

Australasian Policing

A Journal of Professional Practice and Research

AiPol
Australasian Institute of Policing

AiPol
Australasian Institute of Policing

AiPol
Australasian Institute of Policing

AiPol
Australasian Institute of Policing

VOLUME 5 NUMBER 1 2013

www.aipol.org

Journal of the Australasian Institute of Policing Inc.

AiPol
Australasian Institute of Policing



Membership Invitation...

Invest in your future...

Membership of AiPol gives you an advantage from the moment you join. With Australia and New Zealand wide networks of like minded professionals, you'll enjoy participation in *Communities of Practice*, along with access to comprehensive reference resources and databases via the *AiPol KnowledgeNET*.

Invest in the profession's future...

Through the building and sharing of the 'body of knowledge' of policing research and practice, your membership provides AiPol greater opportunities to influence the development and quality of your profession as well as playing an active role in enhancing the quality of service that policing practitioners provide to our communities.

Categories of Membership

Full Member (MAIPOL) – is available to all current and past serving police from Australia and New Zealand. In addition, full members who meet and maintain the additional criteria can apply to be recognised as a Certified Police Practitioner (CPP).

Associate Member – is available to all serving non-sworn staff and law enforcement related agencies in Australia and New Zealand along with Australasian academics engaged in policing related studies who meet the required criteria.

Non-financial user – AiPol provides free access to the *KnowledgeNET* to all Australasian police employees and policing researchers¹. This category of membership provides limited access to the various resources within the *KnowledgeNET* but excludes access to the Member forums, subscription to the Journal and other privileges that financial members enjoy.

For further details and on-line applications visit:

www.aipol.org

¹ Additional membership criteria apply to all categories – refer to the AiPol website for further details.

Editors

Jenny Fleming

Board Members Australasian Institute of Policing

Public Officer: Philip Green
Treasurer: Philip Green
President: Garry Dobson
Secretary: Peter Shinfield
Vice-President: Helen McDermott

Publisher

Emergency Media

1st Floor, 560 Lonsdale Street, Melbourne Vic 3000.

Direct all advertising enquiries to 1300 855 444.

Print Post approved: 352524/00309

Frequency

Summer and Winter

Contributions

Articles on issues of professional interest are sought from Australasian police officers and police academics. Articles are to be electronically provided to the secretary of AiPol. Articles are to conform to normal academic conventions. Where an article has previously been prepared during the course of employment, whether with a police service or otherwise, the contributor will be responsible for obtaining permission from that employer to submit the article for publication to *Australasian Policing*.

Contributors are expected to adhere to the Journal's publishing guidelines. These guidelines are available in this journal and at www.aipol.org. All papers are peer-reviewed.

Disclaimer

While every effort is made to check for accuracy, the Publishers or Editors cannot be held responsible for the content, errors or omissions inadvertently published in articles and advertisements in *Australasian Policing*. Views expressed by contributors are not necessarily those of AiPol, the Editors or the Publisher. No responsibility for loss occasioned to any person acting, or refraining from acting, as a result of material in this publication can be accepted.

Copyright

All rights reserved. No part of this publication may be reproduced or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or be stored in any retrieval system of any nature, without written permission of the copyright holder and the Publisher, application for which in the first instance should be made to the Publisher for AiPol.

Contents

How people decide to act on risk; an organisational behaviour perspective of risk assessment and decision making <i>Greg Linsdell</i>	2
Applied Ethics: A call for a new approach to police 'diversity' training <i>Phil Palmer</i>	7
Five Years on ANZPAA and Professionalization <i>Larry Proud</i>	13
Processing the Numbers: Data as institutional practice <i>Professor Jenny Fleming & Dr Rachel King</i>	14
Community Intelligence: Exploring human source as a new frontier <i>Nikki Rajakaruna, Pamela Henry, Charl Cous & Alf Fordham</i>	19
Toward a New Professionalism in Policing <i>Christopher Stone & Jeremy Travis</i>	23
Policing and Integrity – What's the Problem? <i>Professor Colin Rogers</i>	33

How people decide to act on risk; an organisational behaviour perspective of risk assessment and decision making

Greg Linsdell, LL.M (Monash), MCrim (UniMelb), MEd (Vic), BA

Abstract

The emergency management community of academics and practitioners have devoted considerable effort to the creation of processes that can be used to identify and manage the risks presented by natural and man-made disasters. Adopting a divergent multi-disciplinary approach this paper draws on organisational behaviour theory to suggest that the theoretical framework underpinning the most accepted processes have significant and potentially counterproductive weaknesses. A range of historical and recent events are reviewed through the lens of selected organisational behavioural theories to illustrate the human element that impacts on risk assessment and decision making. This analysis identifies the need for further research and proposes that the impact of subconscious perceptions and biases on existing risk assessment processes may be reduced by appropriate training.

Introduction

In February 2013 a meteor entered the earth's atmosphere over the Ural Mountains and exploded above the ground in a blast that was 20-30 times as powerful as the Hiroshima nuclear bomb. (NASA, 2013, RT, 2013b) The blast resulted in a massive shock-wave that broke windows, damaged thousands of buildings and injured about 1,500 people, some seriously. (RT, 2013a) A meteor of this size has been described as a "one in a hundred year event", with the last known meteor strike of this size hitting Siberia in 1908. (NASA, 2013). The approach of this meteorite had not been tracked and so there was no warning and no time to prepare. While some may be dusting off their meteor strike response plans, or in Australia, redefining the "all" component of their "all hazards" approach, there appears to be little finger pointing and recriminations that sometimes follow major catastrophic events. This is arguably because, while such an event may not be unprecedented, it certainly is unpredictable in terms of time and location of impact on earth, compared for example to a once every 100 year volcanic eruption where the geographic area of risk is readily identifiable.

This paper will examine several events that, while unlikely, were far more predictable than the Russian meteor strike. In each of the cases examined a decision was made against taking any action on an identified risk which had disastrous consequences. A view from the field of emergency management might argue that "we can't prepare for everything so we prepare for the most likely risks" or else "we use an all hazards approach that will deal with the broadest range of incidents." However, rather than enter the ongoing debate between specific risk planning versus an all hazards approach this paper takes a divergent approach and examines the prevailing risk management processes and the capacity and limitations of decision makers from an organisational behaviour perspective.

Why didn't someone do something?

There are some very effective methods of identifying risks, for example, researchers analysing the outcomes of "Red Team Exercises" within the military, where groups of soldiers were asked to think and plan an attack as if they were the enemy, were very accurate in identifying risks, however the results were sometimes ignored with spectacular consequences. For example, in 1932 a 'Red Team Exercise' identified the risks to the American Fleet in Pearl Harbor predicting with incredible accuracy the tactics that would be used by the Japanese 9 years later (Holwitt, 2005). The consequence of the decision not to act on this risk is well documented – 2,402 Americans died (USSWestVirginia.org.) in what is invariably described as a "surprise" attack. Predictions of the risks to the US fleet in the Pacific also came from another quarter. A British double-agent, Dusko Popov, was recruited by Germany to spy for them during the Second World War. He accepted the assignment and reported what he was learning to the British including a request from the Japanese for specific information about Hawaii and Pearl Harbor. In 1941 Popov and British Intelligence advised FBI Director J. Edgar Hoover that they believed Japan was preparing to attack Pearl Harbor, Hoover did nothing with the information and the rest as we say is history (Bardsley, 1987).

