each individual crime, by focusing on repeat offenders it is possible to dramatically reduce the impact of crime on society.

However, even with such knowledge, for many years OC groups have been examined through lenses more apt to filing OC groups than to fighting them.

Within a general, rough separation in two huge and vague fields (hierarchical structures vs. networks) the most commonly chosen indicator has been the ethnicity of the group.

While ethnicity is certainly an important factor, it cannot be decisive to reach the final objective of police action, which is the dismantling of the OC group.

For the above reasons, the OCTA identifies OC groups using a different set of indicators, which will permit fighting them more efficiently and effectively.

Such indicators are:

- Use of legitimate business structures (LBS);
- Use of countermeasures;
- Influence and corruption;

- International dimension;

- The groups structure;

- Use of specialisation;

- Use of violence.

A first, general typology derives from the international dimension, through which OC groups can be divided in:

- Non-EU-based OC groups;

- OC groups in an intermediary situation;

- EU-based OC groups.

Non-EU-based groups have leaders and assets located outside the EU. These groups can be regarded as 'visitors'; in most cases only cells of the group are present and visible in the EU. Although these cells are in most cases led from outside the EU, the level of organisation of these groups inside the EU is still relatively low. Contacts with the countries of activity are kept to a minimum and the international dimension is used to its fullest extent for shielding purposes and to support the criminal activities.

The intermediary situations are relatively independent structures and not only cells of larger OC groups controlled from abroad. The location of the centre of gravity of these groups depends on their assimilation process so that in the end, the level of presence in the EU grows while the possibility to hide behind the international dimension decreases. In general these groups are developing along the lines and direction of EU-based groups.

EU-based groups have both their leaders and at least a substantial part of their assets inside the EU. They tend to use legal business structures, to actively employ specialists in their criminal activities and, in most cases, to use corruption inside the EU. The use of violence is in many cases not a defining characteristic of this type as they use more sophisticated and less conspicuous means to facilitate their criminal business. However, there are significant exceptions to this rule.

In the 2009 OCTA, the main effort will be to reach a new and thorough OC group typology, trying to identify the set of characteristics that makes types of OC group more threatening than others.

Such an OC group perspective should help the Council to better prioritise its own and MS actions, in full accordance with the main aim of the OCTA.

That OC group perspective will give the third dimension to the overall OC picture. Through the interaction of criminal markets, EU regions and OC groups it will be possible to identify actual hotspots and criminal centres of gravity, and where to concentrate operational efforts.

## 8. From regions to hubs

The concept of the 'criminal hub' was introduced for the first time as a development of the 'regional approach', trying to understand the facts that influence the dynamics of OC in the various parts of the EU.

The 'criminal hub' is a conceptual entity that is generated by a combination of factors such as proximity to major destination markets, geographic location, infrastructures, criminal group types and migration processes concerning key criminals or OC groups in general. A criminal hub receives flows from a number of sources and spreads their effects in the EU thereby forging criminal markets and creating opportunities for the growth of criminal groups that are able to profit from these dynamics.

The following criminal hubs can be identified: North-West, North-East, South-West, Southern and South-East hubs.

'Criminal hubs' can be seen as 'routers' attracting and re-directing external flows, e.g.:

- Cocaine from South America, coming to the European Union directly or through West Africa;

- Human beings smuggled or trafficked into the European Union from Eastern Europe, Asia and Africa;

- Counterfeit goods from China.

The ability to connect diverse international hotbeds of criminality with EU illegal markets must be considered as a major threat.

In order to clarify the concept of criminal hubs, which is sometimes confused with that of EU regions, it can be

useful to underline the differences between the two concepts.

In describing a region, a list of characteristics pertaining to that area is usually drafted, without in-depth analysis of their mutual relationships: it is a variety of things that are inside a geographical boundary.

On the other hand, a criminal hub is made up of the interaction between all criminal factors having their centre of gravity in the area: OC Groups, criminal markets and the geographical dimension are examined thoroughly. The focus is on the relationship between the things (actors and activities) that are inside and outside the hub's area.

Furthermore, a region is usually outlined with some neat and neutral strokes of pencil over a map, artificially encompassing all realities related to that designated area.

Conversely, a criminal hub is originated by a combination of criminal factors and existing facilitators, so it naturally stems from the field, and is not artificially created from above.

## 9. EU criminal hubs

Within the EU, five criminal hubs (NW, NE, SW, S and SE) have been detected.

Opportunities given by large airports and harbours, well-developed road infrastructures and financial systems contribute to forge the North-West criminal hub, which revolves around criminals and OC groups active in the area approximating the Netherlands and Belgium.

The presence of the North-West criminal hub can be noticed with reference to cocaine, heroin, hashish, synthetic drugs and counterfeit goods criminal fields.

Criminal groups active in the North-East criminal hub, which is located in the Baltic countries, work as a bridge between criminals operating, in particular in Russia, Belarus, Ukraine and the EU criminal environment. They look both towards the West and the rest of the

EU, and towards the East and beyond the borders of the EU.

The South-West criminal hub is based on links of the Iberian peninsula with South America and north-west Africa. However, its focus is shifting towards the latter.

The Southern criminal hub is centred on the role played by the main Italian OC groups and their control over certain social and economic dynamics in some geographic areas. Opportunities are provided by ready criminal markets in the Balkans, the Middle East and Africa. Criminal groups based in Italy have important links all over the world.

The recent eastward expansion of the EU borders to the Black Sea has permitted the detection of a South-East criminal hub in this area. National borders lacking sufficient protection in the South-East region and important waterways (e.g. Bosphorous and Danube rivers) make it very attractive for illegal shipments. Romania happens to be in the most favourable geographic position, making it a point of entry for illicit flows from Eastern Europe and Asia.

## 10. 2008 OCTA: trends

As for the outcome of the 2008 OCTA, without going into too much detail, it is possible to draw some general trends and threats.

As far as the OC Group typology is concerned, it has been noted that some groups in intermediary situations are increasingly featuring members from a mixed background. That is particularly true for some Nigerian networks, whose characteristic is made by cells manned by citizens of the country in which the cell is active: thereby, in that Nigerian network the Spanish cell is manned by Spaniards, the French one by the French, the Italian one by Italians, etc.

A characteristic of established OC groups is that they are transnational, multi-ethnic and poly-crime.

A disturbing emerging trend is the tendency of OC groups to act as service providers, which is considered more profitable and less dangerous than being aggressive and exploitative towards their victims. For

example, some OC groups involved in THB lately treat their human merchandise — especially in the field of prostitution — in a non-violent, professional way, taking care of visas, transportation, rent and accommodation, clients, protection and even remittance of revenues to the country of origin, and finally of the trip back, ensuring that their victims do not overstay beyond their visas. Such an attitude brings the trafficked women to voluntarily seek the 'services' of that specific OC group again in the future, creating a solid bond between victims and exploiters that presents obstacles to police action.

Another notable trend is the OC group leaders' constant quest for public recognition. The high levels of OC groups are not satisfied in making a lot of money: they want the people to believe they are rich because they are clever and gifted businessmen. Together with their money, they want to launder their image.

## 11. 2008 OCTA: threats

The immense wealth of high-level criminals is increasing their influence in the economic, social and politic environments.

That situation is facilitated by the modern, subjective interpretation of rights and obligations, following the idea that whatever pleases the individual is inherently right, regardless of ethical values and the common good. Following that trendy notion, normal and self-proclaimed honest citizens have no problem in dealing with OC in order to save some money in their purchases or to obtain illegal, rare or too expensive commodities.

Certainly delays in law-making are not new, also because law-making is frequently reactive towards a new threat and — as all reactions — it comes when something bad has already occurred. However, far too often law-making is needlessly delayed by political skirmishes between government and opposition, where the common good is overtaken by short-sighted partisan agendas.

The infiltration of OC groups into private and former public markets is an increasing and constant trend. A few fields are under serious threat: real estate, power plants and telephone companies are clear objectives of OC groups, which are managing to increase their share in such sectors and are looking for future, vital fields in which to expand.

# Organised crime threat assessments — from an academic's scientific but not wholly theoretical perspective

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I have changed my title from the programme slightly because I make no claim to speak for academia generally. As for theoretical perspective, I think I would argue that my perspective is not wholly theoretical because occasionally I have tried to jump down from my ivory tower and to speak to people in the real world. I have adapted it slightly in my favour.

## The growth of the threat assessment

I think something is relevant for Austria. The philosopher and kindergarten teacher from Austria, Wittgenstein said *'das wovon man nicht sprechen kann, darüber muss man schweigen'* — which we may translate as 'that whereof we cannot speak thereof we must remain silent'. If we apply this to organised threat assessments the Europol, the NCA and every other threat assessment would be very short. Indeed if we had to apply to it the logical reasoning that Wittgenstein tried to impose, we would be in great difficulty. I have done a little summary. It is incomplete and I apologise to any of the Member States that I have missed out, but my command of languages is not that great. But apart from the OCTA there is the Bundeskriminalamt, the Dutch National Threat Assessment, and the UK Threat Assessment by the Serious Organised Crime Agency. There are also the Organised Crime Group Analysis for the UK as a whole, but there is also the US National Intelligence Council that produced a report which mentions the threat of governmental-level corruption of one Eastern European country, there are the Royal Canadian Mounted Police, the CIA and other intelligence bodies.

In the private sector there is the federation against copyright theft; and others are thinking about producing threat assessments. On the horizon we have the financial action task force and other anti-money-laundering bodies, and there is OLAF. Clearly we are in a kind of popular swing towards threat assessments. This makes our and your tasks even more important in working out what the strengths and limitations of these exercises are. Is it a kind of glorified journalism? Is it a self-interest of bodies pursuing particular agendas? Is it science? Or is it a mixture?

If we do examine the scientific value in composition, which is one part; then what about the impact — what is the actual impact of publishing these reports? For most communication we aim at an audience, to persuade it towards a point of view. How successful is it? Or is it just policing for an accountability body? What are the aims of the threat assessment?

There is a tendency towards the risk management of everything. If you compare policing today — not just in UK or the Netherlands or other EU countries — it is quite different from when I started with research. People did not risk assess projects, they did not risk assess police operations, they did not fill out policy — they just went ahead. Nils Bohr, a great Danish scientist, once commented: prediction is a difficult

thing, especially about the future. If you look at all the economists who are employed at very great expense to work for financial services companies, you can see the value of this argument. Many economists are brilliant at predicting the past. But what we want is some assessment. What do we mean by prediction here? An assessment of what is likely to happen?

In the first place, this is a theory behind the transformation of the OCTA from the organised crime situation report. For some years I had the difficult job of compiling the Council of Europe Organised Crime Situation Report. I know how painful an experience that was. So it is partly to make it more future-orientated, we have to try to work out what we are trying to achieve with threat assessments, with risk assessments, with most of the things that we actually do. Sometimes we do things with multiple purposes; sometimes we do things because we are told to do.

## Organised crime threat assessment: an academic's perspective

I also slightly reject the separation between academic and practitioners' perspectives. Many of us working in the academic business for a long time also do research for governmental bodies — as I do. Unless you understand something about the political environment in which you are operating then you do not know what is the value and its likely political impact. Does that matter? Well it does matter quite a lot, because why bother to do it well if there is no point? We usually do things because we want have some kind of effect. There may be an element of voyeurism as well, to work in normally inaccessible places. But we want to try and make a contribution.

Academic skills include detachment and rigour of definition and also observation. These are also qualities of good intelligence, collators and analysts. So CEPOL and Europol *should* be academic in that sense.

Being detached does not mean being unfriendly, just respecting evidence like the people doing the assessment of whether or not there were weapons of mass destruction in Iraq. It requires a judgement call and when you are put under a lot of pressure, it is hard to remain detached about that judgement call. This is

something that academics have an advantage over because in general we cannot be fired or moved to some unpleasant country or sent back from a mission or assigned to an unpleasant job if we hold a view that is inconvenient to senior people.

Respect for independent analysis, whether in academies or in departments, is on a decline in the world generally and in Europe as well. That is one thing that I see as a threat to the threat analysis, because it is quite hard sometimes to sustain an independent perspective.

## Key difficulties in threat assessment

One of the difficulties is: what activities does the assessment cover? Is it based around what institutions we are? You know if you are doing something on crime, it is just what the police do or does it cover the environment agency. After all, one of our problems might be toxic waste dumping, which is a problem in many parts of Europe. Or is it MTIC fraud (Missing Trader Inter-community fraud) or VAT fraud — even Bulgarians for example have been hit very badly by this. If we look just at our own agencies then we should really look a little further on the map.

Should a threat assessment only cover crime threats? If we take seriously the announcements that many struggles are going to be over water or energy — not just for those who live in Georgia or Ukraine — a lot of the struggles in Western Europe also are going to be over clean water, access to energy supplies etc. Those conflicts over those things are going even though they might not *currently* be police issues, they are certainly part of the PEST analysis that we need to make because they may spill over into disorder; they may spill over into fraud or corruption. From that point of view current crime threats are too narrow a focus. The trouble is, if you go on endlessly, what is covered? You can lose yourself very easily.

What groups, networks and individuals does the assessment cover, especially since Europol changed its mandate to 'serious' crime and no longer just 'organised' criminality? Well, a serious crime does not need to be committed by three or more people involving a transnational dimension — perhaps the threat of

wireless. But it is the question again if you say well it applies to all individuals, then it is broader than most organised crime bodies are concerning themselves with.

There is a very uneven evidential basis for assessments: both geographically and types-of crime. We all know that different Member States and countries outside our Member States have very different resources. What geographically should we cover and what types of crime? Everything? Or should we exclude some? Market-based crimes like supply of illegal drugs are crucial, but there are also some pretty big predatory crimes — I mean the Colombian population has been rioting in relation to investment frauds just as the Albanians did some years ago and other Eastern European countries. That should make it quite a high priority for everybody.

And there is the politicisation and diplomacy of comments. It is easier to blame countries outside the EU than countries inside the EU. Let us be truthful about this, partly because you have to get it signed off by all the Member States. So in the real world we have to deal with that as a problem in how clear the meaning of our threat assessment is. Some countries would find difficulty in getting enough people capable of demonstrating security clearance to be entitled to share NATO secrets or work at Europol. These are quite big issues within the EU as well as outside of it. We cannot neglect these issues entirely.

There is also the slow adjustment to impact or follow-through: For example, if European Chief of Police Strategies neglect key features of OCTA and Justice and Home Affairs priorities, e.g. MTIC fraud and intellectual property crimes identified in the OCTA and in the threat assessments. How will anybody know what is the corrective action that we can take within the EU, if European Police Chiefs do not follow the OCTA? So it seems to me that there are not scientific issues so much, but they are certainly important issues.

One more scientific issue is: can we ensure the consistent application and observation of organised crime within and between EU countries? If not — and I suggest the answer is no and I think that everybody really pretends that it is yes — then we are not doing real science. Now I would argue that there is nothing wrong with making judgements based on imperfect knowledge. After all, if we knew about all the crimes and the people that commit them the threat would be low, but our society would be totalitarian, or it would be extremely high, because it would mean that society was so corrupt that it would not do anything about it.

We cannot know everything. It is not possible to make this a 100 % scientific task. It requires judgement. But where are the attempts to improve trend data on existing and new criminal markets? And we have to think not just about data on the markets but data on the *intent* and *capability* as well as *vulnerability*: like military analysts do. The Belgians have done some very interesting vulnerability studies — e.g. Tom Vander Beken in collaboration with the Max-Planck-Institute — but we must also look at intent and capability.

How do we really prioritise threats? What is the reasoning that should lie behind this prioritisation? How would we defend it, if challenged? Or do we just smuggle it in implicitly into our answer? Those are difficult questions. I do not think that scientists or academics can do this by themselves. They can only argue about this which helps to clarify and makes for a more reasoned prioritisation exercise.

I went to an interesting session in Frankfurt recently with the director of Europol, the Director of OLAF, the head of the UN and the chairman of Interpol. They all were making speeches about the importance of economic crime. I wondered why they had not been so explicit a year ago, before the financial collapse. And what has happened to much of the money from that collapse?

When rich people and companies are in trouble they usually lie to keep themselves going. They make confident statements about current solvency, or their firms will go bust. And as we know from witness testimony research there is no correlation between confidence and accuracy. This also applies sometimes to statements that we might make in organised threat assessments and that is one cultural difference between practitioners and academics. We academics are more comfortable with uncertainty; we do not feel under pressure, we are not under such pressure to be confident. If we want to persuade people, usually you have to be confident, as Americans are

often compared with more sceptical Europeans. But statements like 'money laundering or organised crime are becoming more sophisticated' are a really weak evidential basis without systematic analysis of behaviour. It seems plausible or may even be true. But it is not science, because we do not have a before and after measurement of either organised crime in general or laundering in particular. We might be able to find more examples of more complicated arrangements, but court cases suggest that most of the identified money laundering is actually quite crude. People only need to be as sophisticated as we make them be and as controls increase, you will expect them to be more sophisticated, but we may not know.

The final point here is: threats to whom and what and from where? Is Europe itself or is the EU a coherent threatened target? It is a question that we also might pose about our national threat assessments. I live in Cardiff which is a civilised place in general. Why should a threat assessment of the UK based on 'tough' places like London, Manchester, Liverpool and Birmingham be relevant for us in Cardiff? The Europol problem is just a broader example of the national threat assessment problem. Is it the case — coming back to my impact question — that people in Cardiff will feel more insecure because of the national threat assessment, which does not say, 'don't worry people in Cardiff you are OK'.

These are quite big questions about fear of crime and insecurity which are quite difficult about what threat assessments actually cover, but obviously for Europe it presents questions of scope — fraud against the European Community is an example that is something specifically European.

What other aspects of contemporary life are attacking Europe as a whole? I think illegal immigration. That is something that affects the EU. So we have to think about this. We should always split the analysis up into what are the things that threaten the EU as a Union and what is it that threatens different parts or different bits of the Member States.

If there is some high-level corruption in Sofia, how might that effect the European Community budget? How does this affect other parts of the EU? These are tough questions for an organised crime threat assessment to address.

## Measuring harm: key problems

It is especially difficult to agree the terms in which harm is expressed. Do we mean physical injuries or collateral damage? That is only one component. We can measure this just as civil lawyers do in medical negligence claims. Feelings, including lost hopes? For instance: I thought that my retirement pension would go up but it did not, therefore I am upset, because some crooks stole it. Measurable financial losses in absolute terms or as a proportion of profits or savings? A small loss to somebody living in a rural Bulgarian area may be far more significant in terms of its impact than the same-size loss to me or my pension fund. It also depends on how old you are. If you are near retirement age then a loss to you might be harder to recover, because you have less working life left, or it may be less painful because you are nearly dead anyway. So you have less time to be measurable. So should we just look at direct losses alone, or also response costs?

We might also try and measure the frequency of offences against organisations and against transient or socially excluded people in living in hard-to-reach areas — that's an area where victimisation surveys are very poor — giving us some measure of impact.

It is also hard — to come back to the OCTA question — to agree the terms in which we are going to describe or define the organisations' offending. We tend to use the terminology of networks rather than organised crime groups. In the old days we used to count organised crime groups, but this can be a very artificial exercise and does not mean very much.

I am more worried if there is only one group than when there are 150 groups. Do we call them gangs? Do we call them networks? How do you decide what the end of a network is? Theoretically that is a very difficult question. How do you work out where a network ends and begins. If you have very good social network analysts, who deal with this — but how often do we have good enough data to do a proper social network analyse?

One of the big improvements in OCTA and in the SOCA efforts and elsewhere is the focus upon enablers. Other questions include how we might try to operationalise some of these concepts — where we look for some

relevant data on them and what are the differences in approaches that we can take, using special survey data, using open source material, and using criminal intelligence, using interviews with offenders and the occasional ethnographies.

There are various ways to try to address this problem. The OCTA is doing some of them. But what we have to understand is that we are relatively speaking at the beginning of this journey, or as Churchill might have said, are we at the end of the beginning rather than at the beginning of the end as far as this process is concerned? I think we should acknowledge that and realise that although we will be doing a much more interesting and better job than used to be the case, there is a long way to go. It can never be wholly science. It will always require judgement. But we should continue and there is in fact no conflict between doing this on a European level or doing it on a national or a local level. We have just to work out what the different cuts of evidence are and what is the utility of these different methodologies and perspectives.
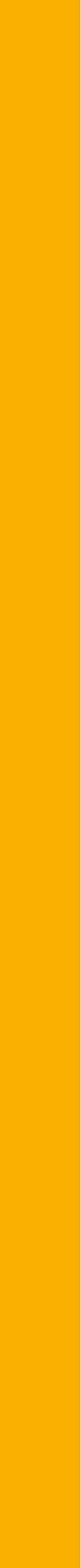
# New policing in Europe: anticipating risk and uncertainty in the assessment of organised crime

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(2009 Conference in Bad Hoevedorp)

## 1. Introduction (¹)

In 1997, the Weberian perspective on contemporary Western police that focused on order maintenance and coercion as the defining capacity of police, mainly exercised by low-ranking officers (Bittner, 1970) was challenged by Ericson and Haggerty (1997). They provided a comprehensive theoretical alternative beyond coercive policing (Brodeur, 1998; Sheptycki, 1998) situating police in a post-modern, complex and diverse environment orientated towards the detection and management of all sorts of risks. The police are only one of the institutions engaged in monitoring and managing risks and therefore have to communicate and exchange information with others. As a consequence, police structures, strategies and intelligence requirements have been profoundly influenced by this risk orientation and have developed into institutions with an insatiable demand for data on all sorts of activities and events.

In such an environment traditional intelligence models that are focused on 'knowing' what has happened in order to be able to respond, are challenged (Kessler and Daase, 2008). A clear shift can be discerned in that respect: reports describing the past criminal (and law enforcement)

activities are being replaced by assessments that have much more forward-looking and future-orientated ambitions. Prevention and multidisciplinary actions are key words in such a discourse. Policy-makers no longer focus on repressive aspects, but want to be informed about coming challenges and threats to anticipate, take appropriate preventive action and target their reactive response better (Zedner, 2007). The (retrospective) crime *situation* is not considered of interest, but the possible *risk* or *threat* that a phenomenon poses to society (Levi and Maguire, 2004: 401-402). The question remains, however, if it is possible to know exactly what is relevant and understand what will or could happen with a view to developing (preventive) strategies. These questions are not only of an academic nature, but affect policy-makers and field workers within law enforcement. Making rational choices on what to do (first) and aligning these choices to a policy design concerns all participants in a system. And this always includes questions about what information and data are needed (and thus looked for) and how they can be found and known in order to use them to take action.

In this paper two possible answers to these questions are discussed and applied to the case of the assessment of organised crime. First, the position and discourse of those who believe that it is possible to collect relevant data about all sorts of issues and use this to assess and manage contemporary security risks in an objective manner (Innes et al., 2005) is analysed. This

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*believer approach* has led to the introduction of more technocratic and expert-based forms of risk calculation, generating quantitative estimates of the probabilities and impacts of crime events. Such analyses seek to make estimates of probabilities, using various conceptual models, known past cases and available historical data. There is, however, a second *non-believer* approach in which it is accepted that not everything can be known or predicted and that not all risks can be known or calculated. Especially since 2001, uncertainty and unpredictability seem to have found their way into discussions on policing (Gill, 2006). How should or can police agencies think and respond to risks which contours can only vaguely be known? In this paper it is argued that the uncertainty approach has many merits but has seldom been developed consistently in the area of crime analysis and intelligence.

## 2. The believers: organised crime assessments about the future

### 2.1. A risk-based approach

Traditional organised crime assessments contain data and statistics about perpetrators and criminal activities. This information is mainly retrieved from what has been collected in specific investigations. A major critique to such assessments is that they often report on law enforcement activity than on the phenomenon itself. Indeed, enhanced activity to fight organised crime may lead to more investigations and more data about perpetrators and activities and thus a lengthier annual report the following year. Such organised crime assessments risk becoming self-fulfilling prophecies. Moreover, the usefulness in policy terms of these assessments is questioned. What does quantified information about the number of criminal groups or offences and their nature contribute to the decision-making process about the seriousness of the phenomenon and the priorities to be taken? The consequence of this is that simple questions — so obvious to an outsider — are hardly answered: is there much organised crime? Is the situation serious? Is it bad that we think there are more criminal groups now than in the past? Which criminal groups are the most dangerous? (Vander Beken, 2004).

As a response to this, risk-based approaches for the assessment of organised crime have been developed.

The purpose of this was twofold: (1) collecting and systemising existing data about criminals and activities in a (better) way to allow priorities to be set; (2) and identifying new sorts of data that can be relevant for the assessment of organised crime. A risk-based approach is believed to be a suitable framework to realise both ambitions. In this context, concepts like risk, threat, harm and vulnerability are used. Risk is then defined as the chance of something happening that will have an impact upon law enforcement objectives. Threat arises when a source of risk has an intent to occur or has the capacity to do so (Vander Beken, 2004). Harm is described as the damage occurring should a threat be realised and vulnerability as an aspect of the environment offering opportunities to the threat to cause harm. In such an approach, risk is considered the combination of *threat* (focusing on the abilities and willingness of *offenders* — linked to the *likelihood* of crimes to be committed) and *harm* (orientated towards the negative *impacts* or consequences of criminal activities on the society in general and victims in particular) (Black et al., 2001). Vulnerability can be considered as a factor to be placed between both threat and harm as it encompasses the weak points in the legitimate environment that allow criminal intentions and capabilities to cause harm to society (see Figure 1).
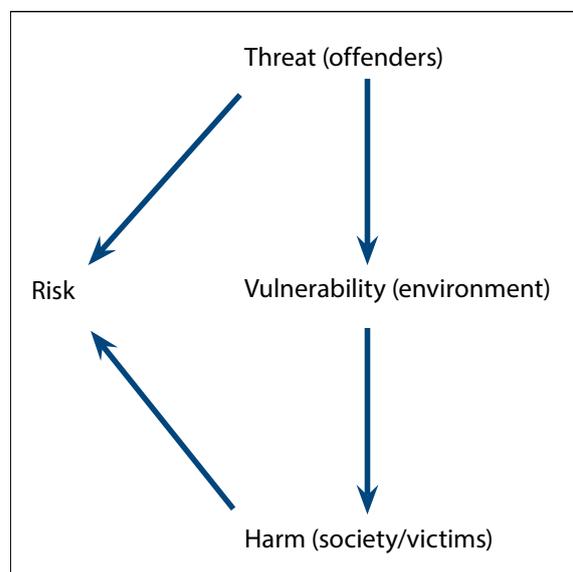


**Figure 1: Relationship risk, harm, threat and vulnerability**

Organised crime risk assessment approaches, or parts of it (threat, vulnerability or harm assessments — see below), have been introduced in a growing group of

countries. Australia (see e.g. QCC, 1999) and Canada (see. e.g. RCMP, 2000) can be considered as important forerunners in this, whose influence on the European research and policy cannot be underestimated. The risk approach, not always explicitly labelled as such, is more visible in west and north European countries like (Belgium, Denmark, Germany, Netherlands, Sweden, United Kingdom) (Vander Beken et al., 2004) (²).

## 2.2. Threat assessments

In a threat assessment, the likelihood of a threat can be considered as a function of the intent and capability of identified actors to achieve specified aims and where intent refers to the *'likely desire of a subject to engage in activities…and their confidence that they will be successful'* (Brown 1998). Likewise capability can be seen as the function of the resources and knowledge available to the subject in this pursuit (Figure 2). To each of these elements in the sets of relationships described above, can be attributed a value — either quantitative or qualitative.
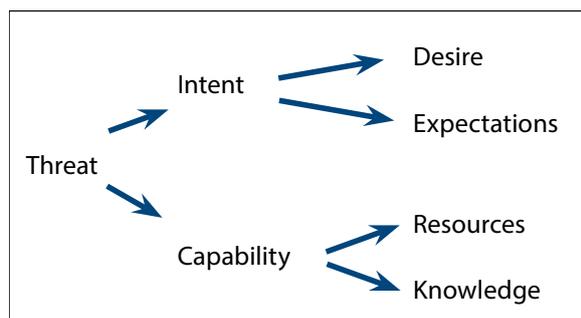


**Figure 2: Threat assessment matrix, based on Brown, 1998**

There are various ways in which the threat of organised crime groups can be assessed. Most approaches, however, are inspired by what has been developed in the Canadian *Sleipnir* project (RCMP, 2000).In this project the development and ranking of salient attributes of criminal groups is combined with the use of a four- or five-point qualitative scale for each attribute. Comparable exercises have been developed elsewhere (Klerks, 2000; Black et al., 2001) and applied in practice. Such an approach is advocated by the European Union in its Organised Crime Threat Assessment (OCTA) (Europol, 2008). A closer look, however, reveals that the nature and methodology of this report is rather hybrid and too diffuse to be

(²)  For critical reviews on these applications and developments see Zoutendijk (2010) and Hamilton-Smith and Mackenzie (2010).

instrumentally used as a common threat assessment at European scale (Van Duyne and Vander Beken, 2009).

## 2.3. Harm assessments

Some assessments focus on the consequences caused by organised crime in attempting to rank phenomena, groups and vulnerabilities in order of the harm they (might) cause. An accurate costing of organised crime, however, poses similar difficulties. Considering that organised crime exists, at least to a large extent, to supply the demand for goods and services that are either illegal themselves, or whose production and/or supply is illegal and thus hidden, the ability to accurately assess these areas is considerably reduced. Thus, while it seems appropriate to use broader descriptors of affect, the actual application of a value is difficult. As a concept, harm covers economic, emotional, physical, intellectual and political damage. The determination of harm is not something that should be done in isolation. Ideally, in the case of determining the impact of organised crime on society, it needs to be defined by as broad as possible a range of interests, and must depend upon the offences being committed in the various markets. An interesting calculation of the (economic and social) costs of organised crime activities was presented by Dubourg and Prichard (2007). They distinguish between costs in anticipation of crime, costs as a consequence of crime and costs in response to crime, and express them in monetary terms. This is not always an easy and transparent exercise — for example, what is the cost of corruption or of child pornography? — for which strong caveats have to be formulated.

## 2.4. Vulnerability assessments

The first to realise the importance of analysing the context in which organised crime operates was Smith (1980), who partially abandoned the traditional approach embraced until then (which concentrated on the characteristics and the activities carried out by organised crime groups) to move towards a wider approach where attention was paid to the same markets in which such groups operate. In his 'spectrum of enterprises', Smith (1980) concentrates on the structural forces that determine the logic of organised criminal forms and activities and theorises that legal and illegal activities do not operate on parallel and distinct levels, but rather that they are connected and interdependent. Following this reasoning, the next step is to acknowledge that there is a point where the two

businesses, legal and illegal, necessarily meet. This point is profit, which is the main driver of the activities of both. Smith's theory was picked up by Albanese (1987), who made 'an exploratory attempt to predict 'high-risk' business conditions', rendering businesses vulnerable to organised crime infiltration (Albanese 1987: 103). Albanese stresses that his model is designed to predict

an intermediate condition (i.e., high-risk business), rather than the ultimate behaviour of concern (organised crime). In other words the predictive variables that he identified in his study can be understood as variables that once again attempt to define vulnerability, rather than predicting organised criminality (see Figure 3).

| Predictors | Low Risk | High Risk |
|---|---|---|
| Supply | Few available, small, financially weak businesses. | Readily available, small, financially weak businesses. |
| Customers | Elastic demand for product | Inelastic demand for product |
| Regulators | Difficult to enter market | Easy to enter market |
| Competitors | Monopoly/oligopoly controlled market | Open market with many small firms |
| Patronage | Entrepreneurs are professional, educated managers | Entrepreneurs are non-professionals ill-equipped to deal with business problems |
| Prior Record | No prior history of organised crime involvement in market | Prior history of organised crime infiltration in industry |

**Figure 3. Predictors of low-risk and high-risk businesses (from Albanese, 1987: 109)**

Recognising that there are probably going to be some necessary refinements, Albanese cautions that the model serves as a starting point rather than a comprehensive analytical tool. Possible problems identified included concern that the study may have been based on atypical examples, thus skewing both the model and its subsequent utility.

The idea of a vulnerability study has explicitly been taken up in research on a risk-based approach to the assessment on organised crime (Black et al., 2001, further specified in a MAVUS (Method for Assessing the Vulnerability of Sectors) road map (Vander Beken et al., 2005) and applied to specific economic sectors such as the diamond sector (Vander Beken et al., 2004), the European transport sector (Bucquoye et al., 2005), the European music industry (Brunelli and Vettori, 2005), the European pharmaceutical sector (Calovi and Pomposo, 2007), the fashion industry (Calovi, 2007) and the European waste management industry (Van Daele et al., 2007).

In identifying the weaknesses of the sector that could be exploited for criminal purposes, MAVUS embraces both an economic (e.g. Porter, 1990) and a social and criminological perspective (Smith, 1980) that leads to an analysis carried out on different levels. The methodology developed comprises several steps

grouped in two broader phases, a descriptive phase and an analytical phase. This description takes place on various levels and provides information on the sector itself (meso-level), the cluster around it (macro-level) and the business activity within the sector (micro-level). Building on some specific criminological models, especially Albanese (1987) and, for business process vulnerabilities Rozenkrans and Emde (1996), some vulnerability indicators have been developed (Vander Beken and Van Daele, 2008).

Besides vulnerability studies as such, environmental scans are conducted to gather and subsequently process information about the external environment of organised crime. It is a process that requires limited dedicated resources to identify major trends affecting an entity and enabling analysis to define potential resultant changes. As such it contributes to the development of a proactive focus and makes more transparent the relationships between identified trends (convergence, divergence, change in speed etc.) and the posture of the organisation. The goal of environmental scanning is to alert decision-makers to potentially significant external changes before they crystallise so that they have sufficient lead-time to react to the change. Consequently, the scope of environmental scanning is broad (Morrison 1992). There are numerous ways in which environmental scanning is done and

its success depends predominantly upon providing a structure that reflects the broader environment. The most common method for examining the macro-environment capable of affecting organisational interests' (directly and indirectly) is to consider its theoretically discrete components or sectors. This generally means scanning for developments that fall under the broad headings of the political, economic, environmental, social and technological sectors.

Williams and Godson (2002) suggest that as opposed to prediction, anticipation of organised crime developments is possible using such an approach. They state that anticipation stands for analysis based on an effective knowledge base, the use of underlying warning indicators, and intelligence that is timely and actionable. As believers of the risk paradigm, they argue that while the future of organised crime cannot be predicted *careful use of models and extrapolations from past experiences enable us to contend that if certain conditions are present then there is a serious probability that particular kinds of developments will occur*' (Williams & Godson, 2002: 314).

## 3. The non-believers: assessing organised crime in an uncertain world

### 3.1. Accepting uncertainties
The belief that it is possible to collect all relevant data (of past situations) to assess the organised crime situation of tomorrow, is not shared by everyone. The idea that evolution is underpinned by laws and is determined has been criticised by Popper who called this 'historicism' a misunderstanding of the methods of physics (1957; 2002: 2-3; 149). Historical prediction, which would have to be attained by discovering the 'rhythms' or the 'patterns', the 'laws' or the 'trends' that underlie the evolution of history, can and should not be the aim of the social sciences. In his essay 'Describing the Future' (1998) Luhmann argues that we can neither learn from history, nor can we hope to anticipate the future: '*We can only be certain that we cannot be certain whether or not anything we remember as being past will in the future remain as it was*' (Luhmann, 1998: 67). According to Luhmann, modern societies can only describe their future in the present. The future is not pre-destined but the uncertain, contingent, outcome of human action and decision-making. We can only make decisions

in the present about an uncertain future. Modern societies therefore experience their future in the risk of deciding. Anticipating or preparing for possible directions in organised crime is then no longer about calculating probabilities. It is about making decisions, which may have unintended outcomes, in the light of an uncertain future. The future of organised crime is the outcome of human action and decision-making.

The consequences of this disbelief on the assessment of organised crime cannot be underestimated. While some argue that the fundamental uncertain nature of our contemporary environment can be overcome by new methods to collect more and other information about the environment (see e.g. 'neighbourhood policing' (Innes, 2006), 'third party policing' (Ransley and Mazerolle, 2009)), we believe that the acceptance of uncertainties implies a fundamental reshuffle of the methods for (organised) crime assessments. The application of scenario techniques or a resilience approach might be examples of that.

### 3.2. Scenario techniques: anticipating plausible futures
Schwartz and Ogilvy (2004: 2) describe scenarios as '*narratives of alternative environments in which today's decisions may be played out. They are not predictions. Nor are they strategies. Instead they are more like hypotheses of different futures specifically designed to highlight the risks and opportunities involved in specific strategic issues*'. Scenario thinking is not new (see e.g. Ringland, 1998). Even though scenarios remain a much-debated issue, they have proven to be valuable in the context of corporate strategy building, catalysing change and action, stimulating collaborative learning and creating a shared vision and increased alignment around strategic direction (Verfaillie and Vander Beken, 2008a).

Scenarios have their origins in the military planning process where they are used to imagine what the opponent might do and to subsequently help organise a more rapid and efficient response to enemy strategy. It was not until the 1960s, under the impetus of Herman Kahn, that scenarios were introduced to the corporate world. One of the first companies to accept the development of scenarios as part of its strategic planning process was Royal Dutch/Shell which had scenarios that allowed anticipation of the oil embargo, and the ability to anticipate and prepare

for the dramatic drop in oil prices in the 1980s. Since then, scenario thinking has become a popular tool for the development of strategy in the private sector.

Applied to the field of organised crime assessments, these considerations give new meaning to anticipating or planning for organised crime developments. Instead of trying to assess what organised crime developments will occur, it is wiser to reflect on what has the potential to significantly change or have an impact on economies, societies, or public services or organisations. Scenario planning thus deals with strategic risks and opportunities in a very different manner than traditional organised crime assessments. It shifts the focus from historicist reflexes, from making estimations or calculating probabilities about the future of organised crime, towards imaginative and flexible reflections on the consequences of public (criminal) policies, and social or contextual developments. Scenarios are thus more than arbitrary, imaginary stories about future organised crime developments and can thus stimulate policymakers to reflect on the foundations of their choices, make choices based on more than law enforcement data alone and reflect on issues which are vital to societies (Verfaillie and Vander Beken, 2008a).

### 3.3. Resilience: focusing on uncertain high-impact events

Scenario exercises indeed have the interesting feature that they allow for (organised crime) assessments that accept uncertainty and move away from analyses in which the *likelihood* of certain events is addressed. In practice, however, the belief that the future (of organised crime) cannot be known or predicted is not completely overturned. The purpose of scenarios remains anticipation of multiple, but plausible, futures. Scenarios therefore only accept and use uncertainties for some of the driving forces used. Some elements of the scenarios are considered predetermined and thus stable over a given future timeframe and are used as 'certain' building blocks of the story. Other forces are labelled as uncertain, volatile or highly dynamic and have the potential to change the issue at stake in significant ways. Only driving forces of the latter nature that are 'critical' to the issue at stake, are the uncertainties used in scenario work. This implies that scenarios about the future of criminal markets in Europe will, for example, accept that it is uncertain to

what extent globalisation will impact on dualisation (thus allowing for scenarios on the two extremes of the continuum of possibilities), while globalisation as such is considered as a certain building block supporting each of the scenarios developed (Verfaillie & Vander Beken, 2008b).

Since 9/11, further stimulated by the 2008 credit crunch, attempts are made to move the uncertainty approach in (organised) crime assessments one step further. Rather than trying to evaluate the likelihood of events (risk) or to make statements about uncertain but plausible future situations (scenarios), the future is seen as fundamentally unknown and uncertain. In such an approach the focus is turned to the worse imaginable events, not only including the 'known unknowns' (events that are known to exist but whose timing or magnitude is not predictable) but also the 'unknown unknowns' (what is not imagined until the moment they cause impact) (Longstaff, 2005: 13). These highly unlikely or even unimaginable events stay under the radar of all risk-based (organised crime) assessments or scenario work. Assessments focusing on such high-impact Black Swans (Taleb, 2007) have a *resilience* purpose (how to recover from a serious attack), rather than the ambition to calculate the likelihood and impact of criminal events. Especially in anti-terrorist policies, like in financial market developments, an enhanced awareness of the uncertainties attached to systemic turning points can be seen. This new approach, developing alongside the more traditional risk approach, opens interdisciplinary debates between scholars from different disciplines like natural science, environmental studies, disaster-management, business, markets, etc. (Klima, 2009), as shown in anti-terrorist policies, that precautionary interventions taken to forestall possible future, uncertain but big-impact events may carry with them their own risks (Sunshein, 2003). Did the interventions in Iraq and Afghanistan trigger unexpected difficulties which may have magnified political dissatisfaction and hence threats? And how can such precautionary interventions, and their costs, be evaluated since nobody actually knows what would have happened if the action had not been made? (Klima, Dorn and Vander Beken, 2011).

## 4. Conclusion

During the past decades, the nature, purpose and methodologies of organised crime assessments have changed significantly. We have seen that the traditional situation reports listing numbers of criminals and criminal activities are being replaced by assessments that claim a risk-based approach in which concepts like threat, harm and vulnerability are used. Since September 2001, assessments that start from the assumption that it is useful to prepare for the probable, have become the subject of criticism as well. Calculating probabilities and risks in relation to activities like terrorism and organised crime in order to prepare for future events, is increasingly considered as mission impossible. The uncertainties of contemporary society and the criminal activities it induces, push assessments on organised crime in new directions. It is argued that scenario exercises in which uncertain elements are accepted contain promising possibilities for crime assessments to address and prepare for multiple futures. Applications of organised crime assessments of approaches that focus on unpredictable high-impact events and on the resilience of the environment after such impact, are, however, still in their infancy. Much is still to be learned from other disciplines engaged in comparable challenges (Klima, 2009). Future research may help to identify conditions and parameters for the successful employment of scenarios for the purpose of controlling crime and terrorism by police organisations throughout Europe.

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# International organised crime in the European Union

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## Transnational organised crime: an evolving label encapsulating different forms of crime through time

The theme of organised crime is not new. It emerged during the prohibition period in the United States in correlation with the corruption of local police or local mayors by groups producing illicit alcohol. When the Italian mafia was involved (even if most of them were American citizens), a tradition began to name organised crime groups by the name of the diaspora to which they belonged, and to speak of international organised crime as soon as trans-border activities were involved in either the traffic of products or in the recycling of money. By the late 1970s, drug trafficking analysts, especially those analysing cocaine trafficking, turned their eyes towards Latin America, and the terminology they used moved from international to transnational organised crime, or trans-border crime. This tradition still continues today.

It was during the eighties that EU Member States considered using the generic term of TOC instead of drug trafficking, money laundering, financial crime and corruption, under the influence of the United States. Journalists developed the terminology of narco-terrorism to characterise different situations: Columbia with narco traffickers using violence, Peru with Sendero Luminoso controlling the territory where farmers were harvesting and producing coca and also Afghanistan and Burma. But, for most of its examples inside the EU, TOC was related only to examples of local groups and drug trafficking, with the exception of the Italian mafia. Italian magistrates insisted that the Italian mafia was expanding with the freedom of movement of Schengen and was contaminating France, Germany and beyond. UK conservatives publicised this discourse to justify the refusal of Schengen in the name of a security deficit. Most researchers working on transnational policing challenged this vision of TOC at the European scale and insisted on the instrumentalisation of the notion in the name of certain political agendas. They insisted that if organised crime in Europe had a certain relevance, it was more for this previous meaning insisting on corruption of local authorities permitting crime (Bigo 1993). But the main media preferred simple stories where it was easy to describe the good and the bad, and were reluctant to describe complex situations where public actors and police could be on the 'wrong side'.

### A strategisation of TOC: the confusion of geopolitics when speaking of crime networks

Following the end of the Cold War, the situation favoured the popularisation of the notion of TOC. The label became fashionable not only among criminologists, but also and mainly among strategists who were 'out

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of a job'. Kremlinologists chose a new suitable enemy: instead of the Soviet Union, the ' Russian and Italian mafias '. They continued with the same reasoning and the same forms of visualisation. Authors of geopolitical atlases have changed their maps of conflicts, and have changed what they called conflict downsizing, the number of casualties, and they have included as ' new conflicts ' terrorism and drug trafficking as serious threats, interpreting them through the same world maps. They attempted to apply the kind of reasoning developed in the field of military strategy to organised crime, assuming that criminal groups had a structure and strategic goals such as the invasion of territories and markets. But, is it true? Is it possible to consider that the mafia are a criminal army of a country and that they obey to the government from where they come from in terms of nationality or region? Does it make sense to speak of African or Asian organised crime, as if the fact to be Asian would create a link between individuals? By applying a geostrategic reasoning, these analysts have de facto homogenised the diversified groups involved in criminal activities as if they were instruments under the authority of a foreign command, as if they were an 'army '. The maps produced in this way have multiplied over time, and, given their 'simplicity', have been used as evidence of criminal activities. Thus they tended to justify demands on the police services to find the roots and 'routes' of organised crime (see maps in annex).

These maps, however, fundamentally distort the reasoned representation of serious criminal activities in the European Union with at least four serious faults of reasoning.

Firstly, considering the size of the map, and the size of the arrows in the map, crime is over-represented in these depictions, which induces reactions akin to those involved in confronting a quasi-military threat. They become tools generating a feeling of fear into the population of the receiving countries, and no map puts in perspective the number of individuals involved and the number of the diaspora of the same labels to decrease this fear.

Secondly, and correlatively, these maps seldom refer to criminal organisations by their name, but rather often associate them with a specific nationality or even ethnic group in the name of 'simplicity'. This association poses problems as it implies the criminalisation of a national or ethnic group and it works against the duty of anti-discrimination. Thus, they fuel suspicion towards entire communities, whereas only a handful of persons are responsible for criminal activities.

Thirdly, these representations emphasise a marginal aspect of the phenomena, i.e. crimes committed by foreigners, but simultaneously obscure its most important component, i.e. the relations with local societies, particularly on a municipal scale. It is especially true in media reports that ' exotise ' organised crime, as if their nationals are always innocent and the foreigners are the ' evil '. Who speaks of the nationality of consumers and money launderers? Do we speak of a United States mafia or European mafia or of the Colombian mafia in the United States?

Fourthly, contrary to the geopolitical narrative, mafias have not sent their diaspora as bridgeheads, as soldiers of crime, but they have tried more or less successfully to use existing local networks as footholds.

Against this trend of 'strategisation' of crime, academic criminologists have been researching and theorising phenomena associated under the rubric 'transnational organised crime' since the early 1990s (e.g. Beare, 2004; Edwards and Gill, 2004; Fijnaut and Jacobs, 1991) in a different way. The notion of network is here important. A series of links used once is not an organisation. Organisation supposes continuity, structuration by the same nodes over time. Additionally, research on network theory shows that everybody in the world is linked by six degrees of separation to another person. So we have to differentiate organised crime from crime done through a constituted network.

**Serious crime in Europe is not always organised, and mafia-like: it is most often disorganised and mutable**

The foci of such academic studies have been to insist on four criteria:

(1) the disorganised nature of illicit markets and the scarcity of examples where they are organised and territorialised;

(2) the relationship between local 'groups' and the constitution of stable 'networks' in the

consolidation of 'criminal enterprise', showing that these permanent features are rare;

(3) the local dimensions of organised criminal activity and what has been called 'trans-local', i.e. the limited structuration of intermediaries, but the possibility of linking places of production and consumption through very small networks;

(4) the civil liberties implications of the policies of repression chosen to tackle these practices.

## The structures of illicit markets, mutability and adaptability: organised or disorganised crime?

The concept of 'organised crime' to be operational supposes some permanent features in time and space permitting to speak of an 'organisation'. But, often, in terms of financial crime, connections between terrorist and criminal activities or between corrupt politicians and crime, the practices are more linked with local opportunities, deregulation or changes in laws than with a strong organisation having a huge territorial base and challenging the state (mafia-style). Noting that the volatile nature of the criminal market creates an economic milieu, which is discordant and rather anti-thetical to long-term organisation, whether of a distributed, organic and stable 'network' variety or of the more old-fashioned depiction of organised crime hierarchies, Hobbs eschews the easy label 'organised crime'. He insists in his work on the mutability of markets and the limited importance of intermediaries (Hobbs, 1998). He is one of the few criminologists to conduct ethnographical research independent of the police, and has been increasingly critical about police views which, according to him, project onto criminal activity its own hierarchical structure instead of analysing it as a market, an illicit one. Peter Reuter, drawing on police files, confiscated records and interviews with police, prosecutors and criminal informants in the United States, systematically refutes the notion that 'the mafia' — i.e. a centralised and hierarchical organised crime syndicate — controls the major illegal markets. Instead, he opts for the notion of disorganised crime, suggesting that the cost of criminal groups trying to suppress competition, together with the effects of law enforcement countermeasures ensures that these markets are populated with mainly small enterprises, many of them marginal and ephemeral (Reuter, 1985

and 2008). This notion of disorganised crime and the strong evidence supporting it, blocked the possibility of an agreement on the definition of 'organised crime', even when the pressure of the United States administration on police forces across Europe was at its maximum. Many European countries have refused to agree on a definition imported from the United States, which may apply to certain countries, like Italy, but which certainly would not encompass the situation of other Member States, such as the Belgium, France, the Netherlands or the UK. The discussions in the 1990s concerning an EU definition of organised crime were central in that domain. This explains why the terminology of 'serious crime' has often been preferred, as the crime may be very serious but nevertheless disorganised, and related to specific opportunities.

For example, the study of illicit trade in licit commodities strongly suggests that legal enterprises are the primary facilitators of action at the wholesale level where significant economic 'hubs' act as central points from which mid-market 'brokers' feed into the illicit market at the retail level where these commodities reach the consumer. The opportunities depend on the disjunction of national legislations or of voluntary global deregulations of markets. The distinction between licit and illicit, criminal and non-criminal activities is more complex than supposed (i.e. tax evasion by individuals and firms or the role of states facilitating investment in their country, while creating offshore havens). Disorganisation is as present as organisation in the most common practices, subsumed under the term 'organised' crime.

The notion of organisation is then often reduced to 'intermediation' between market places. But analysts of police organisations do not have a clear understanding of network theories (see below) and want to say that stable patterns exist, as well as a central role of intermediaries as soon as they have an illicit product connecting two territorial places that they call different markets, and it explains why they focus so much on 'routes'.

The organisation and existence of intermediaries in a network are not the same concepts. Intermediaries may exist for only one occasion, to be replaced by others to perform mediation. Pearson and Hobbs continually stress the business- like nature of these

markets, citing various examples of mutual support between what otherwise could be market competitors (2003, p. 341-42).

The terminology of organisation has been in crisis and is contested by a majority of researchers from the disciplines of criminology, medicine and social city planning. Yet it continues to be used in policy and police circles. To solve the difficulty of the criteria of organisation, the terminology has been 'downgraded' to sometimes very limited interactions involving more than two persons. It implies that three persons committing a crime together can be labelled 'organised crime'. The terminology of 'organisation' has also been applied to those cases where there is a familial link. It has maintained the level of activities of the police squad specialised in organised crime (for example in Germany, which has seen a multiplication of these squads at the *Länder* level). Organised crime has become petty crime committed by foreigners and diasporas.

This level of organisation is so weak that, after debate, an additional factor has been added to qualify 'organised crime': that of violence.

### Crime and violence: organised crime and mafia

1. One of the questions is whether organised crime is the equivalent of violent crime perpetrated by more than two persons (preferably from another ethnicity). It depends on the definition and its degree of precision. It is clear that politics is at work, trying to confuse organised crime or serious crime with crime committed by foreigners, which leads to a criminalisation of migrants and citizens with foreign origins. But, for the moment, this political agenda has been combated in both police circles and policy circles, even if this narrative is common in media representations of organised crime. If the answer is negative, if TOC is related not only to violent crime committed by foreigners, but also to financial crime, money laundering and corruption, then it is important to put in perspective the social harm for a society of these different forms of serious crimes, adding for example environmental crimes. Most of these serious crimes ultimately produce structural violence, massive destruction, economic disruption and job losses, but they do not induce spectacular killings during the process. It is only when TOC

concerns drug trafficking, human trafficking and racket/protection that serious violence occurs. It is also why the media confuses serious crimes and violent crimes. In this case of association between serious crimes and violence, four types of violence may be associated with illicit markets:

2. Racket/protection for market share (probably rare as it is supposed to be a control of population on a territory);

3. Debt enforcement (probably more common than acknowledged);

4. Criminal predation on illicit market operators (unmeasured, since actors in these markets cannot report victimisation);

5. Expressive cultural stereotypes related to the need to garner 'respect' — violence against women and children, against minorities and poor people because the risk of retaliation is very small (perceived insults and affronts to self-esteem can lead to violence that has no economic rationality and is dysfunctional to the criminal market).

The racket/protection type where the mafia occupy a territory and challenge state functions and legitimacy is by far the most spectacular, but is also rare. In Europe, Italy has been more of an exception than a rule in terms of the process of state-making (Tilly 1972). However now the debate has been re-launched with the notion that foreign mafias coming from Russia, China, Japan, Turkey and Nigeria are invading Europe. Beyond the noise of geopolitics, do we have evidence of this phenomenon?

### Is transnational organised crime in Europe an expression of the transplantation of foreign mafias?

First, it is important to highlight that this definition would be very restrictive if the definition of TOC was just the activities of mafia linked with foreign countries. These activities exist but they are a small part of the range of activities that are labelled serious crime. Focusing on them is certainly important in terms of social harm considering their danger, but it is also a form of blindness considering other forms of crimes, and an exaggeration of the mafia-like qualities inside the overall criminality.

Contrary to easy stereotypes against foreigners and diasporas, the evidence suggests that the migration of some mafia-type groups can take place, but that it is rare and highly localised. Varese, explains why in his recent seminal book 'Mafias on the move: how organised crime conquers new territories' (Princeton 2011). Contrary to what is implied by the title of this work, Varese demonstrates that mafias struggle to make an impact in a foreign country where they don't speak the language; there is little interest in the protection they have to offer. The empirical evidence underpinning these findings relates to organisations such as the Calabrese 'Ndrangheta, Sicilian Cosa Nostra, Italian-American Mafia, the Russian Solntesevskaya, Japanese Yakuza and the Chinese Triads. According to Varese's study, mafia transplantation has been limited since the end of the Cold War, but cooperation along the lines of production, distribution and retail of prohibited products has increased between criminal organisations based in Moscow and Bulgaria, Italy, as well as Colombia, and the United States. 'Mafia type' organisations are rare. They can be defined as 'groups that aspire to govern others by providing criminal protection to both the underworld and the upper world on a specific territory' (Varese, 2011, p. 6). Their current growth, when it exists, is located in countries such as Mexico, Honduras, Salvador and Guatemala. In other places, because of the state and market controls, when they try to move out of their territory, they change their structure and lose control, even against smaller local groups in the 'destination' country. They become dependent and prefer to deepen their control on a specific place rather than extending it abroad and possibly losing it. As Misha Glenny summarises in his book review of Varese in the 'London Review of Books' published in June 2011: 'If Varese is right — and it would be hard to dispute his evidence — most mafia groups seeking new turf eventually either go back home with their tails between their legs or give up being gangsters and take up a less disreputable profession' (p. 25).

So, it is not because a diaspora exists in a country that this diaspora will automatically serve as 'soldiers of crime' of a mafia, and it is not because drug trafficking exists that we can infer a mafia exists. The popular image of Colombian individuals carrying small amounts of drugs inside their bodies '(known as 'drug mules') has certainly invaded the media, but in terms of the

market it bears little relation to the large quantities of drugs transported through containers in boats, planes or lorries. It is shocking, but not as significant. Networks of commercial activities run by the diaspora as such are not more criminal than others, even if they are under more surveillance. Large firms, including national ones, stand a greater chance that a small part of their activities could be illicit (with or without their knowledge that these activities are illicit). This small part is nevertheless often more significant than the diaspora markets. In addition, even if these illicit practices in the shadow of licit ones are less obviously violent, they may have more destabilising effects in general, as shown by the real estate market of 2008 and the financial crisis.

## Global, transnational or translocal groups of serious criminals?

Criminal network analysis reveals that criminal connections evolve into complex chains involving connections between various groups and actors, being 'local at all points'. Successful criminal entrepreneurship requires intimate knowledge of the territories in which it is undertaken. To what extent can particular sets of actors, whether conceptualised as groups or networks, be said to extend themselves internationally? The answer that Hobbs gave to this question was that organised crime is 'local at all points'. That is to say we 'experience crime as a local phenomenon' and the empirical evidence suggests that the organisation of crime is that of 'ever mutating interlocking networks of locally based serious criminality' (Hobbs, 1998, p. 419). Diagrams of 'criminal networks' where intermediaries are the central actors produced by police criminal intelligence analysts are often analytical fictions that leave out the density of the network at different points and which forget the discussion of the broader social-structural features that make organised crime possible. These social-structural features are essential for thinking about ways to change the circumstances that produce organised crime. Bruisma and Bernasco (2004) for example describe the nature of criminal networks in relation to three different kinds of criminal entrepreneurship: large-scale heroin smuggling, trafficking in women and trading in stolen vehicles. They try to lend some specificity to the theoretical notion of 'crime networks' and show that the differences in the social networks they describe primarily have to do with the nature of the legal and financial risks that are particular to each form of criminal enterprise. Without belabouring the specifics of social

network analysis, suffice to say that 'networks as such are not criminal' and that 'both offenders and non-offenders maintain non-criminal relationships with other criminals and non-criminals' and that 'if we only filter out the criminals and their mutual criminal collaborative relationships, then a 'criminal network' arises that does not do justice to the other relationships within larger social networks' (p. 92). In other words, the diagrams of 'criminal networks' produced by police criminal intelligence analysts are analytical fictions if they focus on routes and intermediaries presupposing a 'global' environment, without demonstrating that it exists and shapes the practices of the actors. More often their practices are shaped by local opportunities, but some of them depend effectively on global (de) regulation. What tends to shape the order of the three types of criminal entrepreneurial collaboration is the regulatory environment within which the collaboration is enacted.

Evidence suggests that weak regulatory regimes allow criminal markets to flourish. A mixture of enforcement and regulatory strategies is necessary to reduce the opportunities for criminality to develop in the shadows of licit economy. Unregulated markets (as with illicit drugs) or poorly regulated economic activity enhances the criminal opportunity structures that professional crime depends upon. In James B. Jacobs et al's influential book 'Gotham Unbound: How New York City Was Liberated from the Grip of Organized Crime' (1999), it was shown that a mixture of enforcement and regulatory strategies was necessary to reduce the opportunities for organised criminality in that jurisdiction, where decades of purely enforcement-based tactics had previously failed. Lessons for Europe have to be learned from this specific study.

## Defining the notion of serious crime at the European level

We need a comprehensive approach and not a dogmatic one. The model in Europe is not the mafia-like model that Italy and Bulgaria may know. This model is more the exception than the norm. This is why the notion of serious crime, including disorganised crime, is more useful than TOC. Serious crime requires looking at legislation and how the multiplication of legislations simultaneously supposes the multiplication of possibilities of not respecting them, giving an unfair advantage for those who do not respect the law.

It could be a criminal organisation, but often it is a perfectly legal organisation playing on a non-regular base, a tactical move beyond legality; the boundary between legal and illegal being often easy to cross, when it is not a systematic behaviour. This is why the research of Von Lampe speaking of five different types of serious crimes - organised or not - may be more useful than the notion of TOC as mafia.