Turning our attention to more recent and more relevant to policing events; In 2005 Hurricane Katrina which struck New Orleans was a storm of immense ferocity that resulted in the death of 1836 people (U.S. House of Representatives, 2006). Unprecedented in size, scale and devastation certainly; but this disaster was not unpredictable. In fact "Hurricane Pam" was an exercise conducted about a year beforehand by New Orleans authorities who accurately forecast the failure of the cities levees, the extent of the flooding and the scale of the evacuation that would be required in a hurricane of this size (Anderson, 2006, Moynihan, 2009). Nevertheless, the police chief failed to move his vehicles and communications capacity to safe ground and lost both within minutes of landfall compromising his response from the outset (Miller and Goidel, 2009). The state governor delayed mandatory evacuation of New Orleans' 1.2 million residents until just 24 hours before landfall making it impossible, as predicted during the Hurricane Pam exercise, for about 100,000 of New Orleans most vulnerable citizens to get away. Furthermore, the federal government failed to declare a state of emergency and preposition supplies in the days before the event resulting in an inordinate delay before they could be made available to a desperate population (Moynihan, 2009). Commentators on this event have rationalized these failures in many ways, the residents themselves suggesting that the working class, predominantly black city was never going to be a high priority for the authorities. Others point to a dysfunctional police department and poor city administration (Sims, 2007, Anderson, 2006). The federal inquiry that followed, aptly named "A failure of initiative" is a litany of failure to adequately prepare for a predictable risk. (U.S. House of Representatives, 2006) None have proposed a satisfactory explanation for such widespread and culpable inaction. Each level of decision making would undoubtedly have followed a risk assessment process and would have involved the participation of experienced and competent people yet they failed to heed the warning.

While the nature of the 9/11 attacks would have been difficult to predict, the prospect of a building collapse at the World Trade Center (WTC) certainly wasn't. After the Lockerbie bombing of 1988 a former US military officer working at the WTC, Rick Rescorla, a security manager for Morgan Stanley, recognized the possibility of a terrorist attack on the iconic building and wrote a report recommending security improvements that were ignored by the building's owner, the Port Authority. Following the 1993 World Trade Centre bombing in the building car park which exposed the very weakness he had identified he continued to lobby for improved security. Rescorla did his own assessment and predicted an attack by plane. He even used a flight simulator to demonstrate that it was feasible and recommended to his company that they move to New Jersey. This recommendation was not followed but, at Rescorla's insistence, all employees underwent emergency evacuation training every three months. On 9/11 when the hijacked planes flew into the WTC Rescorla led the evacuation of the majority of his company's 2,687 well drilled employees, he then returned inside to assist others and died when the tower collapsed. (Ripley, 2008a, Ripley, 2008b) Rescorla was clearly able to identify this catastrophic risk where others were not. (Humphries, 2005) The question arises as to why one person can comprehend the risk so clearly while those around them fail to have the capacity or inclination to do so? The answer may be found beyond the risk assessment process to the way in which people have evolved to deal with risk and uncertainty.

The WTC attacks present us with an example of a decision not to address a known risk. These occur where a risk is identified; recommendations are made, but the impetus and motivation to change does not exist. This is symptomatic of an ineffective risk management process. Before 9/11 it was known that radio communications between the fire department and the New York Police Department (NYPD) were not possible and that this could seriously impede operational capability in the event of a large scale multi disciplinary incident. Despite this long held realization the issue was never addressed and the consequence played out dramatically as the pilots of the police helicopter hovering above the twin towers nearly ten minutes before collapse were unable to convey their prediction of the buildings instability to the fire service below.. As they watched on the police officers who had received their warning began to evacuate while the fire fighters, oblivious to the danger continued to stream into the building to a certain death. (Lawson and Vettori, 2005)

In 2011 Anders Breivik, a lone wolf terrorist single-handedly launched a multi-stage "assault style"¹ attack in Oslo. Such an event in peace-loving Norway (Jilani, 2011) was certainly unprecedented but was unpredictable. A 2004 review of the security of government buildings in Oslo recommended bollards be erected outside the prime ministers offices to prevent a vehicle born explosive device (car bomb) from being positioned close to the buildings for maximum destruction. In a similar fashion to the NYC radios this simple and effective risk mitigation action was never taken. (Moynihan, 2009, Gjør, 2012) and Breivik had uninhibited access to position his vehicle packed with explosive in front of the Prime Minister's office killing 8 and injuring 76 more (Sollid et al., 2012). The multiple attack nature of Breivik's actions had been predicted by the health authorities of Oslo but they did not take action and factored such an incident into their response planning. (Gjør, 2012) Their prediction was triggered by the bombings in Mumbai and London which resulted in multiple injuries and the need to be able to respond to a mass event. Their ability to respond to the event was due to the ability to comprehend the level of risk and arguably saved lives when the casualties from the second attack on Utøya Island began to stream in. Unfortunately, the police and related agencies did not recognise the significance of the changing security environment and did not review their emergency or terrorist plans. In

fact, directly after the bombing a description of Breivik wearing police uniform and the registration number of his vehicle was phoned into the police by an observant citizen. The piece of paper with the information written on it was left on a desk for over half an hour while Breivik drove unchallenged past at least two police units to a ferry where he convinced the ferry operator to take him to Utøya Island. (Lewis, 2012)

Once Breivik had launched his attack on the Labour Party youth camp the calls from victims were initially ignored by the call takers. They were told that unless they were calling about the bombing in Oslo they were wasting operators' time and were disconnected (Gjør, 2012). Even when Breivik himself called the local police to surrender the call taker was unable to identify him as the perpetrator despite Breivik giving his name and location (Price and Sandleson). The police response was also criticized by the subsequent review (22 July Report, 2012) for the many delays in deployment. Breivik roamed the island for over an hour killing 69 people, mostly teenagers and 110 more were injured (Sollid et al., 2012).

Breivik surrendered immediately when confronted by police (Sollid et al., 2012) which is consistent with what is known about "active shooter" scenarios. Many police agencies have a policy of immediate confrontation rather than containment in such circumstances which was adopted following the Columbine High School shooting and other massacres, including the tragic incident at Port Arthur (O'Rourke, 2010, Armellino) Apparently this was not a policy of the Norwegian police who had no scenario training for such an incident.

In each of the examples above a risk has been identified and expressed but no action has been taken. Rather than take an investigative or critical view of these events this paper will now seek to find possible explanations for such failures to act by examining the field of organisational behaviour.

Theoretical Context

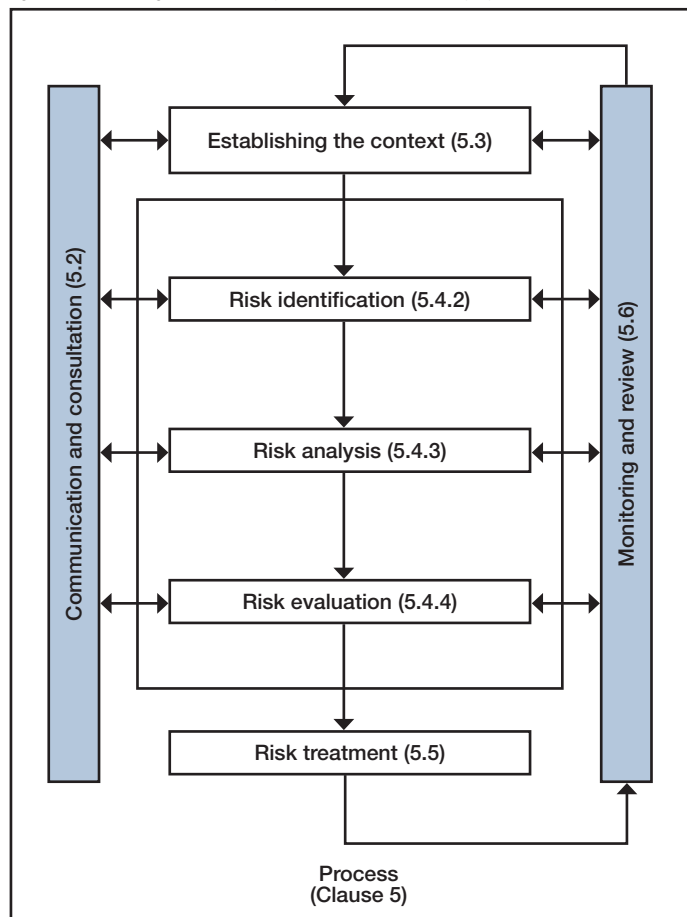
One of the most significant recent developments in the evolution of disaster management knowledge has been the incorporation of theoretical and methodological approaches from a variety of social science disciplines (Ingham et al., 2012). A review of these observations may lean towards the process or dimensions of emergency management; prevention, preparation, and recovery (Ingham et al., 2012). Instead a more divergent approach is adopted by viewing these decisions through the lens of organisational behaviour. Organisational behaviour is "a field of study that investigates the impact that individuals, groups and structures have on behaviour within organizations, for the purpose of applying such knowledge towards improving an organization's effectiveness." (Robbins, 2011 p8). Organisational behaviour itself is multi-disciplinary, drawing on the fields of psychology, social psychology, sociology and anthropology.

Risk Assessment, Rational Choice Decision Making and Bounded Rationality

Consider the premise that risk management is supposed to be about all those disasters that have not yet occurred. Uncertainty is inherent in the very construct of the risk assessment and the events of the past and present offer little insight, and in fact, can operate against us by limiting our thinking and willingness to engage with what "might" happen, over what has happened before. The human mind dislikes uncertainty and has adapted to minimize it in many ways which may have been functional for our ancestors, but which may be counter-productive in the field of risk management.

International standards organizations and consultants promote a variety of scoring methods by which risks can be “managed”. In Australia and New Zealand, AS/NZS ISO 31000:2009 (Standards Australia, 2009), was developed in liaison with Emergency Management Australia, provides the principles and guidelines advocated for a range of enterprises including public organisations.

Figure 1 – Risk Management Process (Standards Australia, 2009, p.vi)



This model is based on the principles rational decision making (RDM) a central tenet of which is that there will be a logical consistency across decisions (Martino et al., 2006). Rational decision making models such as this purport to describe how people should make decisions in order to arrive at the “optimal” outcome. Typically they involve a sequential approach, such as that shown in Figure 1, to develop and evaluate alternatives against decision criteria. When applied to risk management these models often utilize a scoring system (Hubbard, 2009). In the case of the Australian Standard the risk analysis is a process of assigning a numerical value to the likelihood and consequence the multiplication of which determines the risk level and thereby the priority with which risks are addressed. A strident critic of this approach, Douglas Hubbard, claims that these models at best offer a placebo and at worst, through the introduction of sources of error, make the final decision worse than it might have been if the decision maker had decided to do nothing. According” to Hubbard “the worst thing to do is to adopt a soft scoring method or an unproven but seemingly sophisticated method and act on it with high confidence” (Hubbard, 2009 p5).

While Hubbard (2005) takes a quantitative approach to his evaluation of the model his position does find some support in organisational behaviour theory. The fundamental flaw with rational decision making theory and its various derivations is that people are actually quite limited in their information processing capabilities. It is considered

impossible to acquire and comprehend all the information necessary to “optimize” a decision. (Kahneman, 2003, Zhang et al., 2006) The concept of bounded rationality has therefore been developed to describe the human tendency of “constructing simplified models that extract the essential features from problems without capturing all their complexity.” (Robbins, 2011 p 151). From this perspective it is possible to view many contemporary risk assessment processes as “bounded rationality in action” where people create simplified models to deal with complex issues. The problem with bounded rationality generally is that the complexity and sensitivity of information on which decisions will be made is lost while at the same time there is a tendency to identify a “limited list of the most conspicuous choices” (Robbins, 2011, p 151). At best the combined effect of these behavioural phenomena is a significant reduction in the intended function of the models being applied to make decisions on risks, at worst it may create the false confidence described by Hubbard (2005).

Organisational behaviour theory also informs us of a range of factors, beyond the logical sequences of the rational model, which will profoundly affect the way in which people make decisions about risk; these relate to perception and bias. Perception is the way in which we give meaning to our environment and it is this perception that determines our behaviour. Furthermore, perception is heavily influenced by personal characteristics such as attitudes, experience and expectations. For example, a previous experience with a dishonest car sales person may have been such that there is an expectation of dishonesty when dealing with car sales people in the future. This attitude may be reinforced by stories in the newspaper and the experience of others to the point that car sales people may always be perceived as dishonest, regardless of that person’s actual character. This perception shortcut is referred to as *stereotyping* (Hilton and von Hippel, 1996) which can be functional in that it allows us to use generalizations to help make quick decisions, but it is not always accurate.

Take J.E. Hoover’s failure to respond to the information from the double-agent Popov. This has been attributed to Hoover’s deep seated distrust of double agents (Bardsley, 1987). Hoover’s perception of a stereotypical double-agent as being fundamentally untrustworthy arguably overshadowed his rational assessment of the information that he was provided by otherwise credible sources with disastrous consequence. Given Hoover’s personality type it is also quite likely that another organisational behaviour factor was at work, that is *overconfidence bias*. It has been said that there is “no problem in judgment and decision making [that] is more prevalent and more potentially catastrophic than overconfidence”. (Plous, 1993). Research shows that when people say they are 100 percent certain of their answer being correct, they tend to be 70 – 85% correct (Fischhoff et al., 1977) and the ratio becomes worse as decision makers intellectual and impersonal abilities reduce (Kruger and Dunning1999). Hubbard (2009) makes a convincing case that managers, unless trained otherwise, will consistently underestimate the risks of a disaster occurring and claims that this may have been a factor in high-profile disasters such as the Space Shuttles Challenger and Columbia citing the Rogers Commission Report on Challenger (NASA, 1986) which found managers estimates of a failure were in the range of 1 in 100,000 while engineers estimated the risk at 1 in 100. It may also offer an explanation as to why Rick Rescorla, the former soldier, was able to accurately predict the risk to the WTC where others could not. Hubbard (2009) claims that some people are risk “calibrated” that is, their assessments of risk show a close correlation to the statistical risk in a variety of circumstances. Furthermore, according to Hubbard, it is possible to improve risk calibration through training.