Von Lampe (2008), in order to define the notion of (dis) organised crime and in order to avoid stereotyping, distinguishes five ideal manifestations of criminality by differentiating them along three social strata: marginalised subcultures, mainstream society and political/economic elites. The five ideal types are as follows:

1. Criminal networks with no social support structure in the milieu of operation (e.g. predatory gangs engaged in 'crime sprees' of theft and robbery). One example was the Albanian 'attacks' on Greece, conducted as 'razzia'.

2. Criminal networks rooted in marginalised subcultures (either with a class/territorial or ethnic basis — one illustrative example being family networks of Kurdish and Turkish drug smugglers).

3. Criminal networks rooted in mainstream society that are outwardly law-abiding (typically involved in organised business crimes such as investment or health insurance fraud). Such groups have a strategic advantage 'including 'natural' interaction with office holders that may translate into crime opportunities or reduce risks of law enforcement interference.

4. Criminal networks in power elites (involving abuse or misuses of official competences for personal profit and power). Obvious examples are 'scandals' involving the 'abuse or misuses of competencies for profit and power by networks of public officials, politicians and business leaders'. These kind of scandals involve complex relations between highly placed individuals in business and finance in at least two countries. Examples may be found in Italy, France and the UK or Canada and often involve armament markets where secrecy of the reason of state sometimes implies strange relations with intermediaries of the underworld.

5. Criminal alliances between underworld and upper world or mafia-like organisations. Von Lampe observes that 'where alliances between underworld and upper world exist, for example in Southern Italy or Russia, it is important to note that this appears to be less the result of criminals infiltrating business and government and more an outgrowth of elites in power being unchecked by moral and legal restraints, and operating beyond effective control by civil society, so that they are in a position to freely employ and co-opt criminals in pursuit of economic and political interest'.

He notes that there is a positive correlation between the social position of criminal actors and the quality of criminal opportunities. In other words: the higher the social position of the offenders in question, the more serious the impact of the criminal activity and the less likely the threat of apprehension or conviction.

Von Lampe also argues that the first and second types unduly receive more attention from law enforcement bodies and the public than the third and fourth. The focus on mainstream society and powerful elites' illegalities is weaker than the one on foreigners and poor people. But the fifth category attracts attention because of the link between violence, crime and the corruption of elites. This attraction nevertheless does not mean results, and often the knowledge of these crimes surfaces when the structure permitting them has disappeared. Police then have a tendency to focus on those underworld activities and to a much lesser degree on the criminal actions of the upper world.

Like the authors of this report, von Lampe is critical of media and law enforcement depictions of organised criminality as monolithic, coherent or static. According to him, the empirical evidence lends itself to the view that some organised criminal activities are hierarchical in form, but they are the 'exception rather than the rule'. His typology suggests finally that regulatory structures and governance strategies broadly conceived are important elements of counter-organised crime strategy since it is the quality of governance, and not merely the strength and capacity of criminal law enforcement, that fundamentally shapes the conditions allowing for the organisation of crime.

To identify the practices to be targeted at the European level by specific organisations and agencies like Europol, it would be better to acknowledge that the notions of international organised crime or transnational organised crime are not the most useful ones, and that the terminology of serious crime at the European level may be more accurate. The 'seriousness' in question does not imply violence as such, but it does imply an analysis of the impact of such crimes on European societies. As we will see, environmental and financial crimes are often far more serious than some violent criminal acts committed by marginal groups. If resources are scarce, such considerations are important in order to define the right priorities.

## European policing structures: fighting transnational organised crime or serious crimes?

### The development of European policing and its link with organised crime

The enhancement of European police cooperation has usually been articulated with 'cross border crime' and vaguely defined 'organised crime'. Cross-border police cooperation is nothing new. In fact, operational cross-border policing has been documented going back at least to the 1960s (Bigo 1992, 1996; Sheptycki, 1997, 1998). But past lessons were forgotten after the impact of United States imperatives in the 1980s and even more after 2001. It has created a tendency for police to be obliged to focus on 'headline issues' and to follow what the national professionals of politics consider as the fear and insecurity feelings of their citizens. The result is a view of policing that exaggerates the exciting and unusual, while systematically downplaying the more mundane aspects of the job (Alain 2000, 2001; Sheptycki, 2001). Media attention on TOC and terrorism is higher than on other subjects, and it has the effect of putting police under pressure to communicate more and more instantaneously, sometimes to the detriment of effective research of evidence.

While it is undoubtedly the case that organised and serious forms of criminality are an important part of what police do, it is equally important to recognise that other functions — from helping recover lost and stolen property, to emergency and disaster response, and much else — are not less important. This is partly

because police, at least in democratic societies, tend to be the emergency service of first resort when things go wrong and hence an important resource for the general public (Cumming and Edell, 1963; Kleinig, 1996; Punch and Naylor, 1973). The focus on 'prevention' tends to mask what is still the central ground for policing. The European Union level is then in difficulties as its functioning is less operational and in contact with everyday citizen interest, and it is under pressure to communicate on the most difficult crimes, while being in danger of displeasing some political professionals, if the services focus too much on some cases instead of others. Thus, instead of looking at the national participation in serious crime, especially financial crime, it is easier to look at cross-border crime committed by foreigners and to exaggerate its importance, as if it corresponded to all organised crime. This is not a deliberate strategy on the part of police to shift emphasis onto these forms of crime, but rather a reaction to media and public pressure.

De facto European policing highlights the 'high end'. Thomas Mathiesen (2000) observed that 'while governments and other authorities emphasise the struggle against traditional, serious, international crime […] all of the empirical and documentary material available clearly shows that the goal is to be found at the cross-point between the shutting out of aliens and the protection of vaguely defined public order and State security' (p. 175). Seeing this emphasis on serious and organised crime when writing in the mid-1990s, Malcolm Anderson et al. observed 'a gradual transfer of internal and external security control […] from the nation state to international institutions'. Moreover, they suggested that as these themes came to dominate the European policing terrain 'the more secretive and elitist ethos of the security services would gain ground and the ideal of a transparent, rule-governed and politically neutral system would become no more than a remote possibility'. More than a decade ago it was already clear that intelligence services across Europe were 'increasingly penetrating fields which used to belong to the realm of 'ordinary policing', such as organised crime and right-wing extremism, while the police services also started beginning to shift their priorities away from local crime and to the use of pro-active (i.e. clandestine and undercover) methods' (Anderson et al., 1995, p. 175 and 179).

European policing forums concentrate their efforts of coordination, informally and formally, around the tropes of drug trafficking, organised crime, terrorism and illegal migration (Bigo, 2000). The convergence around these perceived threats and security risks was considered by many to be the main justification for innovations in policing structures and 'special techniques', giving more leeway to the police regarding judiciary control than other domains. At the same moment, the special squads of each Member State wanted to keep the operational powers and specific techniques for themselves and have blocked any form of real integration leading to a European FBI. In light of this uneasy situation, European 'clubs' and organisations like Europol have to follow the same road as the central services of the UK, struggling against the independence of local police. They have insisted that they did not want operational powers (or not many) but that these would be vital to address the central threat of interconnecting TOC, terrorism and illegal migration, a threat so complex that it was beyond the reach of local or national police, not least because these interconnected threats were not only European, they were global. Through this narrative, their future as organisations has therefore been dependent on convincing that the threats of TOC and terrorism were more and more dangerous, more and more global, more and more unpredictable (except for them, because they have the capacities in terms of technologies and human competencies to do so).

The rise of the professional discourse of so-called 'intelligence-led policing' in tandem with the 'new security threat agenda', comes from this double move of analysing more and more the global interconnections while having no operational powers to display. In line with the idea of applying new public management to police forces, it has created a culture of statistics, of general categorisations and profiling, but which is rarely in touch with specific criminal individuals. It was nevertheless considered by the political professionals and the public to be a substantial innovation (Innes and Sheptycki, 2004; Ratcliffe, 2008, 2009). In conclusion, it was the 'rise to prominence of 'transnational organised crime as an object of governance (globally, nationally and subnationally) that has changed policing architectures everywhere' (Sheptycki, 2007, p. 70). In fact, to be more precise, the two dynamics were reinforced simultaneously: on the

one hand, the interest in the change of policing; and, on the other, the development of new techniques influencing the perception of threat (Bigo 2002).

## Analysis of OCTA reports
### Organised Crime Threat Assessment (OCTA) methodology and logic

From the mid-nineties, even before its official birth, police liaison officers stationed within Europol considered that one of their key missions and their added value regarding the national police squads would be on tackling European and more global forms of crime. They have dedicated their energy to 'connecting the dots' between the different national police specialised in terrorism and between those specialised in organised crime. Working files have been set up so that a suspect in different criminal cases cannot escape surveillance by moving between countries in Europe, and that the different cases in which the individual was involved were also connected.

In addition to the working files, Europol, using its own analysts, not dealing directly with personal data, will develop a cognitive map of the know-how and techniques of criminal networks transversing more than two countries, and will set up patterns to understand the 'routes' they use, their 'profiles', their tendencies in order to anticipate their behaviour and to have a real-time picture of organised crime at the European level, connecting the information inside the EU and with those third countries which form part of the routes of the networks. The model has been taken from the TREVI methodology on drug trafficking and imported into Europol with minor modifications, as the responsible were analysts, but the goal has been to develop on the a European level what the Bundeskriminalamt (BKA) has done in Germany in relation to the Länder. It is not a coincidence that the two former directors of Europol came from the BKA. This idea of a strategic planning by analysts concurring to the effectiveness of police on the ground has been coined in a more Anglo-American terminology 'intelligence-led policing', even if most of the Germans responsible consider that they are not doing what their British counterparts in the National Criminal Intelligence Service (NCIS) and Serious and Organised Crime Agency (SOCA) were doing.

Intelligence here means developing data gathering, including and integrating covert and open sources, personal and non-personal information, to rely on an expert system (software or group of experts) in order to discover patterns of behaviour of a special group, from whose past behaviour future steps can be deduced. It pushes towards methods of intelligence policing more than detective and criminal justice policing. The model is orientated towards the present and the future actions committed by suspects more than the discovery of past events and the conviction of criminals.

For the model to work, the patterns need to be stable in space and time, the groups need to be organised and stable in terms of persons involved and to be easily identified through one or two main characteristics (for example nationality or ethnicity). If these conditions are not met, the accuracy of the prediction is diminished.

But if the accuracy is diminished, because it does not reach the specificities useful for national police or because it is always repeating the same patterns, the relevance of the institution itself is at risk.

Europol has been prisoner of this structural contradiction. Europol insists on the quality of its reports, their effectiveness in helping national police and leading to convictions which would not have been possible otherwise, insisting that they are always enlarging and deepening their knowledge and accuracy. The new director of Europol has developed means of communication in order to convince about the success of its reports. He has introduced new features in the Europol organisation (which replicate those in SOCA), placing greater emphasis on communication, advertisement, and what he considers as transparency because it is more diffused. But either they more or less always repeat the same or they are too narrowly focused.

### Scepticism concerning Organised Crime Threat Assessment (OCTA) methods

Beyond the self-assessment of Europol concerning its own work, and beyond an impact assessment done mainly in terms of proper management style and accountability, but not in terms of quality of knowledge production, it seems that scepticism exists in police

circles who are the first users of this data; in policy-making groups, which have the view that the reports are not innovative and look too much like 'copy and paste' of previous reports (because they repeat the same patterns); and in academic circles, who are asking for openness and more transparency concerning the methodology used to reach the results. These are then visualised through maps whose accuracy is not much better than the ones used by journalists, and that are far from what geographers and sociologists would expect from a map.

The problem has been centrally to publish reports trying to convince a large public as well as specialists of the usefulness of Europol. For the general public, communication was conceived in graphic designer and advertisement terms, and was therefore very close to journalistic narratives. The academic specialists, who did not receive the more confidential detailed reports, were shocked by some features.

Mapping is an exercise which supposes a geographical knowledge where the scale is central, the size of the arrows has to be proportional to the numbers at stake and not enlarged for ' a better visibility '. If the ' map ' does not follow the proportionality principle in terms of size, is it still a map or just a drawing?

On the whole, academic criminologists in Europe and UN circles are highly critical of Europol *OCTA* methods and findings. They consider that they assume more than they demonstrate the preconditions for their model to work. They assume that organisations exist, that they are permanent, that they have stable links between them and that they do not change in terms of space and time. In brief, their model may work for an old-style mafia type of crime, but is not relevant for most of what constitutes serious forms of crime.

Among many Van Duyne and Vander Beken say that 'current European organised crime (threat) assessments are not reliable and relevant instruments to make meaningful statements about organised crime' (2009, p. 261) because they do not map it properly. In addition others have discussed the inappropriateness of reports when it concerns volatile and disorganised forms of crime in financial, cyber-crime and in other forms of crime and they consider that it is one of the

causes of the reduction of serious crimes to drug trafficking of mafia type in OCTA reasoning.

Klerks (2007) remarks on the Dutch system of organised crime threat assessment also apply to OCTAs reports: it should be conceded that the final synthesis remains to some extent a matter of interactive subjectivity and professional debate among the researchers involved, rather than a formal, explicit and ridged evaluative methodological process. The task of synthesising so many reports on a wide range of issues and with varying levels of detail still appears to be very hard to capture in a feasible methodological approach. Added to this comes the challenge of having to weigh the seriousness of organised crime's societal consequences on a number of aspects and on a strategic level (p. 97). Remarking on Europol's contributions to organised crime threat assessment — 'supposedly the apex of organised crime analysis in Europe' (p. 98) — Klerks goes on to say that 'the rather superficial character of OCTA's public version withholds most of the analytical meat … avoids all analytical depth and lacks any reference to sources' (p. 98). We may have a less stern judgement on OCTA, and on the efforts done by SPCTA new methodology, but we follow nevertheless the judgement of Klerks that, at least, the methodology, sources and precise methods of visualisation for mapping need to be explained in more detail. While acknowledging the sensitivity of the data used to make these threat assessments, Klerks suggests that: 'Europol should be challenged to make better use of the wealth of information available to its analysts, when producing public strategic assessments' (p. 98). The origins of the data content may be confidential. However, the lack of transparency about the used statistical methods and analysis shouldn't be, as it creates doubts about the legitimacy of these data. It leads to over-generalisation concerning large zones (see annex in map) and to a confrontational image of the North West versus the other regions which is not the product of data but of a specific construction of them, that does not pass the test of evidence-based policy in terms of correlation between the data collected, the graphics of arrows done and the selection of data, which creates an image of invasion and victims of the North West, where a selection of data concerning major money-laundering operations or just a more complex picture of drug trafficking will show reverse arrows.

Commenting on the history of EU Organised Crime Situation Reports (ORCS) — produced from 1994 until they were replaced by the OCTA in 2006 — Edwards and Levi remark that it 'provides an insightful archive on development in the official conceptualisation of organised crime' (2008, p. 370), but they are sceptical that such documents provide the necessary insights as to practical policy responses to reduce the phenomena. Citing Van Duyne and van der Beken, they argue that these documents confuse elements of threat assessment, impact and vulnerability in the analysis and point to contradictions. They go on to argue that the 'central point remains, it is the actor-centred framing of the problem in terms of 'OC groups' that produces such contradictory outcomes for both analysis and policy development' (p. 373). The framing of the issue matters and the exclusion of other kinds of expertise and experience that can enhance the analytical rigour for studying the problem of organised crime systematically distorts the policy process.

This over-dependence on insider knowledge and police sector data is a problem. It confirms Ericson's and Haggerty's (1997) general observation about police communications formats -that they set police up to 'claim to broker consciousness and social existence, defining what should be taken as objective reality with respect to risks' (p. 430).

These critiques are anything but new. Nevertheless they are always dismissed, even if they have been developed as soon as 1993 at the first international conference of its kind in the United Kingdom, hosted by the then relatively new (and now defunct) UK National Criminal Intelligence Service (NCIS) (OICJ, 1993). Among the participants, Shepticky and Gregory warned about the methodology and its limits. We have to ask why the group thinking of the network of multiple national polices is so strong? Maybe it is because of their diversity of nationalities. They think they are open, even if they all share the same professional views of the world and form a 'guild' of professionals (Bigo 2010). In addition, when they make an effort at openness, it seems that the different police services only choose as analysts people, who already accept their own methods and logic. Moreover, the different police services are ready to receive critiques about results, but not methods and ways to frame the problems.

## Alternative methodological thinking about organised crime threat assessment techniques

Criminologists have not simply criticised OCTA reports - they have also proposed alternatives. In 2000, a group of academic criminologists based in Belgium attempted to develop a risk-based methodology for measuring the phenomenon of serious crime that, in many respects, has not been improved (De Ruyver, et al., 2000). One of the virtues of the approach put forward by this team was the willingness to go beyond strict law enforcement-based data sources. The model propounded attempted to combine cognisance of a variety of factors. In addition to the traditional preoccupation with identifying and counting OC 'groups' and the nature and scope of 'illicit markets', the approach adopted in this scheme also attempted to bring into focus an emphasis on different economic systems (the grey, the black and the legitimate economy), as well as an understanding of the complex effects of their interaction in geographical terms. The analysis showed the potential to move OCTAs away from the entrenched paradigm. Had such new thinking been extended within the professional grouping undertaking large-scale threat assessments (and had that professional group been extended beyond the narrow world of law enforcement to include other well-informed experts in academia and elsewhere), it is even possible that this methodology could have been extended to the entire range of organised criminality identified in von Lampe's typology.

If this approach seems too innovative, it is at least possible for the EU to learn from the Royal Canadian Mounted Police's Sleipnir methods, which have taken a first step in this direction. The RCMP's Sleipnir method, widely acknowledged in professional policing circles, has been considered as a highly innovative attempt at organised crime threat assessment, even if it is not exempt from criticism either (Sheptycki, 2003).

For example OCTAs work on the basis of the circulation of (more or less) standardised questionnaires among strategically placed individuals within the police sector (crime analysts, counter-organised crime tactical team leaders and other specialists) who return completed forms to a central point for strategic evaluation and analysis (Klerks, 2007). Such questionnaires are designed to elicit and develop individual responses to the problems posed and reflect an elaborately

organised, mediated, but nevertheless collective 'group thinking' process.

But close-up scrutiny of this method showed that it tended to focus on the already high profile and spectacular kinds of organised criminality, particularly when it involved criminal gangs and an element of violence. White-collar crimes, crimes against the environment and other crimes that may be 'organised' but which do not conform to this picture of organised crime are less likely to be captured as a result by this methodology. Despite being well known in police circles, they nevertheless follow the old patterns of information gathering and do not discuss their biases. If the notion of 'social harm' of each kind of serious crime has to become a central feature for evaluation, then it is important to take into account all the different forms of serious crime and not only the ones generating spectacular violence or the ones who have more stable patterns and are then easier to describe. The limitations of the methodology chosen cannot be an excuse to redefine the seriousness of crime along these limitations. In terms of social harm, serious crimes are primarily environmental crime and financial crime. This also seems to be the case of some forms of cyber-crime — at least potentially (CEPOL discussions).

If the suggestion to analyse serious crime through social harm is taken into consideration, is it only possible to measure harm by quantifying the various phenomena in terms of financial indicators? UN and Canadian methods have tried that. Based on these monetary quantifications of 'impact' these documents categorised OC activities in terms of three levels. At the high end were such things as drug trafficking, various forms of fraud (including benefit fraud) and intellectual property theft. In the middle range were illegal immigration, art and antiques theft, vehicle and plant theft and paedophilia. At the low end was a long list of items including armed robbery, arms trafficking, hooliganism, kidnapping and extortion. But close critical examination of this ranking scheme reveals the difficulty of quantified expected social harm (Sheptycki 2008). Social science cannot be reduced to accountancy and economics. Ericson has considered social harm as a social distribution of bad in a society; as such, finding a definition is a highly politicised process. It cannot be a financial exercise. The discussions at the European Parliament may help to frame the problem and to limit

group thinking by insisting on a democratic control of the objectives, definitions and methodologies at work, which will not undermine the data confidentiality of the organisation.

## OCTAs reports indicate a lack of concern for the socio-structural features that facilitate the development of crimes

The focus in OCTAs on organised crime groups or networks, with traditional law enforcement or even with intelligence-led policing and situational prevention ends and means as the guiding principles, leads to a lack of concern for the social-structural features that facilitate the development of other forms of serious crimes (environmental, financial, corruption), and even to such phenomena like drug trafficking and human trafficking.

All serious crimes are dependent on macro socio-structural features.

The requirement that OCTAs seek to provide a more thorough understanding of social- structural conditions that enable organised crime has the objective of providing an informed understanding of how such crimes are constituted.

## Conclusion: the need for general governance capacity building in areas as diverse as education, health and welfare

The policy implications of such observations indicate the need for general governance capacity building in areas as diverse as education, health and welfare. Policing policy within this frame would shift attention away from an exclusive concern with 'high-end' policing and back towards the capacity for 'full-spectrum policing' implying better communication between specialised squads and local policemen. But it will also imply connections with local cities, regions and other administrations than ministries of interior. In drug policy for instance the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA) has managed to include a wider perspective than a purely police one, even when the main question is the fight against drug-related crime. EMCDDA has relationships with Europol and Eurojust, but they have not been invited as far as we know to OCTAs. It is certainly complicated to link

local activities and European activities, as it always takes another dimension in Europe, where the European organisations themselves are not directly connected with their local counterpart organisations and often pass through national hubs to join them, as is the case in policing. But it is not impossible at all. For example, if some reports like the new SOCTA associate a larger group of participants, in a deeper analysis, and maybe with a different timing, it will help Europol and OCTAs reports in general to gain legitimacy and efficiency. As far as models are concerned, Europol should be given more time to produce its reports, possibly one every four years. The reports would comprise expert opinions beyond the police forces, including doctors, sociologists or ethnologists, to avoid the tropism that characterises the work of specialised police units.

Without general governance, policing alone may occasionally be counter-productive. For example, a growing body of research indicates that law enforcement activity targeted at the retail and end user of the illicit drugs market has substantial potential to produce harmful health and social impacts, including disrupting the provision of healthcare to injection drug users (IDU), increasing risk behaviour associated with infectious disease transmission and overdose, and exposing previously unaffected communities to the harms associated with illicit drug use (Kerr et al., 2005). Other negative outcomes include the increased frequency of associated fraud (because of destabilisation of trust within the market) and therefore violence. Such outcomes should be read as outweighing supposed positive impacts of law enforcement deterrence-based prevention, which are achieved at significant public expense. Public health provides an alternative paradigm to this police-centric model for managing heroin problems and detailed evaluation studies have shown it to be very effective. The dominance of the law enforcement paradigm with respect to the governance of domestic heroin issues was radically undermined by the Swiss heroin maintenance experiments in the 1990s (National Families in Action, 1999; Ribeaud, 2004). There are many examples from around the world where public-health perspectives, harm-reduction thinking, crime prevention and regulatory strategies have been reconfigured to provide an alternative to the dominant law enforcement paradigm (e.g. Bouloukos, et al., 2003). Many of these have been the focus of EMCDDA work

in the last years. These innovative ways of thinking extend beyond drug markets and, theoretically, could be adapted to thinking about organised crime prevention as well.

Contrary to the prominent view that organised crime is an enemy external to society, recent research has shown that it emerges in conditions of unstable, poorly regulated or underground market economies, where there is a lack of legal structure that can reliably protect property rights or settle business disputes and where there is a supply of people trained in violence who are otherwise unemployed in socially useful activities. The habits and beliefs enculturated within social structures go from top to bottom. Policy-makers concerned to reduce the effects of organised crime within the European Union and on its periphery need to look back into European history for lessons in the civilising process (Elias, 1969) and then look for ways to generalise such processes more globally.
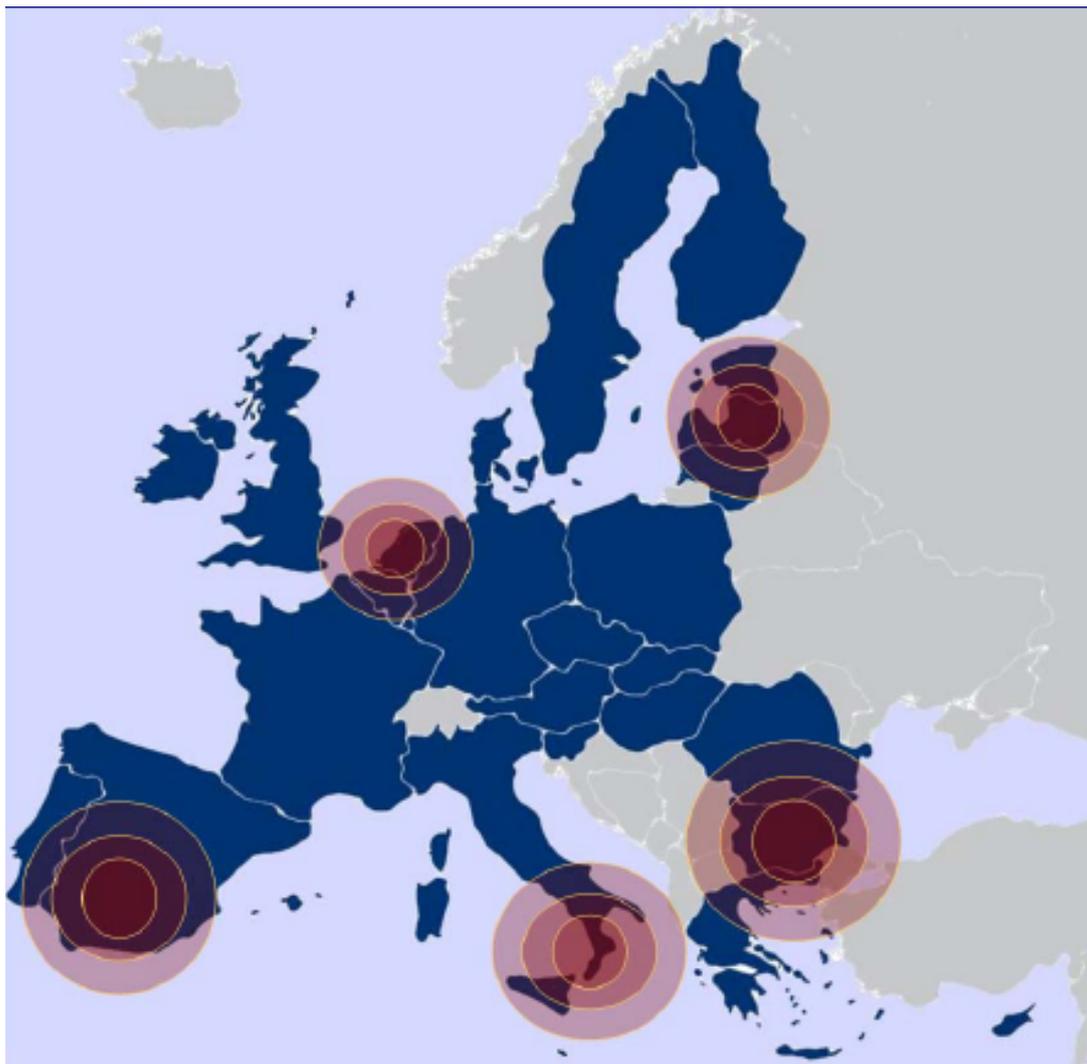
[1] Please note, centres of gravity as identified by the radii on the map are approximate and do not designate cities or regions of prolific criminal activity.
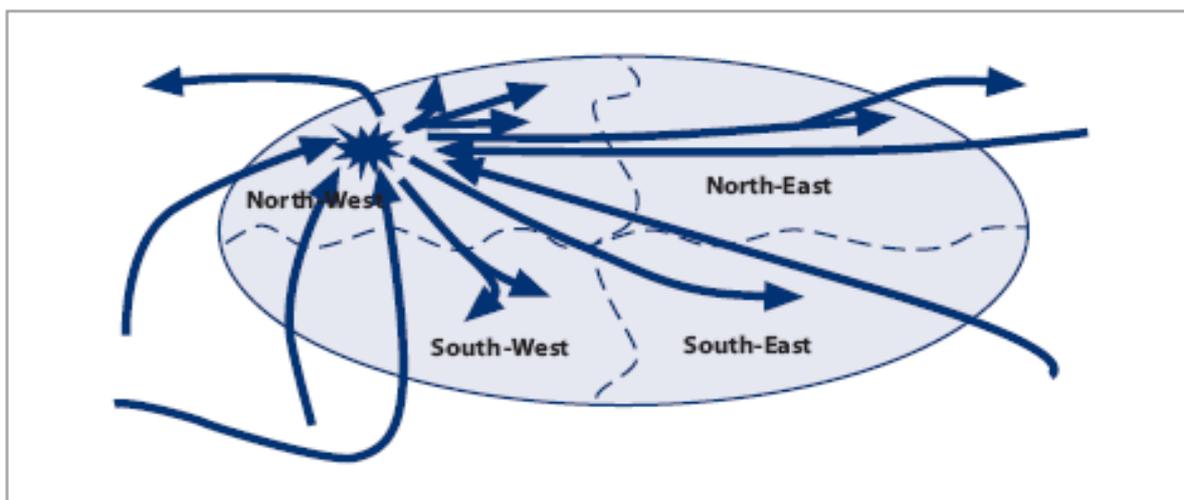


Source: EU Organised Crime Threat Assessment OCTA 2008, European Police Office, p. 43

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# The SOCTA: a tool for prioritising the fight against serious and organised crime in the EU

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In 2010, the EU established a multi-annual policy cycle ([1]) on serious and organised crime in order to tackle the most important criminal threats in a coherent and methodological manner. This would be through optimum cooperation between the relevant services of the EU Member States, EU institutions and EU agencies, as well as relevant third countries and organisations. The next cycle starts in 2013 with the delivery of the SOCTA (Serious and Organised Crime Threat Assessment) and the development of the EMPACT (European Multidisciplinary Platform against Criminal Threats) (see below) for the period 2013 -2017.

## SOCTA

The starting point of this four-year EU policy cycle is thus the **SOCTA.** In the SOCTA, Europol will deliver criminal analysis findings that can be translated into political priorities, strategic goals and operational action plans in order to implement EU policy. The link between the SOCTA conclusions and the definition of priorities is very important. Taking this step in an intelligence-led way ensures that analysis directly informs political decision-making, and that the EU's most-relevant criminal threats are addressed.

The full policy cycle will start in 2013 and will last for four years. It consists of four key steps, which are:

- **Step 1: SOCTA —** the serious and organised crime threat assessment, developed by Europol, will deliver a set of recommendations based on an in-depth analysis of the major crime threats facing the EU. The Justice and Home Affairs (JHA) Council will use these recommendations to define its priorities for the next four years (2013-2017).

- **Step 2: MASP** — Multi-annual Strategic Action Plans (MASP) will be developed from the priorities and will define the strategic goals for combating each priority threat.

- **Step 3: EMPACT —** will set out concrete operational plans (OAPs) for combating the priority threats. OAPs will include Joint Investigation Teams (JIT) and target analysis followed by investigations.

- **Step 4: review and assessment** — the effectiveness of the OAPs and their impact on the priority threats will be judged by COSI ([2]). In 2015, an interim assessment (SOCTA) will be prepared by Europol to evaluate, monitor and adjust (if required) the efforts to tackle priority threats.

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([1]) Council Conclusions on the creation and implementation of an EU policy cycle for organised and serious international crime, doc. 15358/10 COSI 69 ENFOPOL 298 CRIMORG 185 ENFOCUS-TOM 94.

([2]) COSI: Standing Committee on Operational Cooperation on Internal Security.
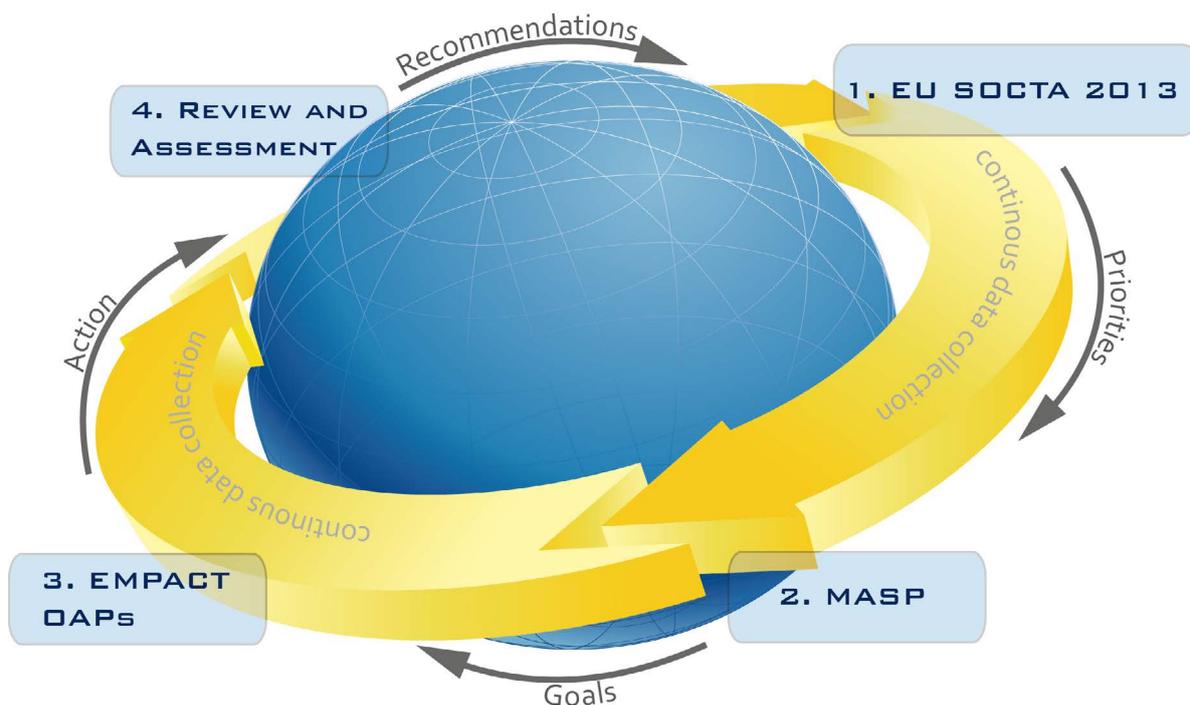
The role of the SOCTA in this policy cycle is thus an important one. The JHA Council will base its decisions on a limited number of priorities defined in this assessment, both regional and pan-European. These priorities will thereupon again play a role in Europol's activities, through the organisation's involvement in the resulting Operational Action Plans.

As such Europol has come a long way from the organised crime situation reports (OCSR) produced from 1994 when Europol still was the Europol Drugs Unit, via the organised crime reports (OCR) from 2002 that, for the first time, included a section on threats, and the organised crime threat assessments (OCTA) produced from 2006 to 2011. This development is reflecting the increasing confidence of Member States in Europol both as an organisation, and as a provider of sound analytical products in particular, to which the role as a policy advisor can be entrusted.

The SOCTA will, like its immediate predecessor the OCTA, be a forward-looking document, with a primary focus on future developments in criminal threats. Europol will both analyse trends and patterns in current crime data and look further, scanning the environment for other factors that will influence crime across the four years of the policy cycle. This will provide the basis

for an evidential forecast of future threats to EU internal security.

The analysis underpinning the development of priorities will also support the planning of operational actions.

## Intelligence analysis versus scientific research

Intelligence analysis, and thus the SOCTA analysis, is different from scientific research. In the latter the principal aim is to acquire knowledge on a chosen subject. With intelligence analysis the objective is to facilitate effective interventions. Here the aim is to find out what has happened, is happening now or could happen in the future. This has a bearing on the recognition and interpretation of indicators for specific situations and developments. There are other differences which set analysis apart from research, such as the need for speed, secrecy and professional trust.

## EMPACT — where we are today

For the interim period, prior to the full policy cycle of 2013-2017, an initial, reduced cycle has been initiated. The 2011 OCTA provided the basis on which the Council decided on eight serious and organised crime (SOC) priorities for 2011-2013. In line with the full cycle, these priorities have been translated into MASPs, EMPACT (OAPs) and ultimately coordinated and ongoing actions by EU Member States and EU organisations against the identified threats to EU security.

Improvements in cooperation are already being seen in the current priority areas with joint operations and investigations now being increasingly run.

Information from these investigations is sent to Europol via its secure system, SIENA, to be analysed via Europol's unique system of the Analysis Workfile (AWF) (³). This will help inform the conclusions of the 2013 SOCTA.

The data for the SOCTA is originating from Europol's AWF on serious and organised crime, MS and third-partner contributions. The SOCTA uses a holistic approach towards open-source material. Not all available sources will be used, but none is immediately discarded, except for suspicious sources, tabloid press articles or similar. At the beginning of August 2012, a questionnaire was forwarded to all partners, with a deadline for contributions of end of October 2012.

The work to be done for the SOCTA will reach a crescendo in the last months of 2012 and the months immediately preceding the launch date, when all the information from Member States, third countries and other contributors needs to be collected, evaluated, collated, integrated and interpreted, and then translated into a report that will clearly identify the most important challenges for law enforcement authorities in Member States in the coming years. The SOCTA report will be published at the beginning of March 2013.

**Postscriptum:**

The SOCTA 2017 will be published (or 'was published' depending on the date of the publication) on 9 March 2017.

The EU Justice and Home Affairs Council will decide on the new crime priorities in June 2017. The implementation of the new operational actions will start January 2018.

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(³) AWF: an AWF is a database on a specific crime area, which is intrinsically linked to specific forms of operational support offered by Europol. In effect an AWF is the only existing legal tool at European level to store, process and analyse factual information ('hard' data) and in particular 'intelligence' (or 'soft' data) at the same time, including personal data of a sensitive nature. Once information is received within an Analysis Work File, Europol will make sure that all the data is made available for analysis. This means, to start with, that data is processed in a structured way so it can be continuously exploited and enhanced.
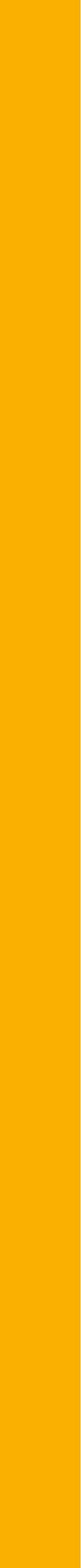
# Chapter VI: Contemporary and emerging challenges of policing — introduction

## János Fehérváry

A major task of the CEPOL Research and science conferences has been dealing with and presentation of scientific analyses of contemporary and prognosticated challenges of policing. The events should contribute to overcoming existing deficits and obstacles in acceptance of the importance of police research for dealing with these challenges. They should help in raising awareness of the need to respect research findings for efficient police reforms.

In the field of contemporary and emerging challenges close linkages are essential between practical needs for police and policing on the one side and theoretical/scientific efforts on the other. Therefore the organisers of the CEPOL Research and science conferences were eager to invite police trainers and practitioners as well as police researchers to present their perceptions of the emerging challenges for police and policing and to expose their approaches/ideas on how to meet these challenges to scrutiny.

The following contributions collected in this chapter deal with contemporary and predicted challenges from the viewpoint of consequences for the organisation of police and policing. In addition the articles underline that the challenges have to be seen through the prism of permanent changes in the relation between police or other institutions/persons charged with policing matters and citizens, as well as in the relationship of police to the domain and logic of scientific research. Another aspect of the contemporary and emerging challenges is identified in the need for strengthening (international and institutional) cooperation.

To sum up all the contributions in this chapter, it could be said that the described challenges and their consequences for police and policing (will) have a strong influence on police training/education — and therefore in consequences for CEPOL. However a proper adaptation of police training/education should be based on research findings — as explained in the general introduction. In summary, the articles are a good case in point for the importance of police research dealing with contemporary challenges of policing for strategies and activities in CEPOL.

Based on the upheaval in the contemporary policing landscape, **Peter Neyroud,** familiar with high-level hands-on police management as well as with proper academic research standards, is portraying the shifts in policing, police professionalism and police organisation. He comes to the conclusion that *'Great challenges now face policing, but the uncertainty of the contemporary landscape also promises a real opportunity for police leaders to shape a profession that can withstand the demands of tomorrow.'*

Neyroud's conclusions can be taken as a solid and well-informed basis for further future research projects. From a forward-looking vantage point, they can serve as a constructive starting point for reconsidering and challenging the existing national police training systems — in particular for police managers, including the implementation of the Bologna Process — as well as international cooperation in the field of police training.

**Tore Bjørgo** makes the point that there is a widely held view in CEPOL circles and among many police researchers that there is a great need for more comparative policing research in Europe. As a case-in-point he presents the research design of an ongoing comparative and longitudinal study of recruitment, education and careers in the police. The fundamental questions in this study are the following:

- what characterises the kinds of people recruited to police work?;

- how are they shaped by police education and socialisation into the profession?;

- how do different systems of police recruitment and education impact on the attitudes and views on police work of the new police officers produced by these systems?

Bjørgo describes the project design and content of the used questionnaire but he was not yet able to present findings — because in 2010 the project was in the phase of collecting survey data. However, he assures us that the core questions can be studied by police research — and to a large extent will be answered– in the presented study. He is convinced that the project may facilitate practical collaboration between police researchers in many European countries. The comparative study, based on shared methodological instruments, used to collect and produce truly comparable data, is necessary for further development of police science as a discipline.

**Graham Hooper** states in the introduction of his contribution 'Cooperation in policing in Europe — current trends and future challenges': '*The only thing that we can be certain of in the policing environment in which we work today is uncertainty, unpredictability and challenge. They are the constants that we all face.*' He illustrates the range of current and future challenges for European policing as follows:

- organised criminals continue to operate faster, more flexibly and on a truly global scale;

- the market in drugs, illegal immigration and money laundering will probably continue to grow but will become more complex because of the use of technology;

- illegal migration is likely to grow and become an ever-increasing problem;

- the use of the internet and electronic communications will grow and be exploited by criminals and criminal networks;

- changes and developments to the banking, finance and information technology sectors will create demands on police organisations in terms of securing the employment of people.

He is convinced that police will have to strengthen international cooperation for tackling these challenges. He underlines that international cooperation is a key element for successful and effective policing not only in the field of operational policing but also in the areas of police training/education and policing research.

**Sabine Vogt** presents in her paper 'Innovation in European Police Forces' new approaches, instruments and techniques which are used by the German Federal Criminal Office in order to meet new challenges. Particularly she describes the 'early detection approach', criminalistic-criminological research and technological monitoring, and the 'STEP (Social, Technological, Economic, Political) approach.

One of the major new challenges in policing is cybercrime — a fast mutating phenomena of truly global character — particularly testing for international police cooperation. **Tatiana Tropina** analyses the role of police in fighting cybercrime. In the first part she describes the role of police in fighting this field of crime and highlights the problems and challenges. In the second part she deals with the unique challenges of cybercrime for policing cyberspace, which require a review of traditional approaches to the concept of policing, application of new tools, both legislative and technical, for investigation, development of skills of working with electronic evidence, and last but not least, the ability to cooperate with industry players. One of the critical issues is also capacity building (special training for police experts), because the mere possession of new technologies for the investigation and detection of crime does not mean the ability to utilise them. In her conclusion she says inter alia: '*Despite the number of challenges that need to be addressed, police units and organisations as one of the main stakeholder on the scene of fighting cybercrime can act as a central spin-off for building links between different stakeholders, establishing cooperation with private sector, and developing the national and international approaches to tackle the problem of ICT misuse.*'

Almost demonstrating the fast pace of change of emerging police issues, social media has been becoming an increasingly challenging and complex topic for police forces in Europe and elsewhere during the last few years. Police officers are confronted with the emergence of a new virtual public sphere and they must try to deal with it in a diverse and sometimes quite contested ways. **P. Saskia Bayerl, Gabriele Jacobs and Kate Horton** conducted a study to better understand the disparate attitudes towards social media in European police forces and their underlying reasons. They aim to obtain a clearer picture of current social media usage and the degree of general acceptance within European police forces. They report on their findings from the Europe-wide project 'Comparative Police Studies in the EU' (COMPOSITE) in which they asked police officers from different European countries about their attitudes towards social media. All in all this contribution has the ability to meet contemporary and future expected challenges of policing as a result of technological advance and its consequences for changes in our societies. It can be seen as a strong motivation for further research in this fast-growing environment.

Technological, demographic, economic and political developments, as well as progress in many scientific fields pose central challenges to policing and particularly for police — and they will continue to do so even in the future. In fact, expected developments contain elements of uncertainty and risks. Dealing with uncertainties (expectations, imminent dangers, security risks) — and therefore how to take the correct actions and reactions — is a special challenge for politicians and managers/experts active in the field of policing. Prognoses based on scientific and comparative analyses of the current environments/conditions for policing and predictions (using approved methods and short- and medium-term models) might help them in their decisions. It will be an important task for (the further developed) CEPOL to offer/deliver scientific and comparative findings and approved methods for prognoses to stakeholders/decision-makers in policing for enabling them to deal with challenges in a professional way and with good prospect for success.
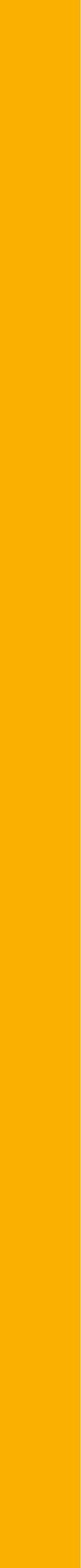
# Shifts in policing, police professionalism and police organisation

**Peter Neyroud**
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(2009 Conference in Bad Hoevedorp)

Across the international community a great deal of thought is currently focused on the shape of policing in the near future. In Europe, the Dutch *Politieacadamie*'s 'Pearls in Policing' add to the work of the UK's National Policing Improvement Agency (NPIA) in developing best practice, while in the United States the Harvard Executive Session on Policing and Public Safety has brought together an international cross-section of academics and practitioners to explore the future shape of policing. If a common thread runs through the work of these bodies and others, it is the recognition that the moment has arrived for a new professional model in policing. The challenges that policing faces are changing apace, and in addressing these changes there is a need to move beyond the practices that have dominated over the last decade.

Upheaval in the contemporary policing landscape has been rapid and widespread. In the UK, the NPIA is currently working around five core themes: cost-effectiveness, leadership, information systems, protective services and local policing. Chief among these is the pressing need to reduce costs in the midst of a global recession. The challenge of providing improved service with fewer resources is European-wide, but in a UK context policing now faces three years of (at best) flat-cash, with a strong possibility of five per cent cuts to police budgets. However, the impact of the economic downturn cannot be addressed in isolation. Patterns of crime are changing dramatically, and the effects of the recession are not as clear cut as they might be. Virtually every statistician in the UK was predicting an impact from the recession on crime that has so far failed to

materialise. Crime has not increased outside of very small pockets, and the majority of forces in England and Wales are still reporting significantly reduced levels. In part, this reflects the shape of the UK workforce. Thus far, many of those laid off in the recession are highly skilled and will not be anxious to commit minor property offences for fear of unemployment. Equally, though, crime has been shifting into spheres where traditional methods of police recording do not capture the activity. Crime recording systems generally focus on geography, constructing information around a postcode or a zip code. By its nature, e-crime is not a geographical activity, a fact that municipal-based policing is finding hard to cope with. This is particularly true in the United States, where the Los Angeles Police Department's Bill Bracknell has been exploring the challenges posed by the increase in e-crime: decentralised forces lack the means and mechanisms for addressing it, and with the FBI distracted by terrorism, there is a gap in the response to e-crime.

The policing community is coming to terms with the changing criminal landscape. The reality of e-crime, for example, is that it does not take on a single form, but comprises a multitude of different schemes. So much time is now spent in e-space that, unsurprisingly, criminal activity is developing in the online world much as it has in the physical world. Equally, viewing organised crime as a business, it is to be expected that in times of recession professional criminals diversify their portfolios. In the current economic climate, it will be interesting to see in what direction they head.

Responding quickly to the criminal population that's moving across boundaries, the UK has shared DNA database scene matches with the Dutch DNA database, identifying 22 matches for serious crimes between the two countries. One match is of particular concern because it relates to an individual who has committed a homicide in both countries and is, as yet, unidentified. While neither country has so far sought to match this particular profile against other European databases (though professional intuition suggests the individual concerned has probably committed offences in others among the 27 EU Member States), the infrastructure for information sharing is developing rapidly. The UK recently agreed to share crime scene matches with Canada, Australia, New Zealand and the United States on a regular basis, with the eventual development of a DNA watch-list in mind. Similarly, the implementation of the Prüm treaty, once the necessary infrastructure has been developed, will allow for databases to be searched on a more routine basis in Europe.

Increased data sharing inevitably raises privacy and security issues. When the Schengen system is switched on across thirty countries, or the Prüm system goes live across twenty countries, the privacy and security debate over who holds information and how it is used will become a great deal louder than it is even now. The issue may be particularly pressing for those new democracies in the eastern part of Europe, where information held by the state has a completely different cultural and political meaning than for those of us in the western part of Europe and, particularly from an Anglo-Saxon perspective where we have fundamentally permissive regimes. But these issues pose challenges everywhere, not least of all in the UK where the Police National Database is due to go live in 2010, making 120 million items of information about people, objects, locations and events available to every frontline police officer at the touch of a button. In addition, the UK also holds ten million fingerprints and six million DNA profiles, which is massively greater per head of population than anywhere else in the world. Explaining the necessity of a system that operates on such a grand scale can sometimes prove difficult, but the transformation such technologies bring about in terms of the quantity and quality of information available to policing is indisputable.

Uptake of such systems is expanding: Australia and the United States are planning similar systems, while Canada is expected to go live at the same time as the UK. And databases are just starting to go international. The UK is about to share DNA and fingerprint samples with the five Anglo-Saxon countries, and is preparing to systematically do the same with Europe. Discussions have been taking place between the G8 DNA and fingerprints group about broadening and deepening the level of sharing between countries that are involved in Interpol. While governments are rapidly making headway in terms of information storage and sharing, it is not always clear that they have the support of their publics in doing so. But there is a balance to be struck. The logic of data exchange speaks for itself through cases like the murder of Piet Peeman, an 82-year-old murdered in Schiedam in May 2006. The UK-Dutch DNA exchange identified the killer as a Lithuanian man, then living in Poland, who was arrested for shoplifting in Oxford Street. In December 2009, he was sentenced to 10 years imprisonment by a Rotterdam court. With the increased permeability of borders, and the technology now available to policing, such crimes ought to be detectable. In terms of European policing, the ratification of the Lisbon treaty holds some substantial implications on this front.

The rollout of Prüm will see the release of a quantity of information quite unlike anything before at European level, driving cooperation in a way that information has not done previously. Cooperation with the Dutch required the establishment of detailed protocols for gathering evidence and dealing effectively with serious crime on a routine basis, because cooperation became increasingly necessary. Based on the Dutch experience, practice in Europe will be driven by the discovery that police services are dealing with the same homicidal maniacs and serious criminals. The policing community realises that this is the case, but information has not yet been made available to officers in a way that would demand action. Changes will only take hold once data sharing starts to shape responses at the operational level.

Broader changes are taking place in the policing world. Pieter Tops argues that the COMPSTAT era has run its course, not only in Europe but also in the United States. There is a general recognition that the public are looking for more confidence-based local policing, and

it is difficult to capture confidence data in a COMPSTAT form, both because improvement takes longer to become visible and because hitting crime detection and reduction targets, certainly in the UK, actually has relatively little impact on the public's confidence in local policing. It can make a substantial difference where there are poor crime figures, but there is a mid-range in which confidence and crime levels do not relate to one another as expected. The UK recently launched a national crime mapping service which shows little difference in confidence between relatively high-crime areas and relatively low-crime areas. The criminological community has been aware of this for some time, but it has taken time for practitioners and policy-makers to respond. Swedish policing, as in the UK, is now increasingly talking about confidence as the key driver of performance. The connection between confidence and legitimacy is confirmed by a growing literature, and this relationship will be critical to shaping interaction between police and public in the near future.

There is a growing awareness of just how localised people's real understanding of crime and disorder is. Perception of crime levels is generally not city-wide, nor is it connected with a whole suburb; by and large, perception of crime focuses on an individual's street and an area extending 125 metres either side of it. People's experience of crime is very local, which means the response has to be localised. Similarly, the criminological evidence on what constitutes a hotspot points to an area equivalent to two houses on one corner. Much as keyhole technology revolutionised surgery, policing must move towards greater precision in dealing with problems of localised criminality. From a politician's perspective local policing may not appear to require a great deal of intelligence, largely involving uniformed officers who are committed to their community and perform a social function. But even at the local level, that sort of policing is outmoded for the challenges facing policing; the development of a skills-base among uniformed officers is of great importance. In the UK, the NPIA is currently pouring resources into capability support of this kind. It can comprise assistance with anything from the development of information systems through to dealing with problems in performance.

Policing everywhere is seeking better dialogue with the public to improve confidence and effectiveness. On the issue of stop and account, for example, a brief survey of the literature reveals a number of studies going on in Scotland, Southern Ireland, the Netherlands, Spain, Bulgaria and Hungary, with a view to improving the ways that police do stop and account and foster confidence from the public. The entire sector is interested in how the police can go about their day-to-day job in a manner that is efficient and professional, and which thereby establishes legitimacy in the eyes of the public. It is this shift from punishing law-breaking to encouraging law-keeping which makes this moment so critical in the future of policing. But there is still a fantastic paucity of evidence on effective policing. This is particularly true of the responses to public disorder. The UK recently saw a review of public-order policing following the death of a member of the public during the G20 protests. In the wake of the incident Her Majesty's Inspectorate of Constabulary published a major report, to which the NPIA contributed a review of the existing research on public-order policing. It is not a very long study, owing to the lack of quality international research on what good public-order policing is. While there is a great deal of opinion, there is very little evidence. The same could be said of much of the work on serious and organised crime, though the police are often reluctant to publicise what research there is. All this is not to deny the emergence of an evidence-base in policing. In the field of counter-terrorism, for example, research is beginning to emerge on effective strategies for anti-radicalisation and preventative policing.

Similarly, accountability has become more complex. The demand for greater accountability at local levels seems to be a universal one in most countries, and poses substantial challenges for both government and policing. But calls for more effective democratic accountability at national and supranational levels present greater difficulties still. Certainly, a lack of accountability mechanisms is one of the great vulnerabilities of European policing. From a UK perspective, democratic engagement with some of the structures that are developing for international cooperation will prove a central challenge in the immediate future. Across European polities, the picture of diversity is infinitely more complex than 20 years ago, and it continues to grow more so. The

fastest-growing groups within virtually every European country are immigrant populations, a fact which poses a whole series of challenges for policing. The UK very likely possesses the highest threat from home-grown terrorism. This in itself provides a constant source of political and community debate. But there is also a wider debate about cross-border migration which bleeds into a debate about what the police are for. There is a danger that policing ignores the assumption, from the public perspective, that border police and local police are joined up. Even in the United States where there are hard lines drawn between Immigrations and Customs Enforcement (ICE) and local police, the public still expect the two to cooperate fully in dealing with particular issues. Misunderstanding the public's expectations of social controls can be quite problematic. Of course, the nature of the policing response to public opinion will depend on the issues of concern. Distinctions must be drawn, for example, between migration-related crime and public concern about migration, which may not reflect the reality, but nevertheless drives feelings of insecurity and a demand for more 'law and order' policing. Further, as European police cooperation continues to develop, it begs the question of whether there is a European public with a consistent set of views and expectations in relation to policing. While there are a number of EU-wide crime surveys, there has not until recently been a serious attempt to pull the data together. Dutch research on policing culture demonstrates both north-south and east-west differences of tone and tenor, but there are nevertheless common themes, particularly in regards to expectations. Balancing central, regional and local responsiveness — and drawing connections between the three — poses substantial challenges to European policing, particularly when the visibility of frameworks for collaboration within countries is often so low.

There are major accompanying shifts in the policing profession. Historically, one of the most resistant areas to reform has been the criminal investigation bureau; it is now one of the fastest moving. By way of example, 2010 will see the introduction in the field not just of accelerated fingerprint identification, but also of accelerated DNA analysis, allowing for the processing of crime-scene samples in under an hour. These innovations alone have the potential to radically alter the role of investigator. It will also necessitate the restructuring of the entire information framework that

sits behind investigative work, along with the way in which analysts operate and resources are coordinated at major crime scenes. The last year has witnessed investigators attending major crime scenes — one example being the large-scale theft of IT equipment in Sussex — and, through the remote transmission of fingerprints, arriving at the offenders' addresses before they returned home. The police workforce is diversifying, and policing organisations increasingly include people with scientific qualifications, ranging from crime-scene investigators through to analysts. The need for the service to develop these professions and their impact on the wider police community is critical.

Scientifically conducted experiments are taking place, such as current research into the effectiveness of crime mapping in the UK. But it is still a wildly under-developed field. There is no systematic method of evaluation, although bodies such as the Campbell Crime and Justice Coordination Group are starting to bring together individuals in the field. There is no register where research programmes across police and research institutions are recorded or made publicly available, with the result that practitioners conduct very useful studies and then fail share them with anyone. Too often, research sits on shelves as part of PhD and Master's theses, because practitioners, on the whole, do not publish. The issue of risk aversion, for example, is an area in which there is not a great deal of evidence-based practice in the UK, but there is a vast quantity of practice written down, resulting in the paralysis that such levels of knowledge can create. At present, the right course of action is often obscured by the sheer quantity of bureaucracy involved in making a difficult decision. The situation is changing in the UK after the criticism of officers for a lack of action in circumstances where it was urgently required. Perhaps public outcry is sometimes necessary to prompt wholesale institutional reform.

Similarly, predictive policing is fast becoming a reality. The NPIA recently held a conference with the National Institute of Justice, the LAPD, and a number of larger United States forces, exploring how theory can be turned into practice in the field of predictive policing. Scientific method is creeping into the policing field, most obviously in the tools already applied to specific disciplines, including forensics, identification and less lethal force. Recent studies suggest, for example, that the

introduction of tasers has led to a 60 per cent reduction in serious injuries to police officers, although the lack of randomised control trials prior to the introduction of tasers shows that the profession is still not quite where it ought to be. The problem is not limited to the policing community. The topics that academics choose to look at are generally of little value to policing. They may be useful to society, but they are rarely useful to practitioners. The result is that practitioners are often barely acquainted with the academic literature.

The contrast between the health and policing professions is stark, because in healthcare best practice is established entirely around randomised control trials. Studies are sometimes small, but they are a necessity for establishing the efficacy of new techniques. The ratio of studies in healthcare to those in policing is striking. It is an astonishingly poor position for such a major public service to be in. The current state of policing is reminiscent of the 40-year gap between the discovery of a cure for scurvy by British doctors and the wide-scale implementation of it by the Royal Navy; change needs to pass through the entire culture of policing before practice catches up with theory. A viable framework for scientific research has yet to emerge. Carrying the healthcare analogy forward, equivalent bodies to university hospitals are entirely absent from the policing infrastructure, while the academics attached to police academies lack the status they deserve. Until the profession arrives at the point where it has clinical professors of policing, driving practice from an understanding of practitioner knowledge, it cannot advance much further.

However, partnership presents new opportunities for education. Significant shifts are taking place within European governments in terms of shaping institutions that were effectively created for a particular purpose, but are now coming to shape European policy. CEPOL, among others, offers valuable opportunities to exchange knowledge and develop an overview of policing across the continent. Other collaborations range from opportunities to gain qualifications in different countries to emerging research partnerships, such as the North Sea Collaboration that the Scottish Institute of Policing Research is driving. Partnership is becoming uniquely important in European policing, but there remains a need to move to a position where any significant piece of research in Europe is available

to the entire profession, using replicated data to strengthen the knowledge-base across Europe.