The Columbia shuttle disaster provides another illustration of overconfidence bias in action, perhaps to the extent of *irrational optimism*. The assumption that everything will work out satisfactorily can be described as a belief in good fortune, luck or as optimism. Where this belief exists in contradiction of known information then this is called an irrational optimism. There has been considerable research into this human trait which sees people gamble while knowing that the odds are against them (Dell et al., 1981) take drugs (Greenblatt and Shader, 1971) or continue smoking in the face of all the medical evidence (Mckenna et al., 1993). There is a perspective on the belief in luck that describes it as an "irrational belief" which is considered to be maladaptive (See Ellis, 1971 & 1973). Others believe that optimism may be useful as positive illusions can bring a sense of confidence, and control that might otherwise be lacking (Darke and Freedman, 1997a, Darke and Freedman, 1997b). The cause of the Columbia disaster was the shedding of external tank foam, but what is not generally well known is that this had occurred on most missions. The obvious question, raised in the Columbia Accident Investigation Report was, "why did NASA continue to fly the Shuttle with a known problem that violated design requirements?" (NASA, 2003 p121).

It is possible to extend the concept of irrational optimism to explain the inaction of the public officials prior to Hurricane Katrina but the literature provides another, more compelling, explanation in this case which is risk tolerance. Hubbard (2009) explains that this perception bias occurs where people have been exposed to risk in the past and survive unscathed. Typically people will become more tolerant of the risk level which might also explain why people refuse to evacuate on the grounds that they have been through such, fires, floods or hurricanes in the past. Risk tolerance fails to acknowledge the element of chance, or luck, that may have operated in their favour previously and New Orleans had been hit by hurricanes many times in its history.

But how might we use organisational behaviour to explain the situation in Norway where the health agencies were able to identify the significance of recent events and amend their response plans accordingly, while the police did nothing? Anchoring bias may have played a role in this and is the tendency to focus on initial information and failure to fully adjust to subsequent information. (Tversky and Kahneman, 1974) This occurs when the human mind attaches greater weight to the first information it receives (Hammond et al., 1999) in this case, the original threat assessment which did not include the risk of multiple attack. The other explanation that may have come into play during the event to explain an apparent reluctance to contemplate the possibility of a secondary attack is *normalcy bias*. This is a mental state used to explain to explain where people, and organisations, don't adequately prepare for large scale disasters or cope with it when it does happen.

Normalcy bias operates to cause people to view incoming information and warnings in the most optimistic way possible to downplay the seriousness of the event they are experiencing (Valentine and Smith, 2002). This is the "it won't happen here" or "it won't happen to me" phenomenon, and given Norway's previously peaceful social history this belief is perhaps understandable. The underlying assumption of normalcy bias is that since a disaster of this type has not occurred before it will never occur but of course this is very limiting when it comes to anticipating, assessing and responding to risk. Normalcy bias may also have been a factor in the delayed evacuation of New Orleans in the face of Hurricane Katrina and the failure to imagine that people would fly planes into the WTC.

Conclusion

Assessing risks and making decisions are complex activities which can be significantly limited by deeply entrenched characteristics of organisational behaviour. Rational decision making, and models based on this approach, have inherent weaknesses as they indulge rather than counter the human tendencies to simplify complex phenomenon while they don't safeguard against the inherent tendencies that work against such a clinical approach. These tendencies include biases in perception and assessment which operate largely subconsciously. To this point the views of Hubbard (2009) are supported but from here Hubbard takes the view that the strict application of quantitative method is the only reliable alternative. While this may be appropriate in some contexts the reality of risk management is that is not practised by mathematicians with actuarial skills. Furthermore, this view underestimates the ability of people and organisations to override their deep seated perception and bias related restraints; once they are aware of them. The current system's strength, despite its inherent decision making limitations, is that it provides a coherent and logical process that forces managers and organisations to think about and address their readiness. (Manock, 2013) Rather than replacing it with a more complex process it is suggested that sufficient safeguards could be established if current practices were complimented by awareness and desensitisation training.

The value of interdisciplinary approaches within emergency management has been acknowledged and it is suggested that further research in the contribution organisational behaviour theory to this emerging discipline should be pursued. Perhaps with a view to the development of measures to counteract the counterproductive aspects of organisational behaviour to complement existing risk management processes.

Author

Greg Linsdell is a senior lecturer at Charles Sturt University, Australian Graduate School of Policing and Security where he coordinates the postgraduate Leadership and Management Program and International Programs. His academic interests are in leadership, operational command and decision making and emergency management more generally. Greg's professional background is primarily in policing with Victoria Police, Australia.

End Notes

1. The "assault style" attack is regarded as one of several relatively recent forms of terrorist attack being a progression from sieges, hijackings, bombings and suicide attacks. Brought to the world's attention in the Mumbai attacks of 2008 this tactic generated a review of counter terrorism tactics in many nations. (O'Rourke 2010).

References

- ANDERSON, W. 2006. "This Isn't Representative of Our Department:" Lessons from Hurricane Katrina for Police Disaster Response Planning. *Disasters and the Law*.
- ARPELLINO, R. *When They Come to kill the Kids: The Critical Need for "Immediate Action Rapid Deployment" in School Invasions* [Online]. Police One. Available: <http://www.policone.com/police-products/tactical/ballistic-shields/articles/1271209-When-they-come-to-kill-the-kids-The-critical-need-for-Immediate-Action-Rapid-Deployment-in-school-invasions/> [Accessed 2 March 2013].
- BARDSLEY, M. 1987. *The Life and Career of J. Edgar Hoover*, The Free Press.
- DARKE, P. R. & FREEDMAN, F. L. 1997a. Luck events and belief in luck: Paradoxical effects on confidence and risk taking. *Personality and Social Psychology Bulletin*, 23, 378-388.
- DARKE, P. R. & FREEDMAN, J. L. 1997b. The belief in good luck scale. *Journal of Research in Personality*, 31, 486-511.
- DELL, L. J., RUZICKA, M. F. & PALISI, A. T. 1981. Personality and other factors associated with the gambling addiction. *Substance Use and Misuse*, 16, 149-156.