Police leadership is equally in need of change. Leaders are required who publish and understand research, because it is no longer possible to lead an organisation from a position of ignorance. The shortest meeting in the UK Association of Chief Police Officers was once the information management meeting, in which papers that no one could understand — and which were often devoid of meaningful content — were simply waved through. But contemporary policing demands that leaders are clear about their information needs; driving a different sort of practice and creating a different sort of outcome. Leaders must understand that the complex organisations of policing now require highly effective business skills, a highly developed sense of moral leadership, and a strong understanding of people, information and resource usage in their organisation. This requires an understanding of performance in a broader sense than the restrictive terms of the COMPSTAT era. It means understanding the demands on the organisation and how they are changing, in addition to understanding the needs of the people who are expressing those demands.

There are serious financial challenges to police leadership. Most European police services will find themselves facing cuts of between five and ten per cent. Politicians will want to protect the front line, but this begs the question of where the front line is in terms of modern policing. The last 30 years have demonstrated that uniformed officers cannot carry policing by themselves; analysts are required to task them effectively. So there is a sense in which analysts constitute the front line. But an integral part of the legitimisation agenda taking a professional approach in the administration of custody and detention suites. Working through the organisational structure of the modern police force, one might soon reach the conclusion that the only non front-line services are finance and human resources functions (although financial ineptitude is probably the fastest route to dismissal for a police chief). The situation does not lend managers a great deal of flexibility. Nevertheless, shrinking budgets will mean doing less in certain areas. Police leaders now face the challenge of weighing the quality of a given strategy, which proves particularly difficult in fields such as organised crime, which

currently lack a convincing framework for measuring the quality of response.

If the leaders of tomorrow are to successfully navigate a period of transition, they will require strong mandates; they will need to know where to get those mandates from, and how they are to be refreshed. They will also need to know how to establish strong networks, at both national and international levels. With these requirements comes a different professionalism for the organisation more generally. Policing still possesses traditional organisational hierarchies, along with the military symbols inherited in the 1820s. While some states are encouraging direct entry, it is still direct entry into a rigid management structure, where rank comes with an expectation of particular privileges and responsibilities. With predictive policing and radical changes in the way policing uses information, the profession requires flatter, more flexible organisations to confront the challenges that it faces.

This is the time for a new professionalism in policing. The profession is at a point where the industrial model of leadership, the military model of leadership, and the technical model of leadership employed over generations are no longer fit for purpose. Tomorrow's police chiefs will be expected to successfully balance the demands of crime, cost, confidence and community. This new professionalism requires four things: it needs a leadership that understands and embraces accountability; it must have at its core a strong focus on legitimacy, understanding the evidence about how it is delivered and how to provide a responsive service; it must successfully combine both innovation and an evidence base; and it must foster a degree of coherence across European policing. Great challenges now face policing, but the uncertainty of the contemporary landscape also promises a real opportunity for police leaders to shape a profession that can withstand the demands of tomorrow.

# Recruitment, education and careers in the police: a European longitudinal study

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(2010 Conference in Oslo)

What characterises the kinds of people recruited to police work? How are they shaped by police education and socialisation into the profession? And how do different systems of police recruitment and education impact on the attitudes and views on police work of the new police officers produced by these systems? These are fundamental questions for police science as well as for institutions providing police education.

However, at least until recently, there has been surprisingly little systematic comparative and longitudinal research on recruitment to the police and the impact of police education and police practice on new police officers. Until now, there have only been longitudinal studies of police students and new police officers limited to single countries or cities: in the USA (Van Maanen 1973), in the UK (Fielding, 1988), in France (Monjardet & Gorgeon 1999), in Australia (Chan 2003), in Canada (Alain & Grégoire 2008), and in Sweden (Lauritz 2010). Unfortunately, although these different national studies are all longitudinal, they have used different methodological designs, questionnaires or interview guides, thereby producing data which are not directly comparable. It is, of course, possible to compare and discuss the findings from these different national studies, and then the fact that methodological designs are different may even be a strength, as quantitative and qualitative studies with different questions and time spans may provide complementary insights. Still, these studies do not provide comparable data.

## A comparative and longitudinal research design

It is a widely held view in CEPOL circles and among many police researchers that there is a great need for more comparative policing research in Europe. However, it is not always clear what comparative research really means. In the CEPOL study on Police Science Perspectives: Towards a European Approach (del Barrio Romero, Bjørgo, Jaschke, Kwanten, Mawby & Pagon 2009) two very different views on comparative research on policing were expressed. One position held that comparison in the field of policing is mainly 'exchange of information and experience into systematic ways of learning from each other' (pp. 181-182). The other position held that:

What is needed is not more 'comparative seminars' where representatives from different countries tell their stories about how policing is in their countries. Without comparable data, such exercises are of limited value. A far more ambitious approach is to develop systematic comparative studies based on shared methodological instruments, used to collect and produce truly comparative data. National differences can then be used as variables to test hypotheses, build theory and evaluate practices in policing [1].

The research project presented in this paper is clearly an example of the latter approach to comparative

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[1] This statement was written by the author (Tore Bjørgo), as one of his contributions to the joint CEPOL study, which incorporated opposing points of view on several issues, on p. 93.

research ([2]). Our research design is based on a longitudinal survey instrument developed by the Centre for the Study of Professions at Oslo University College, the so-called StudData survey ([3]). Their original design was to present the respondents with partly identical sets of questions during different phases of their careers to register a development of attitudes, preferences and adoption of norms. The questionnaires are distributed to the students in four phases: at the beginning and end of their education, and three years and six years into their professional life. Thus, some core questions are repeated in the various phases, and other questions are added to relate to their specific professional situation. The respondents are anonymous to the researchers, identifiable only through a coded ID key (kept secure and separate from their questionnaires) to protect their identity and privacy. The methodology makes it possible to trace changes at individual as well as at group levels.

So far, 20 professional (mainly Bachelor's) programmes and 11 Norwegian universities and university colleges have participated in the project, comprising students from professional educations as diverse as teachers, social workers, engineers, librarians, nurses, journalists and medical doctors. A large database with comparable longitudinal data is now available for researchers. For some of the programmes, two or three panels (cohorts with some years in between) have been studied.

Hence, the original StudData design makes it possible to compare students from different professional educations, how their values and attitudes change through the four phases of their education and careers, and also compare how different cohorts may differ.

The idea to adapt the StudData design to police students/officers was first presented by this author in the original 2007 CEPOL report *Perspectives on police science in Europe* (pp. 80-81; p. 93 in the expanded

2009 version). In that initiative, the original StudData design was pushed one step further by introducing an international comparative dimension. This is of particular interest in European police research, since we know that systems of police education and training varies considerably throughout Europe, with three-year Bachelor's degrees for all new police officers in some countries, and ten weeks of formal training combined with on-the-job training in some other countries. The status and trust of the police in the population also differs much in various European countries. The StudData research design with an added cross-country comparative dimension would then be the perfect methodological instrument to test the impact of these different systems of police education on who are recruited to the police, how their education/training shapes their values and views on policing, and how exposure to the field of practice and socialisation into police culture impacts on their attitudes and outlooks.

Since 2008, a group of researchers has worked together to develop this design into an ambitious European comparative and longitudinal study of recruitment, education and careers in the police. The initial group consisted of researchers from institutions providing police education in Norway, Sweden and Finland. Selecting the most relevant parts of the original StudData questionnaire, they added a number of police-specific questions to bring in some of the core issues of police science into the questionnaire ([4]).

A draft version of the questionnaire for new police students (phase 1) was tested in Norway and Sweden in 2009 ([5]). Researchers from similar institutions in other European countries were also invited to join the project. By autumn 2010, institutions of police education from ten European countries were committed to take part in the project:

- Norway

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([2]) Other good examples of truly comparative studies are Johannes Knutsson's study of the police use of fire arms in the Nordic countries (Knutsson 2005) and Wouter Stol's study of 'Policing the streets of Europe' (included in this volume).

([3]) See the StudData homepage: http://www.hio.no/Enheter/Senter-for-profesjonsstudier-SPS/StudData (2010-12-14). A longitudinal research design is a study that involves repeated observations of the same items over long periods of time.

([4]) Some questions taken from from the European Social Survey on political orientation and trust in other people were also included in our questionnaire, to allow for a comparison between the attitudes of police students/officers and the general population in the relevant countries.

([5]) The first study based on data from the pilot study was presented at CEPOL's Research and Science conference in Oslo in October 2010, by Silje Bringsrud Fekjær on 'Police Students' Social Background, Attitudes and Career Plans'. The study is now submitted for review in an international journal.

- Sweden

- Finland

- Iceland

- Estonia

- Germany (Hessen, Thüringen, Brandenburg, Hamburg)

- Belgium

- Hungary

- Slovenia

- Spain (Catalonia) [6].

By including this wide range of European countries with different systems of police education, police organisations and styles of policing into the project, it will expand the range of differences and thereby the possibilities for fruitful comparative analysis. These data collected on the basis of our research design will make it possible to do comparative analysis along at least four dimensions:

- Longitudinally — how individual police students change over time as their careers progress

- Between different cohorts — e.g. before and after educational reforms

- Between countries (and institutions within countries)

- Between professions — how police students differ from e.g. teacher/nurse/social work students

## How can this project contribute to the development of police science?

Police science is a new interdisciplinary and applied discipline, emerging in response to the development of the police as a knowledge-based profession rather than as a craft. Police science has been described as 'the scientific study of the police as an institution and of policing as a process' [7]. How can the police version of the StudData project contribute to the development of police science? Which core questions and issues of police science may then be addressed (and possibly

answered) by this kind of comparative and longitudinal data? Here are some examples [8]:

What characterises persons recruited to the police education and profession? This may be analysed by such dimensions as gender, age, geographic (urban/rural) and ethnic origin, class background, prior education and work experience, values and attitudes in relation to general political issues as well as issues related to views on policing and crime, motivations for joining the police and expectations of their own future in the police profession. In what ways do police students differ from students seeking other types of professions (such as social workers, teachers, nurses or journalists) in terms of motivation or identification with the profession?

How does the police education process influence the values/attitudes, motivations and expectations of the police students? In what ways are police education and training socialising them into a police role? Do their values, motivations and expectations change during their time of study? Measurements at the beginning and end of their education may provide some answers.

How does experience with the field of practice by working in the police and among police colleagues influence their values/attitudes, motivations and expectations after three years or six years of police work? Are they able to maintain their idealism or do they become cynical towards the public and their organisation or leaders? There are strong reasons to expect that socialisation into such a strong 'community of practice' as the police force will have a powerful impact on the values, attitudes and outlooks of the individuals. To what extent do new police officers become less trustful in other people as they gradually integrate a police role as part of their personality? Does this exposure to the field of practice make a stronger impact than police education did? To what degree do the new police officers take further education or academic degrees? What are their professional ambitions? Do they end up in the positions and specialisations they aspired to at an earlier stage? Is there any link between what attracted them to the police education early on and what they actually end

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[6] The two first participant countries carried out data collection for Phase 1 during August and September 2010: Norway (N=637, response rate 88 %) and Catalonia (N=1282, response rate 98 %). The other countries will follow suit in 2011.

[7] This definition is provided by Romero, Bjørgo, Jaschke, Kwanten, Mowby & Pagon (2009). Police Science Perspectives: Towards a European Approach. Extended Expert Report. Frankfurt: Verlag für Polizeiwissenschaft, p. 30.

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[8] Ibid, p. 93.

up doing? Do they stay in the police force or do they leave the profession?

Are there significant differences between the types of persons recruited to police education in the various European countries in terms of background and motivations? If so, to what extent can this be explained in terms of different types of police education? If measurements are made before and after a major reform in police education in the direction of a more academic Bachelor's education, as will take place in several European countries during the next few years, it might be possible to study the impact of major changes in police education on the backgrounds and motivations of the new students ([9]). To what extent may such reforms in police education also impact the police and police culture in the long run? Findings might be of considerable interest to police organisations in other European countries who are considering reforming their police education systems.

How can police education improve police practice? Significant parts of the StudData questionnaire have an evaluative purpose: to improve the pedagogical quality of the teaching and learning methods; the social experience of the police students at their place of study; and the relevance of their study in relation to their future profession as police officers. By comparing different curricula at different police educations in different countries it might be possible to identify better (if not 'best') practices.

Does diversity in policing matter? In most European countries, there are strong efforts to change the gender and ethnic composition of the police to reflect the population better and provide better police services to all segments of the population. Do female police students/officers experience their education and professional practice differently from the way men do? Do students with an ethnic minority background experience this differently from police students/officers with an ethnic majority background? How do gender and ethnic background impact on other variables in the survey, such as values or expectations for future employment?

## Final remarks

These core questions in police research can be studied — and to a large extent answered — through the data sets that will be collected in this comparative and longitudinal study of recruitment, education and careers in the police. The project will also facilitate practical collaboration between police researchers in many European countries. These kinds of comparative studies, based on shared methodological instruments, used to collect and produce truly comparable data, are necessary if we want to develop police science as a discipline. National differences can then be used as variables to test hypotheses, build theory and evaluate practices in policing in Europe.

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([9]) When Norway in 1993-1995 changed its police education from a two-year vocational type of education into a three-year college education (eventually to become a bachelor degree under the Bologna system in 2005), there was a clear impression that after this educational reform, the Police University College recruited a different type of students with a different background and somewhat different attitudes than before. The general view is that the change was for the better. However, there was no effort to study systematically whether this was actually the case, which was obviously a missed opportunity for evaluating the reform. Other countries planning for educational reform may seek to capitalize on the outcomes of an extensive evaluation of their police educational system by joining the StudData project, which provides an excellent tool for this task.

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### Postscript (January 2017)

RECPOL, as the project is now named, has evolved considerably since the article above was originally written in late 2010. The list of participating countries (on page 260) has changed. Finland, Germany, Estonia and Hungary dropped out of the project for various reasons. On the other hand, Denmark joined the project in 2012 <check>. Thus, in the end seven countries actually participated: Norway, Sweden, Denmark, Iceland, Scotland, Belgium, and Catalonia in Spain. Most of these countries started data collection for phase 1 in fall 2010. By spring 2016, phase 1 and phase 2 data have been collected in six of the seven countries. The exception is Scotland where data has only been collected for phase 1. Phase 3 data (three years into practice) is now being collected in several countries but not yet analysed. After tedious checking, a complete data file (SPSS) with phase 1 and phase 2 data of all participant countries was made available for comparative analysis for the research team in May 2016. The first results were presented at the European Society of Criminology (ESC) conference in Münster in September 2016, in the form of nine papers presented at two consecutive panels. Some of the findings were also presented at the CEPOL conference in Budapest in October 2016. Revised versions of these (and some additional) papers will be published in a forthcoming edited volume with the working title "Police Officers in the Making". A second volume is planned at a later stage, when we have collected and analysed data from phase 3 and 4, where the new police officers have gained three or sex years of experience from the field of practice.

The presentations at the ESC and CEPOL conferences aroused interest among police researchers from several countries in Central and Eastern Europe and some of them decided to join the RECPOL project. This includes at least Georgia, Hungary and Slovenia, possibly more countries as well. This will be of great comparative importance as the original group of participant countries were predominantly from Northern and Western Europe. A broader range of countries, representing a greater variation in police cultures and political contexts, will provide significant added value to the RECPOL database and to police research in Europe. Although these countries came on board too late to be included in the first edited volume, their results might be included in the second RECPOL volume. Furthermore, the RECPOL data will eventually be made available to other scholars. Thus, the RECPOL data base will be a treasure for police researchers in years to come.

**Tore Bjørgo**
Coordinator of the RECPOL project
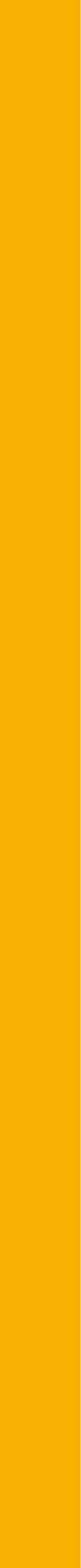
# Cooperation in policing in Europe — current trends and future challenges

**Graham Hooper**
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## Introduction — some points to bear in mind

This is but one view — a UK view — although it is grounded in research and professional input from others across policing. Some of the issues touched upon are not predictions and forecasts, but they are based on scenario thinking and serious analysis of future trends which may be important and relevant for all police organisations across Europe. They are put forward to stimulate discussion and debate, not to seek to direct policy.

The only thing that we can be certain of in the policing environment in which we work today is uncertainty, unpredictability and challenge. They are the constants that we all face.

Within this context, the areas the following areas will be addressed:

- Challenges for European policing
- Cooperation in policing — what to do
- Other areas of potential EU cooperation
- Policing — the direction in England & Wales
- Areas where the police research community may be able to help
- The relevance of evidence-based policing

## Challenges that may face policing agencies and organisations across Europe in the next decade

First, organised criminals continue to operate faster, more flexibly and on a truly global scale. This has important consequences for cooperation and collaboration between policing organisations, particularly in the areas of drugs, fraud, illegal immigration, and money laundering — internationally inclined crimes. These kinds of crime types will be driven increasingly by changes in world population and through the continuing integration of the global economy.

Illegal migration in particular is likely to grow and become an ever-increasing problem. The principle destinations for these markets, both in illegal migration and drugs, are likely to remain in the developed world, including Europe. Organised crime will show its ever present ingenuity and flexibility to identify new markets and readily fill any vacuum or opportunity that exists. The inventiveness of criminals to find ways to exploit situations and to create ill-gotten gain for themselves is astonishing. One need only look at the way in the UK there has been a massive rise in the production of cannabis through hydroponic factories in ordinary domestic homes. These are now a major source of drug production in the UK. It has a global dimension too, evident by the fact that many of these cannabis factories are operated by Vietnamese illegal immigrants. This is a good example how cross-cutting dynamics and trends in crime are challenging us all in policing.

Many traditional forms of organised crime will continue though, although new ways of committing them and new ways of exploiting them will emerge, particularly through the use of technology. It is also conceivable that new crimes will arise and new markets will emerge, sometimes through the consequences of new legislation or enforcement. For instance, competition around resources, land, water and food create new criminal opportunities. Efforts by governments to tackle global warming create opportunities through trading of emission schemes and the opportunity for fraud. And variations between enforcement and approaches to tackling these problems generate the opportunity for criminals to exploit them. There are new opportunities for exploitation around man-made and natural crises. The potential around illegal migration and fraud (through false insurance claims) in post-disaster situations is something that we should particularly be aware of.

Evidence exists too of organised criminal tactics by mixing several markets at the same time, often illegal and legal together. The merging of logistical and financial systems together can cover and obfuscate the illegal side of operations.

Law enforcement officers need to be careful about building and sustaining silo operations, be it in drugs, people trafficking or fraud. These are entirely artificial constructs in the criminal world and sometimes — perhaps in more instances than we may care to acknowledge — simply cause barriers to the way that police organisations operate to combat international crime. This is one area where the research community can perhaps play a part — to look at the increasing merging and general metamorphosis of criminal operations, and see how international and national police structures match against that in terms of effectiveness.

## Suggestions on how to better cooperate and better tackle the problems of international crime

The need to share and collect intelligence together on new crime trends and new types of crime that are developing across Europe and beyond is particularly crucial. This is a way of stopping new crimes at an early stage of their evolution and to frustrate new enterprises by criminals. We also need to think about how we can better work with other partners across Europe, particularly with organisations that are not police related. The financial sector is crucial here; we should be working together to frustrate the ability of criminals to use legitimate mechanisms to further their own criminal activities. There is still more that can be done on improving our understanding of how legitimate businesses are at risk to being unwittingly merged and intertwined with criminal activities.

There are things that we can do to protect legitimate businesses from being infiltrated by criminals. In the UK this is referred to as 'target hardening' and in one sense it is really no different to the approach that one might take to protecting a domestic house against burglary. There are opportunities to do this across Europe — to make vulnerable legitimate businesses less of a target to criminals.

There is also scope for cooperation in preventing criminals from assuming legitimate business positions, for example as company directors. Government and police organisations are pushing hard on seizing the assets of convicted criminals and one of the more lateral ways of doing this is to use the taxation system as a weapon against criminals. The UK is exploring ways in which this can be used to frustrate and penalise those who are engaged in serious and organised criminal activity.

Enforcement agencies can link together to look at disaster situations and to stop them from being vulnerable to criminal exploitation. It would be interesting to take that kind of issue away and look at what happens in certain disaster situations — to see how criminals exploit them, either by fraud, siphoning off aid or using other innovative ways of illegal exploitation.

And of course, a perennial plea on cooperation is to continue to look for ways to bring new legislation and operational procedures together in Europe to tackle these kinds of problems.

## Challenges for European policing

The market in drugs, illegal immigration and money laundering — what is sometimes referred to as 'old crimes' — will probably continue to grow but become more complex because of the use of technology. Such

criminal activity will also be aided (inadvertently) by the general phenomenon of globalisation.

The use of the internet and electronic communications will grow and be exploited by criminals and criminal networks. The fact that ever-increasing amounts of *public* data are stored by government bodies and police agencies also creates new opportunities for criminal exploitation. Safeguarding these huge sensitive databases presents enormous problems for the police and other public bodies in terms security and preventing criminal attack.

In the UK there have been serious problems with regard to data leakages and information security lapses. Some instances occur simply through accidental exposure, but whatever the circumstances they cause immense public insecurity and concern. This is perhaps another area where the research community could bring its expertise to bear — to look at the issues surrounding information security and how to protect sensitive data in a complex world.

Other challenges include social networking sites and online 'worlds' which grow apace. There are clearly opportunities here for criminals to exploit this area both in terms of finding new victims of crime, but also to meet, plan and execute their crimes.

One other challenge exists here and it is perhaps one which we are not yet giving sufficient thought to at the moment. It is internal to our organisations and it revolves around having the right people with the right skills to tackle the new trends in international crime. Changes and developments to the banking, finance and information technology sectors will create demands on police organisations in terms of securing the employment of people with the necessary expertise to assist police officers/investigators in tackling these kinds of crimes. Recruiting and retaining such staff in a very competitive employment market will require much attention.

## Cooperation in policing — what to do

The desire for real-time, cross-border intelligence and enforcement operations remains as high as ever and there are still things that we can do better, perhaps smarter, in that area. It is not without its difficulties

of course, but some of the infrastructure is in place now and we should be able to operate much more effectively with regards to intelligence now some of those building blocks are in place.

Aligning legislation and laws, criminal investigative procedures and interoperability generally is still very much at the top of the agenda for European police cooperation. It certainly is of very high importance in the UK. This is a difficult and sensitive area, but the more we can do, the more likely we are successful in tackling organised and serious crime across Europe.

More information sharing and joint analysis of intelligence in criminal trends is unquestionably also still required. We have some things in place; the Swedish initiative is just about to take off with the sharing of intelligence between Member States. Schengen, of course, offers the opportunity to better tackle crime as do some aspects the Prüm Treaty. But more still needs to done and one way to do that is to look at how we exploit new technology in policing. There may be potential to share costs for both development and procurement. Experience in the UK has shown our own ability to integrate systems of intelligence and criminality information remains highly problematic and we still have work to do to achieve a fully joined-up system. To do it across Europe is even more complex and challenging, but it is certainly something we should look to for the future.

## Other areas of potential EU cooperation

Joint investigation teams have much potential and there is legislation in place now that provides for these to operate. However, there appear to be some issues around that are impacting upon their effectiveness. Perhaps if we are looking for areas within policing research that could help European police practitioners, then joint investigation teams may be a good one to examine.

On police training and exchanges, there is still more that could be done. Suggestions have been made of increasing the number of exchanges between police officers particularly in areas where there are high numbers of tourists. This could help in terms of dealing with instances of crime and problems between short-term visitors to a particular location in Europe. The

European Police College (CEPOL) continues to provide a number of training and networking opportunities for police officers across Europe. We believe that CEPOL could look to broaden and expand its training opportunities through involving police officers and police staff at other levels.

As mentioned, the Swedish initiative is clearly an important step in information exchange between EU countries at the law-enforcement level. It will be interesting to see how it embeds itself in terms of exchanges of intelligence between Member States.

In relation to police equipment and communications, there are some interesting areas that could be examined around the joint development of equipment, be it technical or otherwise between police forces across Europe. There is a feeling in the UK that if we could get greater standardisation of the use of equipment between our own existing individual police forces, it would be a strong and powerful enabler towards the goal of interoperability. More generally, it would also facilitate much closer and frequent joint-operations between police forces.

Although it may appear to be a less important area of development, we should not overlook the way the standardising equipment — particularly communications and other critical operational tools used by police officers in their day-to-day work — may in itself draw police agencies and organisations much closer together. This approach can sometimes actually work faster and be more effective than working on large, set piece, cross-European policing protocols.

## Policing — the direction in England and Wales

The UK government recently published a consultation document on the future of policing in England and Wales. The title itself gives you a clue as to where things are going in England and Wales — 'From the Neighbourhood to the National: Policing our Communities together'. There is a strong emphasis in this consultation document on linking crime at a very local level, right up to the national problems of counter-terrorism and major and serious and organised crime. There is a very conscious effort in the UK to see where

areas of criminality link together and to match policing resources and capability to deal with these challenges. Strong emphasis is also placed on meeting public expectations around tackling crime. A whole section of these proposed reforms deals with improving the connection between the police and the public, for example the introduction of a new 'policing pledge' to the public about minimum services to be expected by police in a number of key areas.

There is also a desire to professionalise and free-up the police from unnecessary bureaucracy, streamlining national police processes, and allowing police officers and police staff who support them to be able to get on and do the job they need to do.

Mobile technology and mobile data is a prominent area in our police reform and modernisation efforts. Hand-held mobile devices have been introduced recently to allow police officers to have better information and *instant* access to data and intelligence. We wish also to develop our workforce further; to pluralise it. By this I mean we intend to continue to challenge the long-held notion that the police officer (only) should hold such a wide range of operational roles, and instead to look at how police staff can fulfil *some* of these, thus allowing police officers to concentrate upon the areas in which they are most effective and for which they have been specially trained.

There are also significant changes to the performance management of the police in England and Wales. In particular the government have swept away many of the targets that were set for police forces and are now concentrating on just one indicator of the success of the police — public confidence in them to tackle crime and disorder. Public confidence will be the only performance target that the government will look at in terms of the success or otherwise of the police. It will be interesting to see how that affects the way in which policing operates in England and Wales.

Finally, there is an interesting debate going on in Britain about risk in policing. There is a feeling in the UK that the police service became, over time, preoccupied with risk and risk aversion; that our general approach became predominated by risk in a negative way. This culminated in an ever-growing amount of bureaucracy and proliferation of processes around policing operations

and activity. But now there is a possibility that we might challenge this approach and put in its place a more sensible response to risk which is, after all, an inevitable part of policing. This is another area which is most fertile for researchers to examine. Risk is a complex phenomenon and one which has very interesting consequences on decision-making in policing. It is one we are keen on exploring further in the UK.

## The relevance of research and evidence-based policing

The goal for all of us is for there to be greater levels of cooperation and integration between social researchers and policing practitioners.

Despite the fact that there continues to be a certain amount of indifference, sometimes even resistance, by some police officers to evidence-based research, there is unquestionably a need for the research community to continue to be assertive and prevail in the aim of getting good, relevant, research findings firmly into the domain of operational policing.

No area of policing policy — be it tackling crime (minor right through to the most serious) or bearing down on public disorder and antisocial behaviour — should be without a strong body of supporting evidence-based research to underpin it. There is a school of thought in policing in the UK now which is growing all the time, that research should have the same place in policing as it has in its sister public sectors of medicine and education. This is very difficult to achieve, but the idea of bringing a discipline and rigour to policing, that one would, for example, find in medicine, is very important and is gaining greater recognition in the UK all the time. The term evidence-based policing is now not an unfamiliar one in police circles.

Police training and education though still needs to be more scientifically orientated. UK initial police training remains quite dominated by legal and procedural input, with some behavioural teaching also included. There is little opportunity in police training to explore proper social research although it is growing and evidence-based policing is a much more familiar term amongst practitioners. Research, though, does still need to be based in the real world of policing and it needs to recognise too how fast moving policing is nowadays.

As much as one requires it to be thorough and methodologically sound, what social researchers in the policing arena must also recognise is that for their work to be truly valued by policing practitioners (as opposed to being just appreciated for its scholarly achievement), their work needs to deliver something of value quickly within a dynamic operational environment. Too often police colleagues dismiss good research because the problem has either gone away or developed into something else. This does create challenges for social researchers but somehow we must bridge the gap. Research and analysis needs to be timely if they are to get the kind of credence and 'connection' to policing that so many of us desire.

But most important of all, research should become a natural part of police education and day-to-day police activity — at the centre and not on the periphery. The underpinning of approaches to supporting improvement in policing in England and Wales is increasingly based upon good, evidence-based research, tested by practitioners and peer reviewed. The input of the police researcher is an increasingly valued one and can only help in all our efforts to tackle crime in Europe.
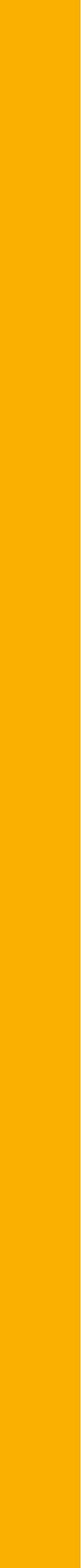
# Innovation in European police forces

**Sabine Vogt**

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(2009 Conference in Bad Hoevedorp)

'Being one step ahead of the situation' — this has always been the wish of police leaders.

In a globalised world that faces new crime phenomena and worsening threat situations at a time of limited resources, the demands placed on police leadership are increasing. Decisions have to be made quickly, should take the situation, the circumstances and the environmental factors into consideration to a large extent — it would be best to anticipate developments.

The good old 'gut feeling' or pure intuition no longer suffice — or never sufficed in the first place. A clear analysis is necessary.

How do we, as the persons responsible, reach decisions? On what basis can we take them and what instruments are available? And how can future developments be taken into consideration?

The BKA has ventured many experiments in this context — and, in my opinion, this is a story of 'trial and error' with a happy ending.

More than 20 years ago, for example, a so-called 'prognosis body' was set up at the BKA which consisted of high-ranking representatives of this office and was tasked with analysing trends and preparing a 'prognosis'. Feasibility? This question remains unanswered — the body has been discontinued. The future remained a secret.

Later, in the mid-1990s, a unit called 'Strategic Crime Analysis' (SCA) was set up. Here, attempts were made to identify foreseeable trends and subject them to examination by using a systematic approach. The topics dealt with included the introduction of the euro etc.

However, a more comprehensive approach was lacking which mainly considered the planning needs and requirements of an internationally functioning criminal police office.

Consequently, the BKA decided to take a further step by newly founding the 'International Co-ordination' division in 2004 and to establish future-orientated corporate planning, taking into account relevant future developments of criminality within the European and international context.

I would now like to introduce two approaches with which the BKA attempted to take these requirements into consideration: early detection and environmental scan.

What do we understand by the term 'early detection'?

Early detection provides a comprehensive, systematic overview of the influencing factors relevant to the tasks carried out by the BKA. The significance of early detection for the BKA is important both for internal command and planning processes (in bodies as well as in the 'Planning and Target Establishment Conference')

and for external processes. Thus, early detection substantiates and promotes:

- the strategically correct prioritisation in connection with diminishing resources;
- the conceptual pioneer role of an authority — especially in the federal system of the German police;
- the future orientation of the authority.

The factors influencing crime development as well as the opportunities and risks for the BKA's activities were carefully analysed on a broad basis during the process of early detection. This is also done by identification and analysis of 'weak signals', also from the open-source segment.

In connection with early detection, we distinguish between two fields: geographic and strategic early detection.

Geographic early detection consists of the country reports and analyses and the regional analyses. The analyses are made up of various sources and information that have to be compiled systematically. The purpose of geographic early detection is to evaluate a country or region's significance regarding security-situation and criminal-politics, to recognise developments in that field which might interact with the security-situation in Germany and finally to develop proposals of measures to act.

Strategic early detection in its current form is a relatively new instrument at the BKA. It has been developed systematically since 2004 and has been integrated into a process that encompasses the whole authority.

The early-detection approach of the BKA is made up of four fields and concentrates on developments which will determine the next five years. All four elements form the basis for 'setting objectives, strategy planning and prioritisation' at the BKA.

The first field is 'situation reports and analyses' — these situational tasks are covered by the operational fields such as trafficking in human beings, drug crime, international terrorism etc.

This information is supplemented by phenomenon- and offence-related information obtained from the operational fields which forms the second element.

Both aspects are the basis for the expert strategies.

The third subject areas are the field of criminalistic-criminological research and technological monitoring. While technological monitoring predominantly recognises technological developments relevant to the police in good time and should check them for further development and use, it is the task of research to also address long-term assertions and developments (over a period of five years).

The fourth element is the environmental analysis which is the (product) basis of strategic early detection formed by the environmental scan. Here, the environmental scan topics society, technology, economy and politics (the STEP approach: social, technological, economic, political factors) are monitored continuously and systematically. New developments, tendencies and trends — but also 'weak signals' from other aspects than the above STEP factors — are detected at an early stage (environmental scan).

This STEP approach deals in the sociological scan ('S') with aspects like demography, matters on families, religion, migration and integration. The technology ('T') issue relates to influences of future technologies and data networks while the economical ('E') developments include the economic and social situation of the population. The political scan (P) includes questions of political understanding and participation, fear of crime, private security agencies, international police missions and developments of European internal security.

The challenge of the strategic early detection lies in the specification of relevant key factors, their relevance to the current situation and the problem of how to measure often weak signals. Other issues are the collection of well-founded data, the abstraction level, the different time horizons and, in an organisation, the involvement of decision-makers in this process.

The STEP approach is performed by a team of BKA researchers and experienced police officers. They collect, analyse and evaluate the necessary information and data. Furthermore they interact constantly with

the operational departments and the research and technology units within the BKA. Of course the process involves a lot of time and effort. It is repeated annually and is implemented in every organisational unit of our office. The 'top down — bottom up' principle is actively lived as a principle of countervailing influence.

One of the instruments used for this whole process is the scenario technique. The technique which is well established by big companies around the world consists of different systematic steps. For a police organisation using the scenario technique is still something quite new and the results and consequences of it are often under discussion. One reason for that is that expectations for concrete results sometimes might be too high.

For using the scenario technique a lot of challenges have to be faced. It starts with a definition of the problem, then the relevant key factors have to be extracted, a projection must be formed and then, finally, the relevant scenarios must be developed. The scenarios are created in the form of a best-case scenario, a worst-case scenario and a trend scenario. For each of them different options for acting then have to be developed.

As mentioned before, the early-detection process forms the basis for 'setting objectives, strategy planning and prioritisation' at the BKA. This is one of the most important matters for leading a big police organisation with a broad range of tasks.

As a recommendation for organisations considering implementing such a process the exchange of knowledge and experience with other agencies like the BKA should be sought. This might help to avoid mistakes and to invest money and personnel in the right place. Also for the use of scenario technique it is recommended to look for professional support from specialised companies. The BKA is still using external support from the private sector when it comes to this technique. Everybody familiar with the market situation knows that this is quite an expensive investment. So the definition of the key questions must be well set.

I was often asked for what reasons we as a police force are putting so much effort into this approach which seems to be time-consuming, expensive and expects no clear results.

The answer is simple: we want to do better!

A large number of factors and underlying conditions determine our actions. The environment for policing is much more complex than years ago and our current decisions lay the grounds for our future success as a police organisation.

Early detection and the environmental scan based on this offer the police management a possibility of gaining analytically supported principles for decision-making.

Thank you for your attention!
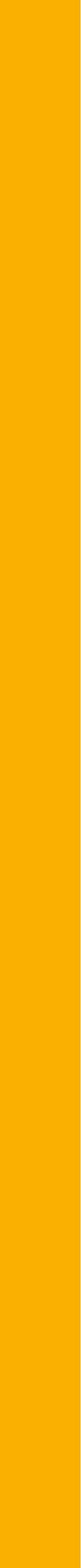
# Cyber-policing: the role of the police in fighting cybercrime

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(2009 Conference in Bad Hoevedorp)

## Introduction

The recent growth of ICT (¹) has brought all the opportunities provided by its global character and easy usage of new technologies for the development and facilitation of business processes or communications in the legal sector and within wider society. At the same time, it has also provided new possibilities for criminals who can exploit the same advantages offered by these technologies. The growing number of internet users offers society the perspective to speed up communications in everyday life and for commercial purposes, to lower the transactions and the costs of doing business, to increase the availability of information for educational purposes and to facilitate the development of such services as e-government. However, with the creation of new opportunities for economic and social development, the distribution of new technologies changes the criminal landscape and generates challenges for government and society with regard to the use of these instruments for criminal purposes. Cyberspace constantly remains the greatest source of different illegal activities that include not only new types of crime, such as hacking or malicious codes and programmes, such as 'spam', but also the migration of traditional crime, such as child pornography, fraud and copyright infringements to the ICT networks.

The fight against cybercrime requires the adoption of effective substantive criminal legislation and procedural instruments that allow for the investigation and

prosecution of the misuse of the ICTs for committing crime. In addition, the international dimension of internet-related crime and the cross-border nature of ICT networks also evoke the need for harmonisation of legislative approaches and coordinated actions in preventing and investigating cybercrime on different levels: national, regional and international (Gercke, 2006, 2009). Furthermore, since the networks are mainly privately owned, the comprehensive strategy of addressing cybercrime also includes the development of the tools for effective cooperation with industry, the private sector, encouraging the application of co-regulation and self-regulation tools. Every actor in this multi-stakeholder environment of fighting and preventing crime in cyberspace faces a number of challengers, that could be either general problems emerging due to the global nature of internet or unique issues related to the changing nature of duties, responsibilities and functions of the stakeholders which used to operate in the real world and are now in charge of addressing crime in cyberspace. The police as a body responsible for maintaining public order and detecting, monitoring and preventing crime is one of the actors on this scene that faces great number of challenges (Wall, 2007) related to the migration of old crime to the ICT environment and the emergence of the new forms of criminal activity (Quille, 2009; Kozlovski, 2005; Wall, 2007).

This chapter provides an analysis of the problems that police organisations are currently facing as a result of new threats emerging with the spread of communication technologies; and investigates the opportunities for

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(¹)  Information and Communication Technologies.

addressing the problem of policing cyberspace. The first section examines the role of the police in fighting cybercrime and the problems of addressing the new threats in this area, while the second part focuses on the opportunities for developing new tools to meet the challenges, capacity building and possibilities for cooperation. Finally, conclusions are drawn to highlight the need for reviewing the concept of police activity in the real world to address the challenges emerging in cyberspace, as well as the necessity for capacity building and cooperation in a multi-stakeholder environment.

## The role of the police in fighting cybercrime: problems and challenges

The existing approaches to fighting crime in the real world often do not work in cyberspace or cannot be applicable to the misuse of ICT for criminal purposes. The development of a comprehensive approach addressing different aspects of cybercrime goes along with the unique challenges that are new for legislators as well as for investigatory bodies, and must be taken into consideration when developing strategies to fight crime in virtual world:

- Number of users. The spread of internet use in people's everyday lives and as a way for doing business is the driver for dramatic growth in the number of users in recent years. In 2005 the number of first-time internet users in developing countries exceeded the number in industrialised states. (Development Gateway's Special Report, Information Society — Next Steps?, 2005) The increasing number of users connected to the global communications network represent a challenge for policing cyberspace because, firstly, one of the main weak points which presents an opportunity to criminals is the lack of the understanding of individual security online along with the application of social engineering techniques (Rash et al., 2009); and, secondly, while identity theft, spam and phishing activities can be performed automatically (Berg, 2007; Ealy, 2003) without investing much money or effort, it is very hard to automate the process of investigation (Gercke, 2009, p. 65).

- The availability of tools and information. The internet was designed as a network with open access to information, and nowadays criminals can easily find either information or tools to commit crimes online (Gercke, 2009, p. 65). The availability of

software and devices that allow hacking password protection, automating attacks, the possibility of using search engines and robots for illegal purposes (Long, Skoudis and van Eijkelenborg, 2005; Dornfest, Bausch and Calishain, 2006) and instructions on how commit crime offline facilitate the development of crime both in the real world and in cyberspace.

- Difficulties in tracing offenders. The different possibilities for hiding identity in the global ICT networks, and the various tools and ways for anonymous access, surfing and communications make it really difficult for law-enforcement agencies to trace offenders (Lovet, 2009). The opportunities for using proxy servers, anonymisers, unprotected public wireless networks (or breaching the passwords of wireless networks) and the use of anonymous communication services (Gercke, 2009, p. 75) are widely exploited by cybercriminals. When criminal activity involves different states, it is very hard to investigate such offences involving both an international aspect and hidden identity.

- Missing mechanisms of control (Gercke, 2009, p. 75). The internet was not designed to be governed vertically. The horizontal structure and decentralised architecture of the network impede control over activity on the internet and hamper the investigation of crimes committed in cyberspace. The co-regulatory and self-regulatory approaches of the private sector and cooperation with owners and operators of the infrastructure as well as with internet service and host providers are necessary when addressing the problem of ICT misuse (Sieber, 2010; Sieber 2000, pp. 319-399).

- The absence of borders in cyberspace and the international component of cybercrime. Criminal law and criminal investigations are considered a question of national sovereignty, while the protocols applied for internet data transfers are based on the most optimal routing meaning that data transfer processes go through more than one country (Sofaer & Goodman, 2001, p. 7). Moreover, since cyberspace has no borders, criminals and victims can be located in different countries or even different continents, which requires the cooperation of all countries involved in an international investigation (Putnam & Elliott, 2001, p. 35 et seq.; Sofaer & Goodman, 2001, p. 1 et seq.). However, the permission of the local government when exercising investigations on other states' territories is required under the principle of national sovereignty (2) (Roth, 2005). While it takes time to meet formal requirements for cooperation, the investigation could be often hindered (Gercke, 2006, p. 142; Sofaer & Goodmann, 2001, 16), evidence and traces are usually very vulnerable and can disappear

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(2) National sovereignty is a critical principle of international law.

a very short time after a crime is committed. The states, which have no frameworks for cooperation on cybercrime issues, can become safe havens for offenders that want to hamper the process of investigation. Furthermore, the internet still makes it possible to be physically present in one state while committing a crime in another state; offenders can also exploit gaps in substantive criminal law, by operating from countries that have no effective cybercrime legislation.

The role that the police are supposed to play in fighting cybercrime, is challenged by all these issues. Not only investigation of crimes in cyberspace is complicated, but also policing of cyberspace in general tends to be impeded. It is very hard for police units to start investigations because of the low visibility of such crimes and the lack of reporting (Lovet, 2009, p. 69) that could happen due to different reasons: from the unwillingness of commercial entities, especially financial companies to report to the police on account of reputational questions and negative publicity to the lack of knowledge that such a crime could be reported or lack of trust in the police (CSI and FBI, 2004, 19; Wall, 2007, 193). Because of the low reporting rate, lack of resources and under-reporting law-enforcement agencies have no possibility to investigate and prosecute more than a 'tiny fraction' (Vogel, 2007) of what is happening in cyberspace. Moreover, it is very hard for police units to justify the impact on public interest of initiating an investigation, especially in the case of a low impact, single crime with the one victim (Wall, 2007, p. 191). Since use of internet and ICT technologies provides offenders with the opportunity to create aggregated revenue with low impact on one victim (e.g. stealing 1 euro millions of times rather than millions of euros only once), one of the most important challenges for the police is the justification of a public order breach and the initiation of investigatory procedures.

Furthermore, the next biggest challenge is the principle *Nullum Crimen, Nulla Poena Sine Lege* (Hall, 1937, p. 165) that plays a critical role in policing transnational and borderless cyberspace. Differences in criminalisation of various offences, cultural dissimilarities in consideration of the seriousness of the crime, the great disparity in what should be considered illegal, especially with regard to some sensitive areas like religious offences harden the process of cross-border investigations, sometimes even making it impossible. The issues of

jurisdiction and dual criminality are usually considered a problem for legislators as well as the challenges of harmonisation of cybercrime legislation, however, police units are among those which are most affected by these challenges (Wall, 2007, p. 191).

In addition, finding the right balance between investigatory power and human rights, applications of safeguards and maintaining the open nature of the internet remain very serious problems of internet policing. On the one hand, the missing mechanisms of control, the initial design of the internet and the architecture of the network require the development of tools for policing cyberspace, mechanisms for monitoring ICT networks, prevention and detection of illegal activity in the internet. On the other hand, the initial idea of the internet as a room for open discussions, exchanging and sharing opinions and views, as well as the free flow of information should not be abandoned; thus, the challenge is also to maintain the openness of the network and its further developments that can benefit the legal sector.

Taking into account the demand for new skills to investigate crimes in cyberspace, the necessity to review policing concepts, such as the justification of a breach of public order, the applicability of techniques in policing the real world to the maintenance of order in virtual space, implementation of these instruments in a practical environment remains the highest priority. For instance, according to the Interpol National Central Bureau's (NCB) poll data issued in April 2009, 83 % of national bureaus had dedicated cybercrime units but lack capacity for high-profile incidents (Interpol, 2009, p. 11). Furthermore, the poll shows that 79 % of NCBs have no accreditation standards for advanced skills, 52 % have no national reporting system, only 40 % use Interpol tools such as I-24/7 and 32 % are still outsourcing capability for forensic activities (Interpol, 2009, p. 11). These figures clearly show that even the availability of international tools for cooperation being the prerequisite for addressing the problem of cybercrime, the required next important step is the development of effective mechanisms of utilisation of these tools and preparedness for participation in global mechanisms of cooperation on the national level.

## Policing cyberspace: future agenda for addressing the problem

The unique challenges from cybercrime for policing cyberspace require reviewing traditional approaches to the concept of policing, application of new tools, both legislative and technical, for investigation, development of the skills of working with electronic evidence, ability to cooperate with industry players. One of the critical issues is also the capacity building, because the possession of the new technologies for investigation and detection of crime does not mean the ability to utilise them.

The global context of cybercrime calls for international cooperation and provides the opportunity for a stronger role of international and regional police organisations, such as Interpol and Europol, firstly, in facilitating trans-border cooperation between police units in different countries in policing cyberspace. This area of activity focuses on maintaining the mechanisms allowing effective operational cooperation, that is now conducted in the form of contact points (I-24/7 Network (Interpol, 2008a); ICAID (Interpol, 2008b)) and created the channels for information exchange and sharing (regional working parties, training). International and regional police organisations can assist countries in investigating individual cases [3] where higher-level help is needed due to the transnational character of the crimes or because of the lack of capacity in a particular country, or because of the necessity for independent expertise. Apart from helping police units in investigations, capacity building and information sharing, the focus should be also be directed towards the development of strategic partnerships with the private sector and ICT industry.

The existing initiatives of Europol and Interpol highlight the importance of fighting cybercrime by policing cyberspace, developing the ability to conduct investigations of online crimes and, which is even more

important, by participating in different projects with the private sector to address current threats propelled by cybercrime. For instance, Europol introduced the agenda for fighting cybercrime that includes the establishment of hi-tech crime centres, the creation of the European Cybercrime Platform (Europol, 2008, 14) consisting of analytical work file on cybercrime (Cyborg), a common online reporting system at European level (I-CROS) and a knowledge management platform (exchange of best practices) (Quille, 2009). As part of the agenda, Europol in cooperation with the private sector, conducts a number of training programmes such as Falcone, AGIS and ISEC programmes that are aimed at building capacity among police units; and operates a working group on the harmonisation and coordination of cyber crime training (OSCE, 2008).

On the global level police initiatives are represented by the activity of Interpol (Gonzales, 2006) which regards the fight against cybercrime as a part of a global security initiative (Interpol, 2009), which includes computer forensic, online investigation, training, public-private partnership, review and evaluation of technology and law enforcement. As part of the agenda for the creation of effective mechanisms for policing cyberspace, Interpol intends to operate both on the level of regional working parties (Africa, the Americas, Asia and the South Pacific, Europe, and the Middle East and North Africa) and on the global level, facilitating sharing information within participants. The mandate of Interpol includes the functioning of global 24/7 network which represents an early-warning system between IT crime investigation units in different countries and aims to facilitate operational contacts between Interpol National Central Reference Points (NCRP) for computer-related crime (Interpol, 2008a).

Furthermore, Interpol runs and maintains the Child Abuse Image Database (ICAID (Interpol, 2008b)) that facilitates the sharing of images and information to help law-enforcement agencies identify victims and offenders [4]. The database contains hundreds of thousands of images. Moreover, the system uses image-recognition software to compare details of where the abuse took place to connect images from the same series of abuse or images taken in the same location with different victims (Interpol, 2008b). One of the

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[3]  E.g. in 2008, Interpol was asked by Colombia to carry out an independent forensic analysis of computers and hardware seized during an anti-narcotics and anti-terrorist operation on a Fuerzas Armadas Revolucionarias de Colombia (FARC) camp, in order to establish whether the equipment had been tampered with following its seizure. Interpol's team of forensic experts conducted an independent technical study and issued a report, which concluded that there was 'no evidence of modification, alteration, addition or deletion' in the user files. See: Interpol, Cybercrime, Factsheet, COM/FS/2008-07/FHT-02.

[4]  http://www.interpol.int/Public/ICPO/InterpolAtWork/iaw2008. pdf.

successful examples in which Interpol has exercised its mandate in child protection is the so-called Vico Case that represents an instance of effective international cooperation in solving problems related both to the technical side of ICT and the transnational character of the issue. The work of German police computer experts allowed successful production of clear images of the face of a paedophile, which had been digitally manipulated to mask his image in more than 200 images of child sex abuse posted to the internet. The global appeal launched by Interpol after unscrambling the suspect's face identified him after 11 days as Christopher Nail and facilitated his arrest in Thailand. The identification of the suspect and his arrest required coordinated activities between Interpol and police in several countries (Interpol media release, 2008).

As well as the unique Vico case that combined both legal and technical challenges, there are some long-term projects for police cooperation established to fight child abuse online. For example, the Virtual Global Taskforce (VGT) project was created with the aim of cooperation between Interpol and law-enforcement agencies (police organisations in Australia, UK, Italy, Canada and United States) to address the problem of child pornography and other forms of abuse of minors in cyberspace [5]. At the European level, cooperation between Interpol, Europol and national police authorities in 14 countries across the EU is facilitated by CIRCAMP, a European Commission-funded network of law-enforcement agencies across Europe, including Europol and Interpol, operating with the aim of fighting child abuse in cyberspace [6].

In addition to the projects intended to increase the online safety of minors and investigate cases of crimes committed against children, a number of public-private partnerships have been created on various (national, regional, international) levels with the participation of police organisations to tackle different aspects of cybercrime, cybersecurity and policing cyberspace. Among them are forensic software development projects (e.g. Microsoft's COFEE software designed to help police in conducting investigations

of cybercrimes [7]), the IMPACT project [8], cooperation with social networks such as Facebook, different educational programmes, e.g. cooperation with IT-industry players, such as eBay [9] and academia, various universities conducting training courses and building capacity among police units.

Public-private partnerships nowadays can be considered one of the most promising ways of future policing cyberspace. Since private actors have played a dominant role in driving ICT sector development and innovation, and, as owners of infrastructure or possessors of direct access to it, industry plays a key role in fighting cybercrime. While governments have the power to establish legal order and to enforce it through police and law-enforcement agencies, the private sector has an in-depth understanding of various aspects of infrastructure and communications networks [10], expertise in the changing and converged ICT environment and greater adaptability to the new technologies and their utilisation. The competences and resources of both parties mutually complement each other, creating the ground for voluntary cooperation.

Cooperation between public and private sectors on investigating crimes in ICT networks creates a platform for better understanding of the issue of addressing and preventing cybercrime because neither police nor industry can effectively fight cybercrime alone (*Legal manual for combating cybercrime,* 2003). Law-enforcement agencies need the industry's expertise in complex ICT issues because police and prosecutors often suffer a lack of knowledge in this area, especially in comparison with ICT sector experts. Furthermore, police units often have no capability

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[5] http://www.virtualglobaltaskforce.com/.

[6] http://circamp.eu/.

[7] Microsoft COFEE http://www.microsoft.com/industry/govern-ment/solutions/cofee/default.aspx

[8] The International Multilateral Partnership against Cyber Threats (IMPACT) represents initiatives of training and skills development, security assurance, research and international cooperation programmes. It has the support of key intergovernmental organisations such as the ITU, UN and Interpol. See: IMPACT, ITU calls for borderless cybersecurity http://www.networkworld.com/news/2009/072009-impact-itu-calls-for-borderless.html; IMPACT and ITU's cybersecurity agenda www.itu.int/cybersecurity/gca/impact**.**

[9] See e.g. *Freedom, security and justice: what will be the future?* — Public Consultation, response from eBay/PayPal, December, 2008

[10] ITU Cybersecurity Gateway.

and resources to monitor all volume of suspicious internet communications 24/7 or to collect and store all ICT data. Criminal justice and successful crime investigations therefore depend to great extent on the ICT industry and internet service providers (Vogel, 2007) In turn, the private sector needs government expertise and enforcement power because no matter how big and powerful a corporation is within the ICT market, and its level of expertise and familiarity with the internet, it cannot investigate cybercrimes, network attacks and prosecute offenders because that requires the power of the state. Public-private partnerships can be conducted either as operational cooperation in specific cases or long-term campaigns (for example, cooperation on training courses, or monitoring and blocking illegal content in the internet, or setting up networks of contact points in both the private and the public sector (Vogel, 2007)).

The shared responsibility and cooperation between police and the private sector promises to be an effective way of enhancing the effectiveness of addressing cyber-related threats and also in the fight against cybercrime (Communication from the Commission to the European Parliament, the Council and the Committee of the Regions, 2007). As has been pointed out in a number of studies and publications, such cooperation along with developing co- and self-regulation could deliver even better results than criminal law enforcement (Sieber, 2000, 319-399; Sieber, 2010).

## Conclusions

The fight against cybercrime needs a comprehensive approach including the development, application and revision of technical and legal measures, along with the building of organisational structures to address the problem. Furthermore, addressing cybercrime requires effective international coordination on cyber-related issues that must be built on policy coordination at the national level. (WGIG Report, 2005) The multi-stakeholder approach implemented on the national level has to be coherent with the international harmonisation of tools for addressing cybercrime in order to be efficient. Efforts of national governments in establishing policies and legal measures need to be supported (WSIS Declaration of Principles, 2003) [11] by the technical and economical expertise of the private sector, the readiness of civil society, and facilitated by the activity of intergovernmental and international organisations developing common standards and harmonising approaches. Despite the number of challenges that need to be addressed, police units and organisations, as one of the main stakeholders on the scene of fighting cybercrime, can act as a central spin-off for building links between different stakeholders, establishing cooperation with the private sector and developing the national and international approaches to tackling the problem of ICT misuse.

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[11] The importance of roles of all stakeholders is especially highlighted in the WSIS Declaration of Principles, 2003, available at: http://www.itu.int/wsis/docs/geneva/official/dop.html

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# Ignoring, tolerating or embracing? Social media use in European police forces

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Social media has been accused of many things — from causing 'Facebook riots' to 'gadgifying' and 'disorienting' people. At the same time, they have also been lauded for enabling 'Twitter revolutions', 'unifying' people and even for 'democratising' societies'.

Social media are 'a group of Internet-based applications […] which allow the creation and exchange of user-generated content' (Kaplan & Haenlein, 2010). Compared to previous internet services, social media enable the direct participation of large groups of people in the development of online content. It is this 'participativeness' that creates the proverbial double-edge of this specific technology.

How to deal with the 'double edge' of social media is also an issue for police forces around Europe. Individual cases, on how applications such as Twitter or Facebook led to the conviction of criminals or prevented crimes show the potential of social media for police work. In October 2008, for instance, a status note on Facebook helped solve a case of first-degree murder in the Canadian town of Edmonton, while the Belgian police had a positive experience in using Facebook to prevent violent attacks between hostile groups. No wonder police organisations worldwide have started to adopt social media. According to the latest survey of the International Association of Chief of Police, currently 92.4 % of United States police forces employ social media, and 74 % claim that social media has helped them to solve crimes (IACP, 2012).

Yet, social media also raise serious questions and concerns. The rapid spread of social media services means continuous scrutiny for police forces by a critical public. (As only one example, a search for 'police brutality' on YouTube on 18 March 2013 resulted in 531 000 videos, some with up to 12 million views.) In some European countries approx. 50 % of citizens are members of social networks (e.g. Facebook use in Norway: 55.4 %; United Kingdom: 51.6 %; Macedonia (FYROM): 48.6 %; Netherlands: 45.2 %, as of April 2013) ([1]). In many societies social media is thus widely accepted and used to replace more traditional communication and information channels such as newspapers, TV and radio.

This trend has consequences for police work and the standing of police within the societies they operate. One may remember the fallout after the 'pepper spray cop incident' on 18 November 2011, which saw a single picture of campus police officer John Pike 'casually' pepper-spraying protesting students become the centre of a viral storm against the seeming mistreatment of peaceful protesters and of democratic values more generally ([2]). This would not have been possible without the social media services of reddit, which first posted the picture on its site the same day, and thus provided the seed for its further spread through social media

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[1] http://www.socialbakers.com/facebook-statistics/.

[2] Bayerl, P. S., & Stoynov, L. (2016). Revenge by Photoshop: Meme-fying police acts in the public dialog about injustice. New Media and Society, 18 (6), 1006-1026.

networks resulting in hundreds of new pictures ([3]) and even a Wikipedia entry for the event ([4]).

In social-media themed workshops organised within the COMPOSITE project, as well as informal conversations at conferences and meetings, we encountered many different voices and views about the possibilities of social media — from enthusiastic to reluctant, from resigned to at times downright incredulous. While we cannot give an exhaustive review of these disparate perspectives, a few examples may illustrate the breadths and disparities of opinions.

One part of police forces clearly embraces social media. For instance, in British police forces such as the Greater Manchester Police community police officers are regularly commenting on their current activities on Twitter to their local communities, while the Finnish police in Helsinki have officers exclusively dedicated to 'virtual community policing'. Here, reaching out with social media has become part of the normal daily duty of many officers. Other forces focus primarily on investigative purposes such as soliciting help from citizens for missing people or collecting electronic evidence of crimes.

Another group takes a more cautious stance, considering it more appropriate to 'think more about the risk than about the opportunities' to ensure that social media use does not lead to negative results for police operations or the police image. This is driven by the realisation that engaging on social media can have severe, unanticipated consequences. In December 2010, for instance, a Dutch chief of police was put on non-active duty after infelicitous remarks on Twitter during a running investigation ([5]). An often-repeated question during conversations in this latter group addresses the access to and ownership of own data on Facebook, YouTube, Twitter, etc.: why would you trust public companies (such as Twitter and Facebook) with your data? Others warned to 'be careful not to over-rate social media, as the image of the uniformed police cannot only be solved online'.

Overall, we found that there is a broad spectrum of attitudes and approaches to social media (for a more in-depth review of current social media practices see Denef, Kaptein, Bayerl, & Ramirez, 2012). And even police forces that use social media extensively are aware of their risks with respect to overstepping boundaries, the legality of publishing information, how to resource the services, the need to monitor the mood on the networks, and when and how to engage the public.

Yet, despite the differences in outlooks, it seems there is consensus amongst European police forces that ignoring social media is not an option either.