- FISCHHOFF, B., SLOVIC, P. & LICHTENSTEIN, S. 1977. Knowing with certainty: The appropriateness of extreme confidence. *Journal of Experimental Psychology: Human Perception and Performance*, November, 552-64.
- GJØRV, A. B. 2012. Rapport fra 22. juli-kommisjonen; Preliminary English Version of Selected Chapters. Oslo: Government of Norway.
- GREENBLATT, D. J. & SHADER, R. I. 1971. Meprobamate: A study of irrational drug use. *The American Journal of Psychiatry*, 127, 1297-1303.
- HAMMOND, J. S., KEENEY, R. L. & RAIFFA, H. 1999. *Smart Choices*, Boston, HBS Press.
- HILTON, J. L. & VON HIPPEL, W. 1996. Stereotypes. In: SPENCE, J. T., J.M., D. & FOSS, D. J. (eds.) *Annual Review of Psychology*.
- HOLWITT, J. I. 2005. *Execute Against Japan*. Ph.D, Ohio State University.
- HUBBARD, D. W. 2009. *The Failure of Risk Management : Why it's Broken and How to Fix it*. 1 ed. Chichester: Wiley.
- The Man who Predicted 9/11 [Documentary]*, 2005. Directed by HUMPHRIES, S.: Channel 4, UK.
- INGHAM, V., HICKS, J., ISLAM, M. R., MANOCK, I. & SAPPEY, R. 2012. An Interdisciplinary Approach to Disaster Management, Incorporating Economics and Social Psychology. *The International Journal of Interdisciplinary Social Sciences*, 6, 93-106.
- JILANI, Z. 2011. As The Right Bemoans Norway's Criminal Justice System, it is One of The Safest Countries on Earth [Online]. Available: www.thinkprogress.org/justice/201107/25/277771/norway-is-safe/ [Accessed 3 March 2013].
- KAHNEMAN, D. 2003. Maps of bounded rationality: Psychology for behavioural economics. *The American Economic review* 93, 1449-1475.
- KRUGER, J. & DUNNING, D. 1999. Unskilled and unaware of it: How difficulties in recognizing one's own incompetence lead to inflated self-assessments. *Journal of Personality and Social Psychology*, 1121-34.
- LAWSON, J. R. & VETTORI, R. 2005. Emergency Response Operations. Federal Building and Fire Safety Investigation of the World Trade Center Disaster (NIST NCSTAR 1-8). National Institute of Standards and Technology.
- LEWIS, M. 2012. Anders Behring Breivik Could Have Been Halted – Report. *The Guardian*.
- Manock, I (2013) Personal communication with author, February.**
- MARTINO, B. D., KUMARAN, D., SEYMOUR, B. & DOLAN, R. J. 2006. Frames, Biases, and Rational Decision-Making in the Human Brain. *Science*, 313, 684-687.
- MCKENNA, F. P., WARBURTON, D. M. & WINWOOD, M. 1993. Exploring the limits of optimism: The case of smokers' decision making. *British Journal of Psychology*, 84, 389-394.
- MILLER, A. & GOIDEL, R. 2009. News organizations and information gathering during a natural disaster: Lessons from Hurricane Katrina. *Journal of Contingencies and Crisis Management*, 17, 265-273.
- MOYNIHAN, D. P. 2009. The response to Hurricane Katrina. Available: http://irgc.org/wp-content/uploads/2012/04/Hurricane_Katrina_full_case_study_web.pdf.
- MSNBC. 2012. Attacks in Norway. *World News - Europe*.
- NASA 1986. Report of the Presidential Commission on the Space Shuttle Challenger Accident.
- NASA 2003. Report of Columbia Accident Investigation Board.
- NASA. 2013. *Russia Meteor Not Linked to Asteroid Flyby* [Online]. Available: http://www.nasa.gov/mission_pages/asteroids/news/asteroid20130215.html [Accessed 27 February, 2013].
- O'ROUKE, S. The Emergent Challenges for Policing Terrorism: Lessons from Mumbai. 1st Australian Counter Terrorism Conference, 30 November, 2010 Edith Cowan University, Perth Western Australia.
- PLOUS, S. 1993. *The Psychology of Judgement and Decision Making*, New York, McGraw-Hill.
- PRICE, J. & SANDLESON, M. Police reveal Breivik called twice, broke communication. *The Foreigner*, 19 August, 2011.
- RIPLEY, A. 2008a. A survival guide to catastrophe. *Time*.
- RIPLEY, A. 2008b. *Who survives when disaster strikes – and why*, New York, Crown Books.
- ROBBINS, S. J., T.; MILLET, B.; BOYLE, M. 2011. *Organisational Behaviour*, Pearson Australia.
- RT. 2013a. *Meteorite hits Russian Urals: Fireball explosion wreaks havoc, up to 1,200 injured* [Online]. Available: <http://rt.com/news/meteorite-crash-urals-chelyabinsk-283/> [Accessed 27 February, 2013].
- RT 2013b. Russian meteorite blast explained: Fireball explosion, not meteor shower.
- SIMS, B. 2007. "The day after the hurricane": Infrastructure, order and the New Orleans Police Department's response to Hurricane Katrina. *Social Studies of Science*, 37, 111-118.
- SOLLID, S. J. M., RINSTAD, R., REHN, M., NAKSTAD, A. R., TOMLINSON, A., STRAND, T., HEIMDAL, H. J., NILSEN, J. E. & SANDBERG, M. 2012. Oslo Government District Bombing and Utøya Island Shooting July 22, 2011: The Immediate Prehospital Emergency Medical Service Response. *Scandinavian Journal of Trauma, Resuscitation and Emergency Medicine*, 20.
- STANDARDS AUSTRALIA 2009. Risk Management - Principles and Guidelines. Sydney: Standards Australia.
- TVERSKY, A. & KAHNEMAN, D. 1974. Judgment under uncertainty: Heuristics and biases. *Science*, 1124-31.
- U.S. HOUSE OF REPRESENTATIVES 2006. Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, A Failure of Initiative. Washington D.C.: US Government.
- USSWESTVIRGINIA.ORG. *Full Pearl Harbour Casualty List* [Online]. Available: <http://www.usswestvirginia.org/ph/phlist.php> [Accessed 3 March 2013].
- VALENTINE, P. V. & SMITH, T. E. 2002. Finding Something to Do: The Disaster Continuity Care Model. *Brief Treatment and Crisis Intervention*, 2, 183-196.
- ZHANG, C. K., HSEE & XIAO, Z. 2006. The Majority rule in Individual decision making. *Organizational Behaviour and Human Decision Processes*, 99, 102-111.



Applied Ethics: A call for a new approach to police 'diversity' training

Phil Palmer, LLB, MA Faculty of Law and Business, University of Southampton, UK

Abstract

The police service in the United Kingdom has approached the issue of policing a multi-cultural society by making it more complex than it should be. This paper suggests that what is required is a set of ethical principles that apply to all policing policy and practice. To achieve any progress in this area it will be necessary to re-think the whole area of race and diversity policy and practice. If UK policing continues down the path that highlights difference as the prime policing consideration, it will significantly undermine police officers confidence in policing all communities.

Introduction

In 1999, the Macpherson Report concluded that there was an overall lack of trust and confidence in the police amongst ethnic minorities and noted, *'the experience of black people over the last 30 years has been that they have been over policed and to a large extent under protected'* (1999: para 45.7)

The police service responded to the Report's finding that they were 'institutionally racist' by paying more attention to diversity issues and being more cognizant of the impact of their policies on police relationships with minority groups. Very quickly the issue grew into a significant industry generating a substantial body of deliberation and literature, in the form of: training, codes, guidelines, policy reports, conference papers and critical commentary, all of which have continued to expand. Those with responsibility for police policy produced a plethora of training, diversity policy and operational requirements designed to stress the cultural differences within contemporary British society. Untold numbers of consultants employed at significant cost, claiming to be specialists in diversity and race but with little or no knowledge of policing, attempted to change officer attitudes and to make them more aware of cultural differences and norms.

Much of the 'diversity' training was basic, consisting of homilies, supported by simplistic practical exercises. This approach has failed to deliver. It has focused too much on highlighting differences and not enough on identifying those common concerns that impact on all communities and how

to police them. It has consistently ignored the realities of police practice, favouring a frontal assault on police officers' integrity and professionalism where persuasion and understanding are needed instead. The argument presented in this paper points to the unique role of a police officer and suggests that what is required is for the service to pursue an ethical agenda that fosters within all officers the habit of 'doing what is right'. All citizens should expect nothing less of officers than the highest standards of conduct. Thus police managers and educators should legitimately seek to modify the behaviour of officers where required. In fact, the police should vigorously pursue this goal, but with due respect for individuality rather than difference.