One of our aims in COMPOSITE is to give voice to the disparate opinions and perspectives in Europe — providing a forum to learn about and better understand these disparate views. This is important, as despite the need for close cooperation, what police forces in one country consider normal practice is often alien to police forces in another country. This is clearly also the case in dealing with social media.

The influence of culture on many aspects of our social or organisational life is widely acknowledged as a fact (Hofstede, 1980; Jacobs, Horton & Bayerl, this book). The intensity of cultural influences on our behaviour across various situations and depends on the interaction between objects and people. Leadership or communication is surrounded by a rich cultural context, and even products such as furniture or food can be classified depending on the richness of the cultural context surrounding them. Technology in contrast is often cited as an example of a so-called culture-free product. In this contribution we question the assumption — also shared by many consultants — that the use of technology is actually culture-free. To better understand the disparate attitudes towards social media in European police forces and their underlying reasons, we conducted a study to obtain a clearer picture of the current social media usage and the degree of general acceptance within European police forces.

In this chapter we report results from this study.

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([3]) http://peppersprayingcop.tumblr.com/.

([4]) http://en.wikipedia.org/wiki/UC_Davis_pepper-spray_incident.

([5]) http://www.nrc.nl/nieuws/2010/12/28/politiechef-op-non-ac-tief-na-tweede-ongelukkige-twitterbericht/.

## Findings on the use and acceptance of social media in European police forces

Our study was conducted in the form of an online survey, which started in May 2012. The recruitment of participants was done through CEPOL contacts in each country, who were asked to distribute the information about the survey and the corresponding link to their national police forces.

In detail we looked into the following aspects:

- the extent to which individuals would be/are willing to use social media (i.e. general acceptance);
- the extent to which social media is perceived as useful (a) for their police force and (b) for police officers;
- the purposes for which social media use is deemed acceptable (based on the categories used in the 2011 IACP social media survey);
- the extent of fit between social media use and (a) an individual's tasks, (b) the values of the police organisation (organisational fit) and (c) the professional values of police officers (professional fit).

To differentiate between disparate groups within police forces we also requested the following information:

- country;
- primary task (community policing, crime investigations, emergency services, intake and service, administrative function, IT development/support, other);

- individual usage (no use, private-use only, work-related use only, private and work-related use);
- usage at agency level (yes, no, I don't know);
- gender;
- age group (< 20, 21-35, 36-50, 51-65, > 65);
- rank (open question).

All questions were asked in English. Answers had to be provided on a seven-point scale from *1: very low/not at all* to *7: very high/very much*. On average it took about 10 minutes to complete the survey (median: 8 minutes).

### General information about participants

To date, 352 people have completed the survey (8 March 2013). We received reactions from 22 countries, although this number may be higher as 41.2 % of participants chose not to answer the question. 81.2 % of the reactions for which information was provided stemmed from six countries: Greece, Cyprus, Netherlands, Poland, Slovenia and United Kingdom (Table 1). The majority of participants were male (73.4 %) and between 36 and 50 years old (51.0 % of the sample), 42.3 % were between 21-35 and 6.7 % between 51-60 years old. The biggest group worked in crime investigations (approx. 30 %) followed by 'other functions' (26.4 %) and community policing (13.0 %). The details on the distribution across primary functions can be found in Figure 1.
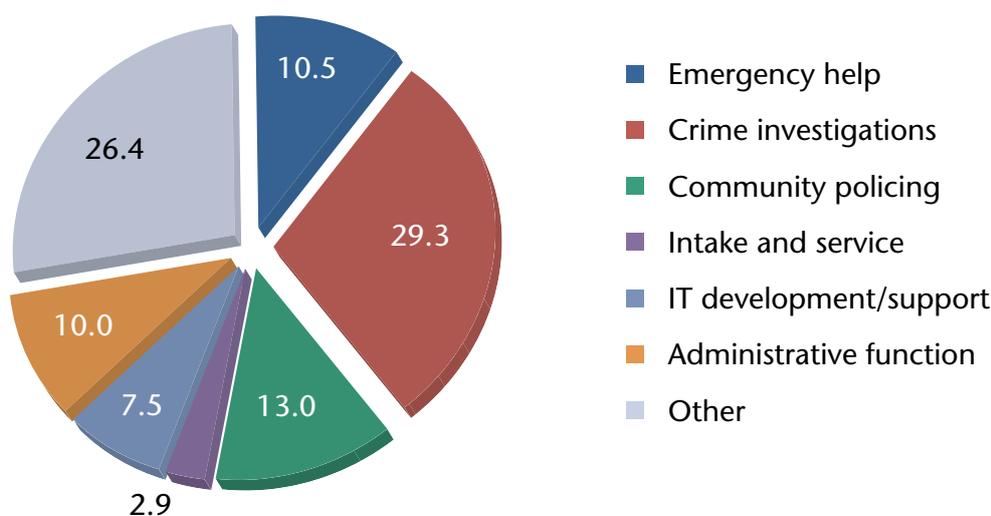


- Emergency help
- Crime investigations
- Community policing
- Intake and service
- IT development/support
- Administrative function
- Other

**Figure 1: Primary functions of participants**

**Table 1**
Number of participants per country

| | Frequency | Valid Percent | Cumulative Percent |
|---|---|---|---|
| **Poland** | 62 | 30.0 | 30.0 |
| **Slovenia** | 37 | 17.9 | 47.8 |
| **Cyprus** | 19 | 9.2 | 57.0 |
| **Netherlands** | 19 | 9.2 | 66.2 |
| **Greece** | 17 | 8.2 | 74.4 |
| **United Kingdom** | 14 | 6.8 | 81.2 |
| **Belgium** | 7 | 3.4 | 84.5 |
| **Romania** | 7 | 3.4 | 87.9 |
| **Estonia** | 5 | 2.4 | 90.3 |
| **France** | 4 | 1.9 | 92.3 |
| **Hungary** | 3 | 1.4 | 93.7 |
| **Denmark** | 2 | 1.0 | 94.7 |
| **Portugal** | 2 | 1.0 | 95.7 |
| **Bulgaria** | 1 | 0.5 | 96.1 |
| **Germany** | 1 | 0.5 | 96.6 |
| **Ireland** | 1 | 0.5 | 97.1 |
| **Italy** | 1 | 0.5 | 97.6 |
| **Lithuania** | 1 | 0.5 | 98.1 |
| **Slovakia** | 1 | 0.5 | 98.6 |
| **Spain** | 1 | 0.5 | 99.0 |
| **Sweden** | 1 | 0.5 | 99.5 |
| **Other** | 1 | 0.5 | 100.0 |
| **[Not provided]** | 145 | | |
| **Total** | **352** | | |

### Extent of social media use by officers and forces

Police officers' experience with social media was very high. Only 6.5 % of individuals indicated that they had no experience. The remaining 93.5 % already had used them or were currently using them (cp. Table 2). The usage, however, was mostly for private purposes (38.6 %) or in a combination of private and work (48.7 %). Only 6.1 % used social media exclusively for work. This suggests that police officers still encounter social media primarily in the context of their home, supporting the view that social media currently remains primarily a medium of the personal sphere.

**Table 2:**
Current social media use by police officers and police forces

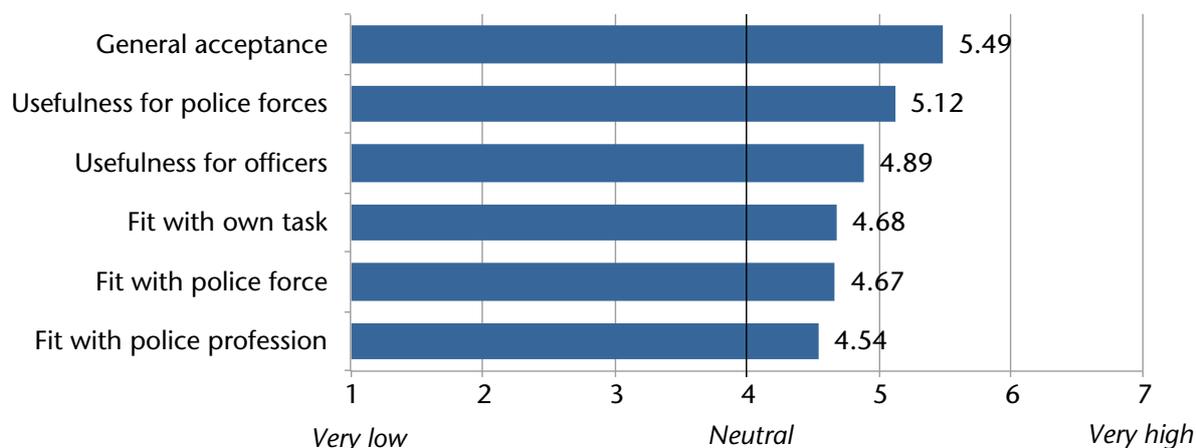| Social media use by individual officers | | | Usage frequency by individual officers | | |
|---|---|---|---|---|---|
| Yes, private use only | 38.7 | 87.4 % private usage | Several times a day | 32.9 | 50.8 % frequent users |
| Yes, work and private use | 48.7 | | Once a day | 17.9 | |
| Yes, work-related use only | 6.1 | | 2-3 times a week | 15.7 | |
| No | 6.5 | | Once a week | 15.4 | 33.6 % Infrequent users |
| | | | Once a month or less | 18.2 | |
| **Type of social media services used by individual officers** | | | **Usage frequency by police forces** | | |
| Social networks (e.g., Facebook, LinkedIn) | 45.7 | | Yes | 68.9 | |
| Microblogs (e.g., Twitter) | 27.4 | | No | 21.5 | |
| Video/photo sharing (e.g., YouTube) | 26.7 | | I don't know | 9.6 | |
| Blogs | 15.4 | | | | |
| Other | 6.7 | | | | |

Still, if officers used social media for their work, half of them (50.8 %) did so at least once a day (frequent users). A third were infrequent users (33.6 %) accessing social media only once a week or less. Work-related usage of social media primarily focused on social networking sites such as Facebook followed by microblogs and video/photo sharing, often in combination.

Asked whether their police force currently used social media, 68.9 % reported that it did, while 21.5 % reported that their police force did not. Interestingly, nearly 10 % of officers were uncertain as to whether or not their police force currently used social media.

## Perceived usefulness and acceptance

As part of the survey we asked officers to what degree they accept social media use (general acceptance), how useful they consider social media for their own organisation and for the individual police officer as well as the degree of fit between social media use and their tasks, their police force and the values of the police profession.

As can be seen in Figure 2, overall attitudes towards social media were positive: average values were above the neutral point in all six aspects. Nonetheless, we found systematic differences in attitudes for specific groups.



General acceptance — 5.49
Usefulness for police forces — 5.12
Usefulness for officers — 4.89
Fit with own task — 4.68
Fit with police force — 4.67
Fit with police profession — 4.54

*Very low* — Neutral — *Very high*

**Figure 2: Evaluation of social media (all participants)**

***Primary function in the police:*** Comparing all functional groups, the general acceptance of social media, perceived usefulness for force and profession, and the perceived fit with one's own tasks, force and profession were similar across groups.

Comparing only the 'main' operational functions (i.e., emergency help, crime investigations and community policing), however, showed that officers in these three areas did have somewhat disparate attitudes towards social media — at least in how 'fitting' they considered social media for their tasks, profession and organisation. Across all three aspects, community police officers were (significantly or at least marginally) more positive about social media than officers in crime investigations:

- Fit with their own tasks: mean values 5.37 versus 4.72; $F_{(2,1)}=2.78$, $p=.07$;

- Fit with the values of the police profession: mean values 5.32 versus 4.45; $F_{(2,1)}=4.06$, $p<.05$;

- Fit with the values of my organisation: mean values 5.28 versus 4.52; $F_{(2,1)}=2.94$, $p<.05$.

The answers of officers in emergency help lay between the two groups.

***Impact of experience and exposure:*** Direct experience also played an important role in shaping attitudes towards social media. Officers with a high level of personal experience were significantly more positive than officers with less usage (*general acceptance*: $F_{(3,1)}=11.12$, $p<.001$). More specifically, officers who used social media for work as well as private purposes were significantly more positive in all aspects compared to non-users and private-only users (pairwise comparison, $p<.001$). In the same regard, frequent users were significantly more positive than infrequent users (*general acceptance*: $F_{(4, 1)}=8.13$, $p<.001$).

Similarly, officers in police forces that use social media were also more positive with respect to perceived usefulness (*force*: $t_{(272)}=2.39$, $p<.05$; *profession*: $t_{(263)}=2.81$, $p<.05$) and fit than officers in forces that did not use social media (*task fit*: $t_{(268)}=2.81$, $<.01$; *force*: $t_{(266)}=3.61$, $p<.001$; *profession*: $t_{(270)}=3.56$, $p<.001$). Being exposed to social media in the work environment thus seems important in creating positive attitudes. The more frequent the usage, the more positive attitudes seem to become. Moreover, work-related usage seems crucial in creating positive attitudes, whereas private usage alone is insufficient.

***Differences across countries:*** Because of the low number of reactions from most countries, we only reviewed usefulness, fit and acceptance in the following six countries: Greece, Cyprus, Netherlands, Poland, Slovenia and United Kingdom. In all six countries, officers rated social media positively. However, members of the Dutch police seemed to view them the most favourably, while ratings by participants from Poland were close to neutral on most aspects (cp. Figure 3).

***Impact of demographics:*** Age and gender did not influence attitudes towards social media.
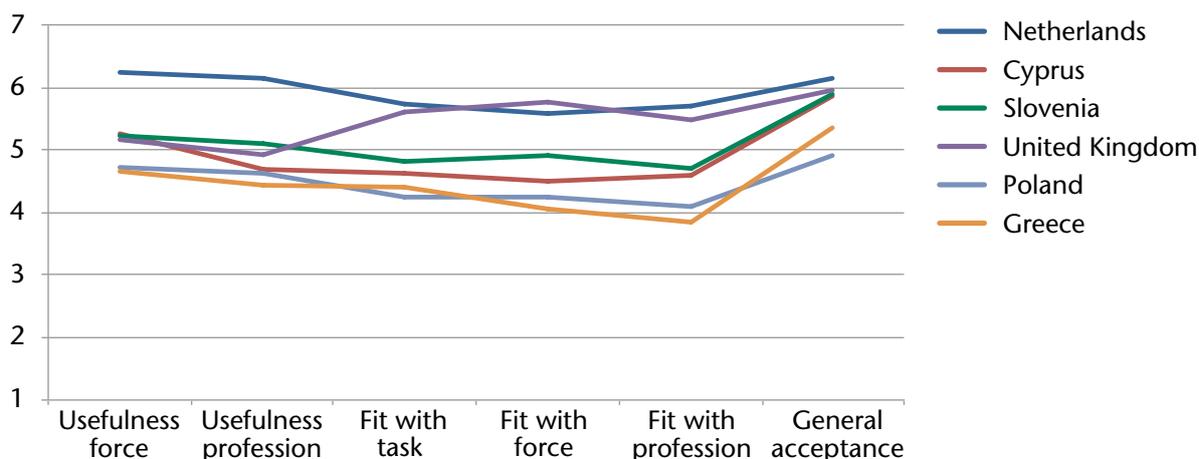


**Figure 3: Comparison of social media attitudes across countries (only countries with sufficient data)**

### What shapes perceptions of usefulness and acceptance?

General acceptance of social media is a good predictor for its actual usage by individual officers. Therefore, we were also interested in the factors influencing how strongly individuals accept social media.

We found three factors, which impacted *general acceptance*: (1) how useful social media is considered for the force; (2) how useful it is considered for the police profession; (3) the extent to which it supports their own tasks. *Usefulness for the police force* was, in turn, impacted by usefulness for the profession and to a lesser extent by perceived fit with one's own force. *Usefulness for the profession* was impacted in equal degree by usefulness for the force and fit with the own task (cp. Figure 4).
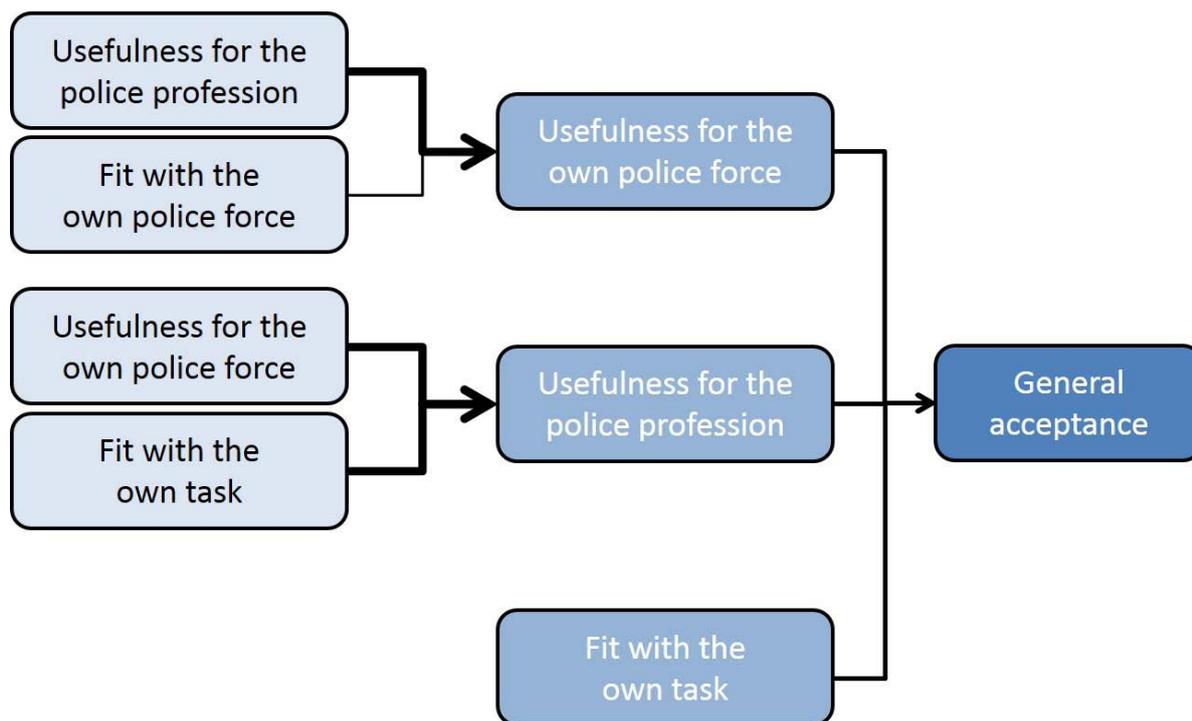


**Figure 4. Factors that influence general acceptance and perceptions of usefulness**

### For which activities are social media considered useful?

We further asked participants to indicate for which of eleven activities they considered social media to be useful. Interestingly, none of the activities were considered inappropriate. In fact, nine of the eleven purposes received clearly positive ratings (5.4 to 5.7 on a 7-point scale). Only the use of social media for *recruitment* and *in-service training* were considered less positively (cp. Figure 5).
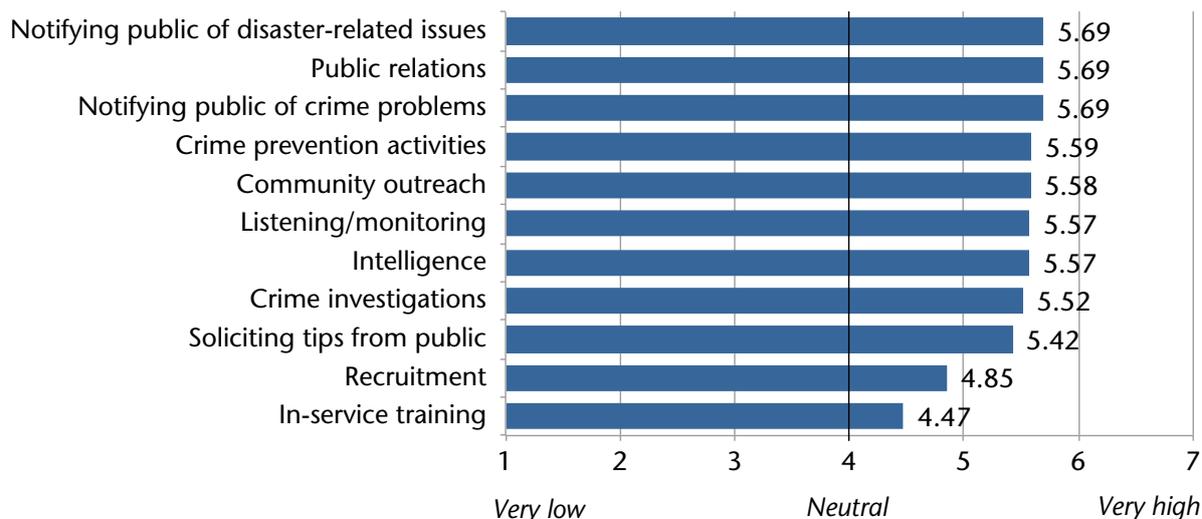
| Category | Value |
|---|---|
| Notifying public of disaster-related issues | 5.69 |
| Public relations | 5.69 |
| Notifying public of crime problems | 5.69 |
| Crime prevention activities | 5.59 |
| Community outreach | 5.58 |
| Listening/monitoring | 5.57 |
| Intelligence | 5.57 |
| Crime investigations | 5.52 |
| Soliciting tips from public | 5.42 |
| Recruitment | 4.85 |
| In-service training | 4.47 |

*Very low* — *Neutral* — *Very high*

**Figure 5: Evaluation of social media (all participants)**

Some participants added further areas, for which social media might be useful. The open answers addressed three aspects: (1) *extensions to community policing*, (2) *crowd-based use*, and (3) *police-internal purposes.*

A fourth category mentioned additional services such as *lost and found* and *identification of the current crime status*. Box 1 shows the list of open answers received.

**Box 1: Answers for additional uses of social media**

1. Extensions to community policing
   a. Fast and simple contact with people you normally don't reach
   b. Good to build trust and break down barriers
   c. Identify as a police officer in the city
   d. Increase confidence
   e. Online community policing — being close to citizens also on a digital level
   f. Reaching (groups) of young people to connect with

2. Crowd-based use
   a. Crowd control
   b. Social media in events

3. Police-internal purposes
   a. Reaching out to colleagues
   b. Creating a network
   c. Internal communication inside the police service
   d. Knowledge sharing
   e. Comparison of data

4. Others
   a. Identify crime status
   b. Lost and found
   c. Advertising and promotion

Intriguing about this list is that activities focused on community-policing were mentioned more frequently than other potential purposes. A possible explanation may be that community police officers were generally more positive than other groups in their perception of the different activities.

In Figure 6 we compare the five largest functional groups. The black lines indicate a significant difference in the ratings between functional groups with respect to their perception of purposes. While the significant difference for *community outreach* between community police officers versus crime investigators may not come as a surprise, community police officers were also significantly more positive about the value of social media for *crime prevention activities* and for *notifying the public of crime problems*. This is another sign of the fact that participants in crime investigations were generally more hesitant towards social media compared to participants in community

policing. Further differences emerged in the activities the four functional groups considered the most useful: Members of emergency services as well as administrative staff saw the most value in *notifications of crime problems*, criminal investigators in the use for *crime investigations*, community police officers in the *community outreach* function, while participants in the 'other' category considered *public relations* as the most valuable purpose.

These differences showcase the considerable versatility of social media, when it comes to their potential uses. Police officers in Europe are obviously well aware of the disparate roles that social media can play for police. However, these differences also demonstrate that each group tends to develop unique opinions of how, when and for what to use social media — or not. We cannot say whether this also causes conflicts, e.g., between services or policing and administrative staff, but the potential certainly exists.
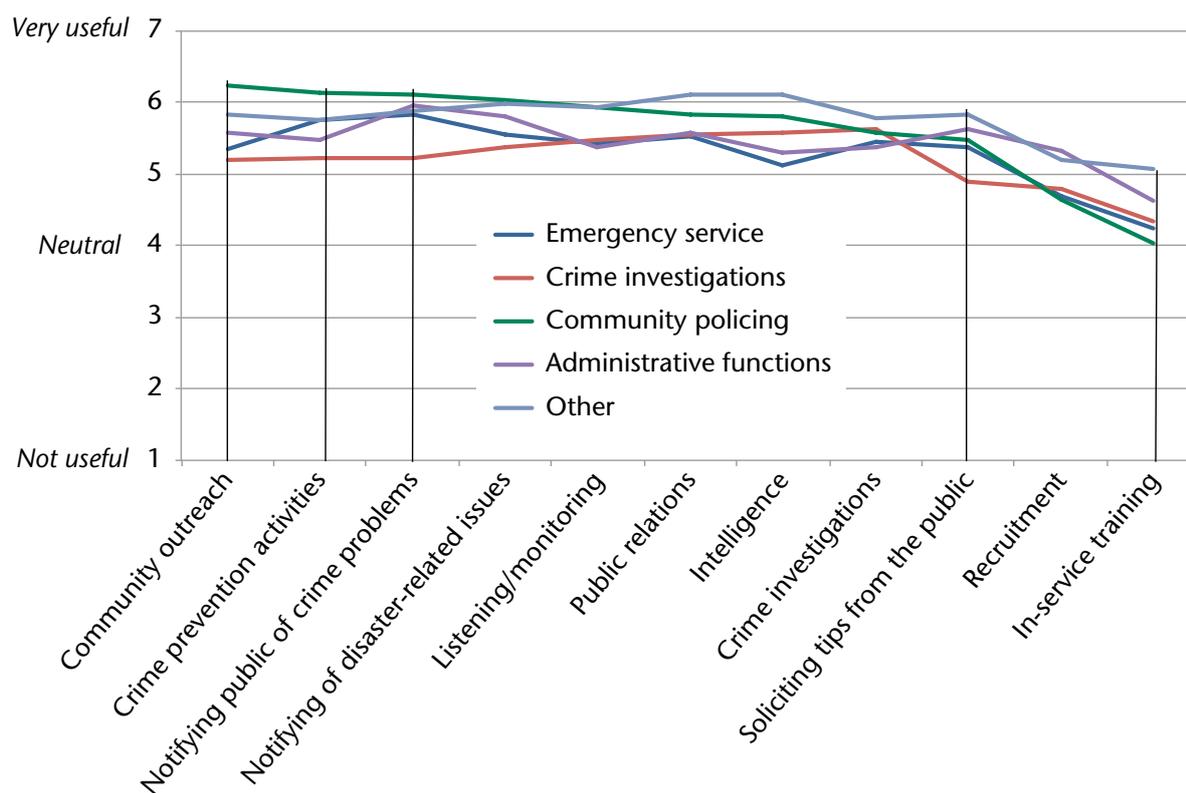


**Figure 6: Comparing acceptable purposes for the five largest functional groups in the sample (black lines indicate activities with statistically significant differences among groups)**

A comparison of countries also yielded considerable disparities in the perceptions of social media's purposes. Figure 7 compares the ratings for the same eleven purposes across six countries (other countries yielded an insufficient number of answers for a comparison). Already at a first glance, two types of answer patterns become visible. In the first group, ratings are highly differentiated. Participants from the United Kingdom, for instance, rated *notifications for disaster-related issues* close to the maximum of the scale (m = 6.5), while *in-service training* received a mere 3.6 average rating. Greece demonstrates a similar spread from 6.3 for *disaster-related notifications* to 3.4 for *recruitment*. In contrast, Cyprus and Poland show little variation across purposes indicating a more generalised positive or negative attitude towards social media.
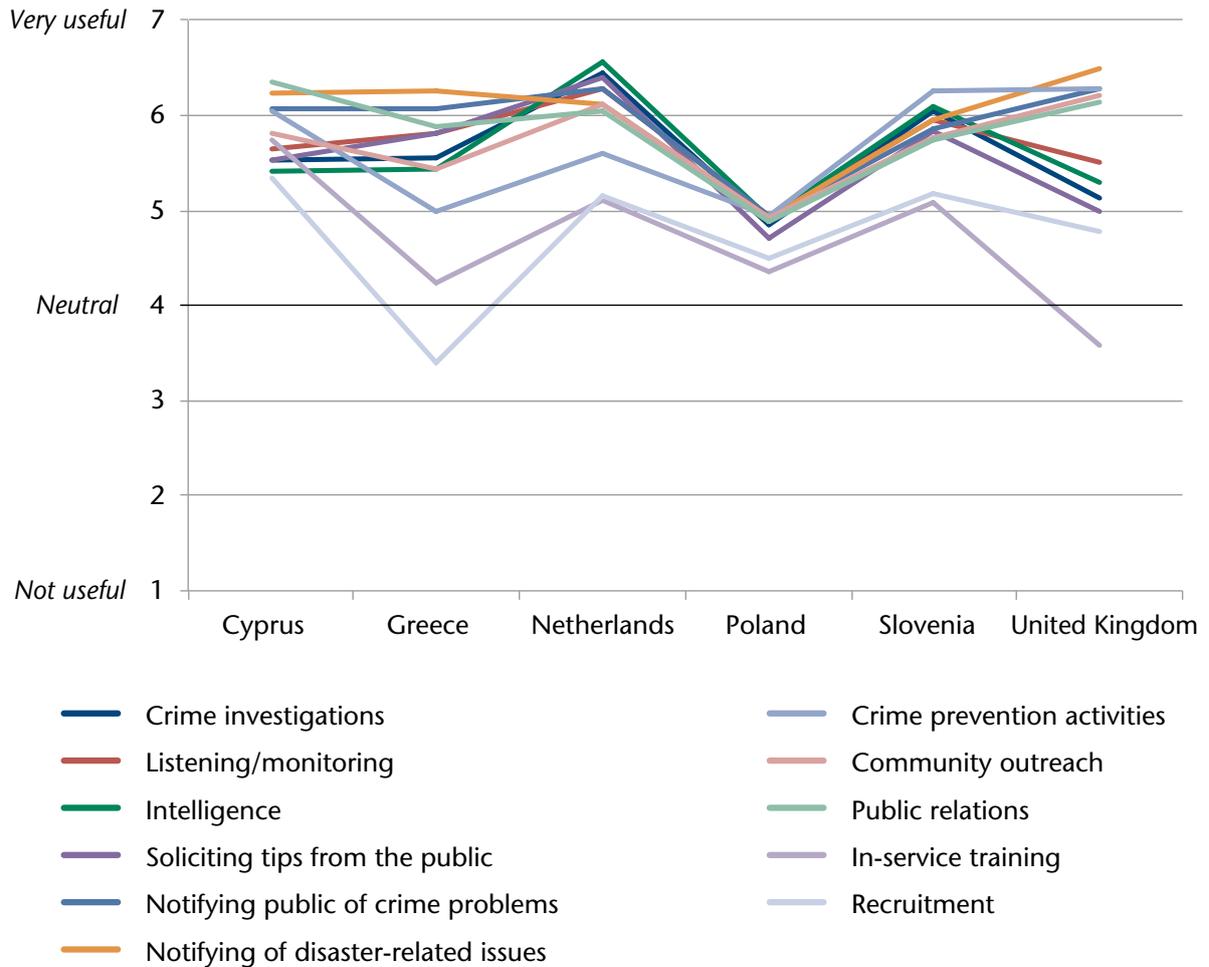


**Figure 7: Comparing purposes across countries (only countries with sufficient numbers of participants)**

## Why is a look at acceptance relevant? Practical considerations for the implementation and use of social media

Findings from our study may serve police forces in two ways:

1. By raising awareness for potential issues when using social media across functions or countries

2. By providing ideas on how to ease the implementation of social media.

Police forces generally agree that social media is a trend that cannot be ignored. The question is what motivates police officers to use social media, if they are not already doing so? And what can police forces do about it?