The failure of 'Policing Diversity' training

The concept of diversity particularly its central concept, multiculturalism, is now common in police discourse and practice. However it has contested discourses with multiple meanings and understandings. Multiculturalism is difficult to define because cultural and personal identities are 'dynamic, evolving organisms' that are 'blurred with political identity and political ideology' (McGoldrick, 2005: 28). While many groups have a sense of community and a sense that they are diverse, no shared understanding of what diversity means has yet been reached (see Delanty, 2003). Populations are now coded as "multicultural" or "diverse," merging these notions with those of the community and group or cultural identity. Political theorisation and discourse about these groups has happened about and through them, but not necessarily *with* them. This has been reflected in police policy and practice where their representational subjectivities and cultural identities have been considered rather than their policing needs. The result is that, 'multiculturalism has acquired a quality akin to spectacle. The metaphor that has displaced the melting pot is the salad'. (Davis, 1996: 5).

The term 'Policing Diversity' emerged following the publication of the Macpherson Report (1999) and is used by the police service and policy makers to describe attempts by the police service to come to terms with the multicultural and multiethnic nature of society. The adoption of the term

was seen as proof that the police were attempting to re-engage with all sections of society in the spirit of community policing. In January 2009, Trevor Phillips, Chair of the Equality and Human Rights Commission, wrote in the *Daily Mail* newspaper that the accusation of institutional racism against the police is no longer valid (19 January 2009); a few weeks later, Jack Straw, Secretary of State for Justice, told the BBC's Politics Show, the Inquiry's conclusion that the Metropolitan Police Service was a fundamentally racist institution is no longer true (*The Guardian*, 23 February 2009). The following day, at a conference marking the tenth anniversary of the Report, Sir Paul Stephenson, Commissioner of the Metropolitan Police, claimed the force was no longer institutionally racist, saying it had made so much progress that the label was no longer useful (*The Guardian*, 24 February 2009).

These comments were naïve and complacent. Several research studies have been conducted since Macpherson reported, most continue to identify difficulties the service is facing in its relationship with young people from black and other ethnic minority groups. The findings demonstrate the depth of these negative feelings, suggesting there continues to be a firm belief that the police service has nothing to offer to them or to their communities (Foster et al. 2005; Phillips and Bowling 2003; Norris et al. 1992; Bland et al. 2000). In April 2012, the Metropolitan Police suspended eight officers and a civilian worker as part of an investigation into ten separate allegations of racist abuse, bullying and violence involving 18 officers and one staff member. An internal inquiry by the Police Service of Northern Ireland has seen four officers suspended over racist and sectarian text messages. The overall evidence confirms a lack of trust and confidence in a service that relies upon the goodwill of the public to perform its role effectively. In addition, the research demonstrates the depth of these negative feelings within minority groups and their firm belief that the police service has nothing to offer to them or to their communities (Sharpe & Atherton 2007).

The term 'Policing diversity' could therefore be interpreted as the collective failure of those efforts of the past that sought to provide value-free policing to all sections of the community.

In order to re-establish trust, the police must recognize and respond effectively to the needs and expectations of a diverse population. The starting point must be the recognition that all communities have common concerns and fears about crime and disorder, irrespective of race, culture or religion. Whilst it is essential that the police service remain sensitive to the nuances and specificities of particular localities, it is the common crime and disorder problems that all citizens wish them to address. The service must take these concerns seriously and work together with other partners to address them. In any community the tension between the residents and the police arise primarily around those incidents of incivility and disorder which do not lead to police action or criminal prosecution. These are incidents that sometimes cannot be dealt with by proactive operations and the detailed targeting of individuals.

In all localities a deeper understanding of the overall patterns of what the service may think of as the 'ordinary' or 'everyday' as well as the violent or organised criminal activity is necessary before any strategic or operational decisions are made about intervention and prevention. A reflective approach must involve considerations of these wider, normative issues, as well as carrying out work that seeks to explore the dynamics of, and tensions within, the different approaches to policing diversity. When considering engagement with diverse communities, it is important to document all voices, including those voices from within the police service, as the narratives that individuals tell about their lives may provide for a more nuanced understanding of the engagement process.

This paper suggests that discrimination can only be addressed by ensuring a set of basic ethical principles are applied to all categories of human beings that police come into contact with so the vast majority of police officers are seen to be acting at all times in a consistent, professional and ethical manner. If the police are perceived to favour one party to a conflict or to discriminate against a particular group they will be treated as a contestant in the conflict and met with hostility and violence. For this reason any officer who contemplates using their powers to discriminate should not be surprised, and must expect a sanction to ensue. Moreover the officer must understand that a civilised society cannot tolerate police activity on any other basis. What is required is the adoption of an ethical agenda for the police service, without such an agenda it may be argued that the reputation of the police service will continue to be challenged.

Setting an ethical agenda

It is clear that people of all groups base their opinions, on long term, general observations about police effectiveness as well as short term, specific encounters. A rational assessment should now be made about how to combat discrimination and racism within the police service, as well as perceptions of discriminatory practices by police officers. It is now clear that this has not been achieved by bombarding police officers with diversity awareness training or police leaders with diversity and race policies and practices. This only has the effect of highlighting differences and does not add any value to policing or its impact on minority communities. Policing is about people and communities. The core space of policing is occupied by the unique encounter between one set of people who need police services and those that have been entrusted to deliver them. This trust is earned through a blend of professional competence and service orientation, steered by ethical commitment and social accountability, which forms the essence of professional police work. Through a chain of events flowing from effective learning, to high-quality policing services, to improved safety, professional policing can make an essential contribution to policing. A contribution that may have a measurable impact on the wellbeing of individuals and communities.

The concern for an increased ethical focus in police training was expressed as long ago as 1978 in the widely distributed Police Foundation report, *The Quality of Police Education*. The report recommended, among other things: police education programmes should include analytical and conceptual courses on issues related to policing tasks including courses covering the law, ethics and social science research on the impact of policing on the community. Police education programmes should give greater emphasis to the major issues in doing police work. Every police education program should include in its required curriculum a thorough consideration of the value choices and ethical dilemmas of police work (Sherman et al., 1978: 3-4).

The original interest in police ethics centred around issues of integrity which were understood to mean high level corruption and as such are obvious and do not really require further or sustained analysis. In this paper, ethics and integrity are words that should also be associated with personal behaviour, or to describe the managerial or corporate identity of an organisation. They refer to much more than just the absence or condemnation of corruption but are essential elements in creating a 'fair and honourable' organisation. What is surprising, given the

fundamental importance of ethics in policing policy and practice, is that historically it has not been more used in the discourse of policing. This is a consequence of a rather opaque understanding of what ethics actually entails or it may be that there is a concern as to where such discussions may lead. It seems that whether as a value or principle, there is a range of meanings that can attach to the concept and this may reflect the extent to which the police have appealed to it. For the purpose of addressing discrimination I would paraphrase the words of David Feldman and suggest that part of ethical policing:

"excludes discrimination [of] groups on irrelevant grounds, and allows them to assert rights to exist and continue their traditions ... providing a link between the values of dignity and equality." (Feldman, 2002: 126)

'On irrelevant grounds' has been emphasised because it is important to note that concerns about disproportionality, profiling and accusations of racism are in danger of framing the discourse in which the police services now operate. The whole area of police-community consultation and democratic scrutiny provides acute challenges, particularly in liberal democracies. Any ethical agenda must also account for the distinctive aspects of the police status and function. Police officers play a direct and critical role in providing safety and security and protecting the fundamental rights of the individual, communities and the State. Paradoxically, one of their primary methods for discharging these duties is occasionally to encroach intrusively on individuals or communities. Any ethical agenda aimed at reducing prejudice and emphasising equality must therefore include the realities of operational policing. Failure to consider policing issues will result in the same sort of corrosive relativism that failed both the police service and minority communities so far.