Use of new technologies can of course be coerced, but this often leads to lower satisfaction with the system, resistance, work-arounds or even sabotage (e.g, Kleingeld, Tuijl, & Algera, 2004; Jian, 2007). Creating acceptance is thus undoubtedly a much better strategy. Acceptance of new technologies refers here to 'the demonstrable willingness within a user group to employ information technology for the tasks it is designed to support' (Dillon & Morris, 1996). As such it is a precursor to the adoption and continuous use of new technologies.

The predominant assumption is that acceptance is driven by either instrumentality or political concerns (e.g., Davis, 1989; Lapointe & Rivard, 2005): Is the technology easy to use? Does the implementation threaten my current position within my organisation or vis-à-vis my colleagues or supervisors?

These aspects remain important in determining whether individuals adopt new technologies. Yet, our study demonstrates that there may be additional considerations when trying to understand differences in reactions to social media. The fact that primary functions had disparate views on whether and for what purposes social media should be used is a clear sign that the type of job and surroundings shape officers attitudes towards new tools. The same is true for the country differences we observed as well as the impact of personal experience and exposure to social media in one's own police force.

Our findings indicate that how people understand their work and their organisation matters, affecting their acceptance of new technologies such as social media. How then can police forces increase acceptance of social media?

One answer lies in the antecedents for acceptance identified in this study: fit between the values of the police force and the profession as well as fit with their own tasks emerged as important factors for the perceived usefulness of social media. Perceived usefulness for their own police force and profession emerged in turn as important factors influencing general acceptance. New technology is thus accepted if it is in line with existing practices and cultures — and resisted if it is in conflict. One of the more obvious examples in this context may be that social media for soliciting information from the public is probably harder to implement if police officers fail to see the value of integrating the public in police work.

Translated into practical terms, this means that a clear link needs to be laid between the affordances of social media and the core values, norms and tasks of the organisation and the individual police officer.

Concerns or resistance in this process should thus be taken as a sign that important personal values, beliefs or ingrained practices are threatened (instead of interpreting them as a generalised negative attitude towards change that needs to be overcome at all costs).

Considerable variation existed among officers from different countries and with different primary tasks on the most acceptable purposes. This observation suggests that officers in different countries and/or primary tasks perceive disparate benefits from social media usage. Underlying these differences in views are disparate expectations and motivations on where, how and why to use social media (e.g., in which contexts and in which ways). Such disparate attitudes towards social media can be the basis for disagreement and frictions: should social media be used at all? And if so, for what purposes should it be used? Given the differences in attitudes across primary functions and countries such tension can emerge between individual officers, between internationally cooperating police forces, but also between officers and a police force, which wishes to implement social media. To prevent such friction,

police forces should thus obtain a clear view on possible disparities in expectations prior to implementation and subsequently aim for alignment in purposes, expectations and usage motivations up-front.

Interesting in this context is the relevance of experience and exposure. Our study suggests a clear trend: the more exposure and experience, the more positive the attitudes. Working in a police force that already uses social media seems to help, as is having personal experience. Interestingly, however, the exclusively private usage (e.g. a private Facebook profile or Twitter account) without work-related experiences yielded less positive attitudes than if officers used social media directly for their work. This suggests that a strategy of 'tell-and-sell' may not be enough to convince officers with a more negative attitude. Instead a 'try-and-learn' approach may be needed that allows officers to become familiar with social media on the job. In this context, the most resistance to the use of social media may be expected from people with little or no experience.

## Limitations of the study

Our overall findings indicated that European police officers were generally positive about social media. Unclear is in how far this positive picture is a 'true reflection' of attitudes towards social media across Europe. It is highly likely that this positive attitude is a reflection of the group of officers, who answered our call for participation. Most of them already used social media and many of them did so frequently. Attitudes in non-users and infrequent users were considerably less positive, which suggests that across Europe opinion may still be more divided than appears from this first overview. Given the large proportion of users in our sample, our findings thus paint very probably a more positive picture of social media attitudes than would be obtained from a more balanced sample.

Moreover, while function and country comparisons yield interesting patterns, caution should be taken against over-interpreting the differences. The numbers in the groups are very small and can therefore not be considered representative of a whole country or functional group. Also, unfortunately, the current sample is too small to test interactions of variables such as contrasting attitudes of primary function across countries or the impact of experience across age and gender groups.

## Open questions to address

Our study is a first step in understanding the broader issue of social media in European police forces providing a first view into differences in attitudes towards social media across Europe. It also addresses the question of what shapes the acceptance of social media in individual officers. Yet, social media use by police forces is a complex topic — and this study is obviously only a starting point.

Addressing the limitations mentioned above, certainly a broader sample of countries and more participation from individual countries is needed to obtain a more systematic and balanced picture of attitudes and usage practices. Such a broader sample should then also include non-users to provide insights into reasons for non-adoption.

Despite cautioning against over-interpretation the observed differences in attitudes among countries and functional groups, the fact that disparate patterns emerged is nonetheless worth further consideration. Why do such differences emerge? What are the consequences for collaborations across functions or countries? And how can differences be identified and reconciled? Similar questions arise with respect to the disparate purposes, for instance: why do some purposes seem more acceptable than others and what drives the differences in acceptable purposes amongst groups?

Investigating specific purposes in more detail would certainly yield important insights to these questions. Moving beyond general attitudes into more focused investigations, for instance, targeting crisis management, community engagement or recruitment would further elucidate the respective merits and problems of social media applications. A focused case study into Twitter use during the UK riots in August 2011 unearthed interesting findings on disparate communication strategies by two British police forces (Denef, Bayerl, & Kaptein, 2013). Yet, as this study focused solely on the UK, it remains unclear

whether the same strategies would also lead to similar results in other situations and countries.

Moreover, social media constitutes a very broad family of diverse applications from microblogs (e.g. Twitter) and social networks (such as Facebook, Google+, LinkedIn) to file, picture and interest sharing (e.g. YouTube, flickr, Pinterest), applications to locate friends, colleagues and employees (e.g. foursquare) to those facilitating ever more social interactions such as MingleBird. In asking for usefulness and fit of social media we did not differentiate between these disparate types of applications and services. Given the specific features as well as systematic variations in user groups across services, it seems important to consider them individually in more detail. Future investigations should thus take a closer look into the respective merits and limitations of disparate social media services for police.

Relatedly, the increasing number of specialised police applications, for instance for crisis management or public participation in investigations, also needs to be addressed. While they provide more tailored services to crisis responders and the public, these new additions raise the question of how to integrate them into the existing (social and traditional) media landscape. This is especially relevant as users tend to remain with the services with which they are familiar with (Manso & Manso, 2013).

Our study was concerned exclusively with the internal view of police with their own social media use. Yet, the adoption of new technologies can also greatly impact the perception of police from the outside (Neyround & Disley, 2008). Especially, if new technologies are not deployed carefully, public perceptions of police legitimacy may be damaged. Public reactions to social media use by police are a largely uninvestigated issue, but are needed to understand when and in what way the use of existing or the development of new social media services may be useful.

Overall, the topic of social media remains an exciting as well as challenging one. Clearly further investigations are needed to obtain a better understanding of the respective benefits and drawbacks of social media for European police forces. However, we hope that our findings in this study are a first step in addressing some of the challenges that police forces in Europe face in working with social media.

## Acknowledgements

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# Outlook: paradoxes, paradigms and pluralism — reflections on the future challenges for police science in Europe

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(2012 Conference in Lyon)

## Introduction

The last ten years have seen significant progress in Europe in our understanding of the nature of police science and its role in the development of police policy and practice. Much of this progress has been driven forward by the CEPOL Research and Science Working Group through its annual conference, programme of seminars and landmark publications, including Hanak and Hofinger's (2006) overview of police science and research in the European Union and Jaschke et al. (2007) *Perspectives of Police Science in Europe*. The latter is particularly significant because of the ways in which it draws together the threads of the different contexts and traditions of police science within Europe to arrive at a broad definition of the field as '*the scientific study of the police as an institution and policing as a process*' (p. 23). As Jaschke et al. cogently argue, police science has a vital role not only within society, by providing critical insight into and reflection on what constitutes good policing in democratic contexts, but also within police education and training by helping to stimulate the intellectual development, critical thinking and problem-solving skills of those who work in police organisations. As these authors also acknowledge, however, there are important challenges in the future development of police science within Europe. Some of these challenges lie at an institutional level regarding the location and independence of police science. 'When police science is seen as science which has to follow only the interests

of politicians in charge of the police or of police officers (applied research)', they warn, 'the development of a European approach to police science will hardly be possible because … of their political, national and professional (economic) interests' (p. 11). There are also important methodological challenges around the nature of comparative police research within Europe and the balance to be struck between country-based case studies and the development of survey instruments that can be used at a pan-European level. There are also important challenges in terms of sustaining a broad research agenda within police science. For Jaschke et al., the key question, which must lie at the heart of police science, is: 'what is good policing in [a] democratic society?' (p. 67) - a view strongly endorsed by Peter Manning (2011) in his monograph *Democratic Policing in a Changing World*. As Manning notes, however, the agenda of police science is in danger of being hijacked by those who would limit its use to studies of 'policing as crime control':

> '*Because the research enterprise has increasingly propounded the notion that crime control is the essence of policing … and seized on the idea that policing is not just based on several sciences or disciplines but is itself a science … it has narrowed the vision of the police studies field to what can be measured and manipulated rather than any political, moral, or value-based explicitly democratic position*' *(Manning, 2011: 107).*

For Manning then there are concerns that policing studies are 'too much about the police and too little about the context or culture of policing, including its legitimacy [and its] grounding in democratic values…'

Against this background, I want to explore two further challenges for the future development of police science in Europe. The first challenge concerns the need to become 'smarter' in terms of making research evidence 'part of the conversation' about police policy and practice. This challenge emerges from the paradox that police science is viewed by some as a 'successful failure': 'successful' in the sense that the production of knowledge about policing in Europe and elsewhere has never been greater; but a 'failure' in the sense that many claim that the application of knowledge to improve police policy and practice remains limited. The second challenge to be explored in this chapter is around the importance of sustaining a degree of pluralism within police science. Rather than just thinking about police science in narrowly instrumental terms, in which research is expected to have a direct impact on the actions of front-line practitioners, we need to embrace the different uses of research (from instrumental to conceptual), the different types of interventions that researchers make into public discourse about policing, and the different institutions that exist within a European context to promote the development and use of police research.

## Setting the context: paradoxes and paradigms

In their reflections on the condition of contemporary criminology, Loader and Sparks (2011) highlight a paradox of 'successful failure' (p. 11). On the one hand, criminology as an academic discipline is expanding, with more students, larger conferences and bigger professional associations. Yet, on the other hand, criminal justice policy in western societies remains relatively uninformed by criminological research findings and the demand for evidence to inform policy is still weak. A similar paradox appears to be true of police science. There has been a significant expansion in policing research in recent years in Europe, North America and Australia yet many would claim that the impact of research evidence on policing policy and practice remains limited. Researchers in the United States, for

example, have struck a consistently pessimistic note over the last fifteen years regarding the integration of research-based knowledge into routine police practice. Bayley (1998) writing in the late 1990s observed that 'research may not have made as significant, or at least as coherent, an impression on policing as scholars like to think'; five years later Goldstein (2003) noted that 'there is no discernible, sustained and consistent effort within policing to make the basic premise that "knowledge informs practice" a routine part of policing'; and more recently Lum et al. (2012) acknowledged that 'the notion that science should matter is often trumped by the reality that public opinion, political will or consensus-based opinions about best practices are what should underpin and drive police practices'. It is, of course, important to acknowledge that even if the impact of research evidence on policing policy and practice has been limited, this does not mean that police science should be viewed as a 'failure'. Police science should not simply be evaluated in narrow instrumental terms but also by its broader attempts to understand and explain the nature of policing. Nevertheless, many of those engaged in research on, for or with the police are motivated by what Loader and Sparks term a 'reformist impulse' and therefore want their research to be taken seriously in the world of policy and practice.

In attempting to make sense of limited impact of research evidence on police policy and practice (and of what can be done about it), there have been different diagnoses of the problem. Bradley and Nixon (2009) characterised the problem as a 'dialogue of the deaf' in which police and academics are unsympathetic to the concerns of the others and construct an imaginary conversation, of which a short extract is reproduced here:

Academic: Why do the police ignore research findings?

Police: Why don't researchers produce usable knowledge?

Academic: Why do the police always reject any study that is critical of what they do?

Police: Why do researchers always show the police in a bad light?

Academic: Why don't police officers even read research reports?

Police: Why can't researchers write in plain English?

More recently, however, there is growing evidence of innovative activity to establish a 'dialogue of the listening' as exemplified in several innovative police-academic collaborations that have been documented in special issues of the journals Policing: *A Journal of Policy and* Practice (Murji, 2010) and Police *Practice and Research: an International Journal* (Johnston and Shearing, 2009, Cordner and White, 2010, and Fyfe, 2012). In particular there is evidence of several 'fully collaborative' partnerships (Bradley and Nixon, 2009) being established which encourage long-term relationships between practitioners and researchers and can take one of three forms: (1) individual researchers working directly with police agencies; (2) an academic unit within a single university working with police agencies; (3) collaborations of researchers across academic institutions working directly with police agencies (see Engel & Henderson, 2013). Of these three approaches, it is the third type involving structured collaborations that span multiple universities and police agencies that Engel and Henderson contend 'will be the most effective at advancing evidence-based practices in policing agencies', an approach they suggest 'is best exemplified by the Scottish Institute for Policing Research … a research consortium made up of the Scottish police service and 12 Scottish universities' (p. 13; see also Fyfe & Wilson, 2012).

In another important intervention in the debate about the limited impact of police research on policy and practice, Weisburd and Neyroud (2011) argue that despite progress in terms of the production of knowledge about policing, 'there is still a fundamental disconnect between science and policing'. Policing innovations are, they contend, rarely science-based, relatively few countries in Europe place a high value on police science; and that science is still viewed as a luxury rather than a necessity by the police (contrast with medicine and public health). For Weisburd and Neyroud there are important structural reasons why this disconnect between evidence and practice persists:

*'The police operate in a reality in which decisions must be made quickly. And issues of finance and efficiency can be as important as effectiveness. But academic policing research generally ignores these aspects of the police world, often delivering results long after they have relevance, and many times focusing on issues that police managers have little interest in' (p. 5).*

Against this background they outline a proposal for a new paradigm that changes the relationship between science and policing, a paradigm that demands:

- the police adopt and advance evidence-based policy;
- universities become active participants in the world of police practice;
- a shift in the ownership of police science from universities to police agencies which would facilitate the implementation of evidence-based approaches and change the relationship between research and practice.

Within a European context, Knutson (2010) has given support to such an approach, arguing that 'police must improve their ability to analyse data, and be more knowledgeable of what works… this cannot happen without the police having a research capability of their own' (p.134). Sherman too has strongly endorsed the arguments of Weisburd and Neyroud, arguing that evidence-based policing is needed not simply to improve public safety but also to enhance police legitimacy. In his 2011 Benjamin Franklin Medal Lecture on 'Professional Policing and Liberal Democracy', Sherman (2011) makes the case that 'police legitimacy may be established not just on the basis of effectiveness under the rule of law, but on demonstrated police mastery of a complex body of knowledge generated by scientific methods of testing and analysis'.

The contributions by Weisburd, Neyroud and Sherman have generated an important debate about the relationship between police science and police practice (see Sparrow 2011 and also Moore, 1995). In a direct response to Weisburd and Neyroud's call for a new paradigm for police science, for example, Sparrow (2011) has argued that the model of police science that has tended to inform evidence-based policing focuses on too narrow a range of social research methods given the way that it privileges

randomised trials and marginalises other approaches to advancing knowledge. Sparrow therefore has concerns that the relationship between police and academia suggested by some proponents of evidence-based policing is 'unstable and unsustainable' (p.7). Drawing on the work of Moore, he argues that the suggestion that 'science should guide and govern policing' adopts 'too narrow a view of what constitutes knowledge valuable enough in confronting public problems, too rigid an idea of where and how useful knowledge accumulates in society, and too unrealistic a view of how knowledge might best be diffused and deployed in aid of both immediate action and continued learning' (Moore, 1995, pp. 302-303).

These debates about police-academic collaborations and the relationship between police science and evidence-based policing are clearly important. In particular, they act as a timely reminder of the challenges involved in forging links between evidence and practice and that police science (like the broader field of criminology) is itself an internally diverse field marked by pluralism in terms of theoretical assumptions and methodological approaches (see too Loader and Sparks, 2011, pp. 18-19). In the remainder of this chapter I want to explore these two points further.

## The challenge of knowledge exchange: developing strategies for making police science 'part of the conversation' about policy and practice

There is a growing body of literature examining the challenges of using research evidence to inform policy-making across the public sector (see Nutley, Walter and Davies, 2007; Cartwright and Hardie, 2012). A central concern of these contributions is to better understand the processes that that facilitate 'the transfer of research-based knowledge out from academic circles in search of research impact' so that research evidence can be used to improve policy and practice in public services (Davies et al., 2008) In particular, the term 'knowledge exchange' is now increasingly being deployed to focus attention on the complex processes involved in the interaction between practitioner-based knowledge and research-based knowledge. As part of this interest in knowledge exchange across different areas of social

policy, there is now a much better understanding of the barriers that limit the use of research in policy-making. According to Nutley, Walter and Davies (2007), these barriers include:

- research outcomes that are messy, ambiguous and contradictory and therefore frustrating for policy-makers that simply want to know 'what works';
- a lack of autonomy to implement findings from research;
- a lack of support for research-based change;
- local cultural resistance to research and its use;
- a lack of incentives or rewards for academic researchers engaging in dissemination activities.

All these barriers are of considerable relevance to understanding the constraints that impact on integration of research evidence into policing yet to date there has been only limited engagement by researchers and practitioners with these broad issues. Bullock and Tilley (2009), for example, highlight how within policing there is often disagreement about what counts as evidence of effective practice, issues about the accessibility of evidence to practitioners and organisational constraints in terms of a lack of support for practitioners to engage with research that might be seen as a threat to professional expertise. Similarly, Lum et al. (2012) highlight a range of issues that hinder receptivity to research in policing. These include an organisational culture and system of promotions that focus on 'rewarding knowledge of procedures and reactivity [and so] help strengthen barriers to using research that promotes proactivity and problem solving' (p. 65).

In attempting to overcome some of these barriers, the literature on evidence-based policy highlights several different mechanisms, which together can help support effective research use (Nutley, Walter & Davies, 2007, p.132). These include:

- *Dissemination*: presenting research in formats tailored to their target audience;
- *Interaction*: developing stronger links between researcher, policy and practice communities
- *Social influence*: relying on influential others, such as experts and peers, to inform individuals about research and persuade them of its value

- *Facilitation*: enabling the use of research through technical, financial, organisational and emotional support

- *Incentives and reinforcement*: using rewards and other forms of control to reinforce.

Within police science there has been considerable progress in recent years in some of these areas. In terms of more effective dissemination strategies, for example, there is the work being led by Cynthia Lum and colleagues in the United States around the Matrix Demonstration Project (MDP) (Lum, et al., 2012). The MDP is centred on an innovative knowledge translation tool, the Evidence-Based Policing Matrix, which brings together a large body of police-related crime prevention research that has been evaluated as at least 'moderately rigorous'. By mapping these studies using a three-dimensional visualisation process, police are in a better position to access the key findings from a large body of research and use this knowledge to guide interventions to deal with specific problems. Within the MDP, the aim is to ensure that the matrix becomes institutionalised within everyday police activities so that, following Weisburd and Neyroud (2011), the police take ownership of how to use findings from existing research (Lum, et al., 2012, p. 21). In terms of improved interaction between researcher, policy and practice communities there are also a range of initiatives which exemplify innovative approaches in this field, including the establishment of Universities Police Science Institute (UPSI) in Cardiff (Innes, 2010) and the Scottish Institute for Policing Research (SIPR) (Fyfe and Wilson, 2012). Both these initiatives challenge the simplistic assumption that interaction merely involves research evidence being packaged into knowledge 'products' by heroic figures and that these products are then transferred to recipients who will be capable of consuming them. Rather UPSI and SIPR have created institutionalised arrangements in which chief police officers and senior academics regularly meet to discuss the research needs of the police service and opportunities for collaboration. SIPR in particular exemplifies the call made by Weisburd and Neyroud (2011, p. 15) for a 'shared academic-practitioner infrastructure' in which there is regular and routine engagement around the nature and value of the research evidence base for policing, helping to secure a culture of engagement and a commitment to the co-production of research between the police and academic communities (Fyfe and Wilson, 2012).

## The challenge of pluralism and police science: embracing different interventions in the public sphere

This focus on the challenges of knowledge exchange clearly highlights the need for a plurality of approaches in order to achieve the effective integration of research evidence into discussions about police policy and practice. This commitment to pluralism, however, also needs to extend to how we think about the different uses of police research, the different types of intervention that researchers make into public discourse about policing, and the different institutions that exist within a European context to promote the development and use of police research. The need for a pluralistic approach should not, of course, be taken as self-evident. As Loader and Spark's (2011) recent analysis of the condition of contemporary criminology has highlighted, there are concerns that pluralism in terms of criminological thinking has been constructed as a 'problem' and that some in the field have attempted to solve this problem either by seeking a 'divorce' from criminology (as in the case of crime science) or by a 'takeover' (as in the case of some advocates of experimental criminology). I want to argue that such responses to pluralism are unhelpful and that police science can benefit from a dialogue between those with different approaches to intervening in public discourses about policing and between the different (but overlapping) memberships of institutions that exist to promote and develop police research within Europe.

### A diversity of research interventions in the public sphere

In thinking about the relationships between research, policy and practice attention typically focuses on a largely instrumental view of research use in which research is expected to have a direct impact on the actions of front-line practitioners or local/national policy-makers. Within the context of police science, such an approach is exemplified by the use of research to support hotspots policing where analysis of crime pattern data or calls for police assistance provides the basis for targeted patrols to specific micro-locations, such as street corners or housing blocks. Research evidence might also help police to determine what strategy to adopt in these locations, such as such as short-term, high-visibility patrols or enforcement activity, or longer-term problem-solving approaches.

This image of research use, however, lies at one extreme of a continuum which also encompasses, at the other extreme, more conceptual uses of research as part of an 'enlightenment model' where the role of research is to help shape the ways both problems and their solutions are framed (Nutley, Walter and Davies, 2007). This can then lead to fundamental shifts in the prevailing policy paradigm as new ideas gradually seep into policy-making processes. Examples of research used in this way might include recent approaches to tackling gang violence. Findings from a number of international studies provide strong evidence that in reducing gang and youth violence police involvement in terms of enforcement and deterrence will only be effective if viewed as one element in a much broader approach that also requires early intervention from social work and education professionals to identify children at risk of turning to violence later in life, and with health workers in Accident and Emergency departments to help identify young people who have been the victims of gang violence. Within the policy community, research has therefore contributed to a reframing of the problem of and solutions to tackling gang violence from one of tougher law-enforcement activity to a multi-agency approach involving police, education, social work and public health (see for example, HM Government, 2011).

These different forms of research use also underline the way in which within the police science community there is a rich diversity of types of engagement with the public sphere and intervention in public and political debate about policing. This is a point cogently argued with respect to criminology by Loader and Sparks (2011) who have sketched out a typology of what different styles of criminological intervention in the public sphere currently look like, ranging from the 'scientific expert' to the 'lonely prophet'. Taking their typology and mapping it onto police science, the following different forms of intervention in the public sphere can be identified with individual examples:

- *The scientific expert* views the task of police science to produce, valid, reliable and useful knowledge about 'what works'; the public role of police science is to use knowledge to challenge myths and to make decision-making more rational and evidence-based. Example: Larry Sherman's work on evidence-based policing and experimental criminology.

- *The policy advisor* focuses on the value of police science in terms of its proximity to tackling problems but also to recognise the importance of protecting the autonomy and independence of research. Example: Nick Tilley's work on crime prevention and community safety carried out in partnership with the UK Home Office and police forces.

- *The observer turned player* is where a researcher moves from academia to work within police agencies in order to better make the link between research and practice' and 'getting one's hands dirty'. Example: Betsy Stanko who moved from academia first into government and then into the Metropolitan Police Service as head of Evidence and Performance.

- *The social movement theorist/activist* is concerned about the close relationship between researcher and government/police agencies and argues for the need to retain a degree of distance and autonomy. The aim of their work is to raise problems for government not to solve problems for government and so it is more focused on developing a critical agenda. Example: Sophie Body-Gendrot and her work on social control, fear and insecurity and the policing of youth disorder in cities

- *The lonely prophet* views police science as being hampered by its proximity to government/police agencies and its small-scale empirical focus and lack of theoretical ambition. Example: Jock Young's work on policing, exclusion and disorder in late modernity.

While these different positions do to some degree over-simplify a more complex landscape, they also highlight the ways in which among those engaged in policing research, there are very different styles of intervention in public discourses about policing aimed at different audiences, employing different methodological approaches, and underpinned by different philosophical and political commitments.

## Conclusions: the dynamic landscape of policing and police science in Europe

This paper began with the paradox that police science might be regarded (like criminology more generally) as a 'successful failure'. Within a European context, there is strong evidence to dispute such a claim. There are a growing number of national and European organisations supporting not only the development of policing research but also facilitating processes of knowledge exchange and knowledge integration. The CEPOL Research and Science Working Group,

for example, has mapped over 100 police, policing or public security-related research institutes in EU Member States and associated countries. In addition, 2008 saw the establishment of the Policing Working Group of the European Society of Criminology (ESC) with the specific aims of facilitating the networking of scholars and practitioners interested in the study of police organisations and policing, developing lines of communication and cooperation between nationally based research centres with policing-related interest, and acting as a hub through which scholars, practitioners and the policy community can collaborate through the development of comparative research programmes, knowledge transfer events and joint continuing professional development initiatives. The working group has already had an impact by raising the profile of policing research at the European Society of Criminology annual conferences and organising pre-conference events that have resulted in engagement with practitioners and publications about policing at a European level (see for example,) Another important addition to the European policing research landscape came in 2009 with the formation of EPIC (European Police Institutes Collaboration) which brings together researchers and practitioners from several northern and western European countries (including Belgium, Finland, England, Netherlands, Norway, Scotland and Sweden) based in police academies/colleges and universities. Uniting the membership of EPIC is a commitment to working collaboratively with the police and conducting comparative empirical research. To date, EPIC has focused its work on a number of thematic areas including the challenges of policing multi-ethnic neighbourhoods, the different trajectories of police reform in Europe and a comparative analysis of police recruitment and careers.

The presence of these different European institutions — the CEPOL Research and Science Working Group, the European Society of Criminology Policing Working Group, and EPIC — all committed to supporting the development of policing research but with different identities, different but over-lapping memberships, and intervening in the public discourse about policing in different ways, is indicative of the strength and dynamism of police science in Europe today. This is important given the rapidly changing context of policing. The impact of austerity measures in many European countries means that not only are many police institutions undergoing radical change but also the wider social and political environment in which the police operate is changing too. Against a background of public spending cuts, police forces in many countries are being restructured, often leading to the creation of more centralised organisations designed to be more efficient as well as more effective in tacking changing patterns of criminality (Fyfe, Terpstra and Tops, 2013). However, these changes raise important questions about future relationships between police and citizens, particularly if greater centralisation leads to more remote bureaucracies and a decline in democratic accountability. At the same time, the police are having to confront the consequences of austerity measures as people take to the streets in large crowds in many European cities to express their frustration at political responses to the financial crisis. Recessionary pressures are also likely to impact on criminality, typically in the form of rising levels of property crime and inter-personal violence. In this situation, the big challenge for police science is to find a way of helping inform police decision-making at a time when the heat of popular pressure and short-term political demands will be considerable. Now more than ever the police need a knowledge base for good professional practice that can help inform a vision of 'good policing' in democratic societies that promotes better public security, a reduction in crime and the protection of liberty and human rights. In short, the challenge for police science in Europe now is to be at the core of 'civilising security practice' (Loader & Walker 2007).

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# EUROPEAN POLICE SCIENCE AND RESEARCH BULLETIN

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