A First Approach: Developing Police Integrity

What is an ethical police officer? When asked that question we take for granted that police officers should be honest, fair, trustworthy, responsible and professional. We should be asking instead how can we be sure that officers are honouring these values in their professional life? Police managers should be concerned with developing within officers the capacity to recognise that these are the basic values and strengths of a police officer. There are two related reasons why ethics should be at the core of policing delivery.

First, effective law enforcement in a democratic society is only possible when the police honour basic ethical standards. Neither the law nor administrative authority within police organisations place significant limits on police officer behaviour when officers engage in activities for which no formal report is necessary. Notwithstanding the *Police and Criminal Evidence Act*, the fundamental check on police power in situations where officers use discretion to deal with citizens on a daily basis, is one of individual conscience. Unless police officers can exercise this internal discipline, policing will always be at risk. Policing 'diversity' should no longer amount just to a formal study or the issuing codes and 'diversity' statements but should include discussion and debate on ethical issues at all levels within the service.

Second, ethics must be given a high priority. Most police officers recognise the need to behave in an appropriate manner. The vast majority of officers perform their functions in a non-discriminatory way and are able to resist temptation. However, the police culture is strong and there are cases of officers being influenced by peer pressure placed on them by officers who have engaged in questionable practice. This is not a cognitive problem; all officers are able to identify the basic standards of right and wrong. If you believe the maxim, virtue is 'caught not taught' (see Ryle, 1972), it follows that training that seeks to change attitude is of limited worth, the challenge that exists is a behavioural one. It is unlikely that any form of diversity awareness training could influence officers who have already established practices or officers who readily yield to peer pressure. It is therefore not too difficult to justify the teaching of ethics in general at some stage of a police officer's service. If ethics is simply to be cordoned off into training, then like race and diversity, many officers will conclude that senior officers simply view it as a matter of public relations, or a 'tick in the box' rather than an essential part of policing.

But will ethics training be more effective than existing 'diversity' training and development? A trite response would be that it could not be any less effective! The answer to this lies in the specifics of police work. Police officers in their day-to-day work must make morally significant decisions that other individuals will never have to make, and need to be helped to work through them. Police officers regularly encounter decision making situations that do not form part of ordinary life and for which they need to be prepared. Specific to police work, John Kleinig (1990: 4) identified the following as worth noting:

- Police officers are given considerable authority, including an authority to use varying degrees of coercive force. Along

with that authority they possess significant discretion in its use. The consequences of police decision making for individuals and communities may be enormous. It is therefore important that police be taught the wise use of their authority.

- Because a significant portion of police work is concerned with the breakdown of normality. Police decision making can take place in situations that are not automatically accommodated by the habitual moral responses of everyday life. Police must deal with people for whom the ordinary constraints of morality may have little meaning.
- Police decisions are often made in crisis situations or at least in situations that provide no time for reflection. If they are to make good decisions in those circumstances, it is important that they approach them with well prepared and appropriately sensitized dispositions.
- Police involvement in crisis situations is not optional but legally and organizationally mandated. Police officers are required to intervene in situations that others walk away from, and the resolution of these situations may be very difficult. Furthermore, police are frequently placed in situations in which their role exposes them to the anger or derision of others, to human intransigence or uncooperativeness.
- There are situations in which the price of being accepted as a "good police officer" may be the acceptance of racist or discriminatory practices. It is important to note that influences for unprofessional conduct come from without and within. Police officers, as a matter of necessity form closely knit groups. That has its important positive functions, but a downside effect is a high degree of peer pressure to conform to group norms. If this is not to be destructive of moral autonomy and moral integrity, a very high level of ethical courage may be required.

It cannot be presumed that those who enter police work will be prepared for these moral choices and challenges. Police ethics is a continuous process that assists police officers to respond in an appropriate way to situations that are their responsibility.

How should the service take ethics on?

Ethics training must be based on the realities of police practice. In a safe setting where honesty can be guaranteed, the moral dilemmas that officers face and the decisions that they sometimes make to escape some of the rigors of ethics should be examined before these tendencies take root. Those

issues that consistently accompany unethical conduct should be considered in all training. Exchanges such as these have little to do with changing attitudes or morals. Anyone can offer justifications for the value of honesty or non-discriminatory practices. Rather than seek trainers or consultants with an in depth knowledge of the philosophy of ethics the police service should turn to those who combine an insider's knowledge of policing with a specialist expertise in facilitative training. Both are important, the former because outsiders are often rejected when they offer uninformed criticisms of the police, and the latter because emotions voiced by officers must be guided towards constructive goals. The guidance must of course be careful not to manipulate. Education must provide officers with the ability to dissent from positions taken by the majority. In this way police leaders could point to a dispositional change whilst avoiding the kind of stampede that has up to date threatened individual autonomy. The choice of how to behave still rests with the officer, however for those who are still not interested or persuaded to behave in an ethical manner, effective enforcement of service norms of behaviour is essential. The author has over 35 years' experience with the police service for this assertion but would suggest that those officers who express racist and sexist behaviour are also those likely to be engaged in other areas of malpractice.

Some police organisations have thought it wise to publish a code of ethics that set out their policing aspirations. There are good reasons why these codes should not be made the focal point of the police's adherence to ethics and integrity. Codes are simply a statement of intent based upon obvious standards of behaviour. It is doubtful whether they are enough to persuade those tempted by misconduct. Codes are designed to represent to the public the broad sentiment of the service; they do not contain a detailed analysis of the reasons for such a sentiment. Furthermore:

codes of ethics can be regarded as enjoining standards of conduct without regard to the motivational factors that are so central to ethical decision making. Morality is as much a matter of being and thinking as of doing, as much a matter of attitude and disposition as of action, of reasons as of conduct. Codes of ethics tend to externalize conduct encouraging uniformity rather than responsibility (Kleinig 1990: 14).

The best strategy for stimulating interest in ethics in policing is to begin to develop an appropriate training programme in applied ethics. This training should concentrate on those ethical dilemmas officers will or may encounter in their daily lives.

By linking training firmly to policing reality it is hoped that debate amongst police officers about the rules that govern their daily lives will begin to develop (see Waddington et al 2013). From such a debate should emerge a code of professional rules or working practices that have a significant chance of working.

The present situation is a somewhat piece-meal approach to police ethics. As a subject it seems to be the interest of a few, with practitioners divided amongst themselves as to the value of ethics training. The result is that the subject has not yet progressed beyond the debating stage. If applied ethics training is properly developed it should stimulate officers to act according to internally consistent principles. As far as policing is concerned applied ethics should set the groundwork for debate amongst police staff about the principles that govern their profession because, it is my contention, that for any codes of behaviour to endure they must be based on the reasoned assent of practitioners.

There are important pedagogical issues that are raised by developing an applied police ethics capability. These issues are beyond the scope of this paper and require detailed consideration. However at least three deserve passing comment here:

- (a) who should be taught police ethics?
- (b) where should it be taught?
- (c) what should ethics training seek to achieve?

a) Who should be taught police ethics?

The question raises several issues that cannot be easily resolved:

- When should police ethics be taught?
- Should it form part of the basic training of new officers?
- Should it wait until officers have some experience of the realities of police work?
- Ought it to be incorporated into the various specialist and promotional programs that are available to career officers?

There is probably no exclusive answer to these questions, however some very brief observations can be made.

New Recruits

New officers do not come into police work prepared for the ethical demands it will make. Unless these demands are anticipated and prepared for as part of basic training poor decisions may be made. The new officer may unwittingly infringe on others' rights, or engage in discriminatory acts. The same considerations can be advanced in support of teaching police ethics to those who are contemplating or preparing for a

police career and are completing a university course prior to undertaking specialized police training. Reflection on ethical issues relatively free from the constraints of time, and peer pressure allows for a better appreciation of its relevance to operational policing. However, it is essential that ethics theory is balanced with realism and engagement because ethical decision making is a practical matter. As John Stuart Mill expressed:

The morally mature decision maker employs all his faculties. He must use observation to see, reasoning and judgment to foresee, activity to gather materials for decision, discrimination to decide, and when he has decided, firmness and self-control to hold to his deliberate decision (Mill, 1859: 56).

Experienced Officers

Experienced officers soon learn strategies for dealing with situations; they have almost inevitably been exposed to unprofessional practice. These officers are uniquely placed to bring ethical reflection, wisdom and realism of exposure to the realities of policing. Ongoing opportunities for ethical reflection on the realities of police work may provide clarity where situations have become confused, new insights where the activity has left little room for appraisal and the breathing space necessary for a discussion about resolutions to policing problems. It must be remembered that policing is not a narrowly circumscribed profession. The uniformed patrol officer may be the mainstay of police work, but there are management and specialist decisions that confront the police officer with new-and difficult-moral decisions. There is a strong argument for including, along with the courses that introduce officers to new ranks or skills, formal engagement with the ethical questions likely to be posed by the new rank or sphere or operation. Unless these police officers are provided with opportunities for reflection on the ethical dimensions of their work throughout their careers, they are likely to develop practice to which moral considerations have contributed unsystematically (Sherman, 1982).

The Community

The availability of a formal engagement with police ethics is of considerable practical importance. Engagement with and through the community on issues of police ethics would assist policing. At the most basic level, the police can only operate effectively if they have, and can maintain, the support and confidence of the public, and they cannot prevent or detect crime without the active cooperation of ordinary members of the community. It is therefore essential that they listen when they are presented

with evidence that the public have lost that confidence. For example, 'Policing Diversity' has to be about more than recognizing that policing should be sensitive to the communities that are being policed. It also requires commentators and communities to have an understanding of the decision making dilemmas of policing which may help provide mutual understanding and a lowering of the barriers that have been created. Particularly where police ethics classes are mixed, there might develop a feeling for the other's situation and perspective and a moral basis for greater interaction and acceptance.

Where should it be taught?

This is not a simple question and one that may be discussed in the context of the recent Report on Police Leadership and Training (Neyoud, 2011). The report provides a thorough re-examination of police education. It is critical of the current system, which is largely carried out through a classroom-based approach by individual forces and suggests that it should be replaced by higher education colleges providing courses accredited by a new chartered institute of policing. As well as the new qualification for recruits there would also be a 'frontline' manager's qualification and a senior manager's qualification.

It is at least arguable that 'learning police ethics' is most appropriately accomplished "on the job" rather than in the classroom. Experience of real decision making cannot be matched by academic instruction. However there is a problem with experiential learning, new recruits run the risk of finding themselves inducted into an ethically deficient style of policing. One of the advantages of teaching police ethics within a university or college is that appropriate recognition can be given to the larger settings and assumptions within which the ethical dialogue occurs. Moral autonomy rather than moral conformity will be encouraged. There need be no reluctance to question and criticise current practices. Because of this recruits will be better prepared to assimilate their experiential training in a way that does justice to the ethical demands of the situations that confront them.

However universities and colleges are institutions committed to some form of academic freedom and in which courses in ethics are generally taught by people for whom knowledge of policing is not necessarily a primary consideration.

University or college training will not substitute for experience, but it must prepare officers to profit from it. Education in this context must not be divorced from experiential involvement. A good education programme should incorporate practical training and that

experience, shared with fellow recruits, may then provide a focus for classroom discussion and reflection. New recruits and experienced police officers should study ethical questions in a climate of relative openness and in the company of those whom they police is highly desirable. But there also will be a place for some additional confrontation with these questions in a university setting, where the ethical questions are concretised and contextualised.

But there is a serious difficulty if a course in police ethics comprises only, or even mainly, a general introduction to moral philosophy. There are so many theories that students who are confronted with them are likely to be more confused than constructively assisted. It is very easy to get lost in the intricacies of moral theory, to be overwhelmed by the uncertainties and disagreements, to feel completely lost and unable to cope at that level of abstraction. Moral reflection is a luxury indulged in by academics detached from responsibilities of policing. Nonetheless, a case can be made for familiarizing students of police ethics with the basic contours of moral theory, with some of the well worn vocabulary of moral philosophy, but this should constitute only a small portion of any course in police ethics. Students should be given enough knowledge to make their own decisions or, alternatively, to be stimulated to pursue such inquiries in some optional further courses in ethics.

If a course in police ethics is to be of real assistance and value to police officers, it will need to use case studies. The charge of academic remoteness can then be addressed. Only then will the skills of decision-making in complex and morally ambiguous situations be realistically developed. Only via the concrete circumstances of police work will students be able to trace the forms of inquiry that lead ultimately to the most general questions of moral theory. A case-study approach takes off from where police officers are or will be-from real-life situations (see Waddington et al 2013). It enables officers to appreciate the complexity of the world in which they work and the interrelatedness of the various factors that enter into a morally wise decision. Moreover, it gives them practice in specifying and weighing these factors.

What should ethics training seek to achieve?

The paper returns to 'policing diversity' to illustrate the importance of adopting an ethical agenda. For many reading this paper their moral development will have taken place within the context of a particular social class and cultural tradition that will display

the partiality and prejudices of that class and tradition. Police officers are no different.

They are however asked to work in a mixed social and cultural environment, and unless they have been sensitized to perspectives other than the ones to which they are accustomed, their encounters may be inappropriately conducted. Making claims for the behavioural outcomes of ethics education remains problematic, but while it is desirable to improve moral reasoning skills and foster an interest in ethical issues, it is far more problematic to attempt to inculcate or modify attitudes or beliefs. One of the virtues of educating police officers in 'applied' ethics is its emphasis on both the context and the content of decision making by focusing on how individuals think, not *what* they think. As a result, decision making is not associated with particular moral or community perspective but instead stress appropriate ethical understanding and skills. These include for example, an understanding of diversity, i.e., the understanding that ethical decisions need not be excessively particular but apply to any similarly situated individual, and reciprocity, i.e. the ability to grasp the moral legitimacy of competing individual or community views.

In short, applied ethics education should assist police officers to make the right decision. Police officers are thrust into a position in which their decisions can have a large impact on members of the community they serve. Unless they have developed some expertise in detecting the multiple ramifications their policies and practices may have and in mediating the competing claims that present themselves, they may act in ways that compromise or violate the norms that ought to exist in police/community relations. Courses in police ethics constitute an important support for morally exemplary police work. What is claimed is that as far as such courses are concerned, they will contribute best to improving police/community relations if their focus is first and foremost on the development of moral expertise.

Conclusion

The teaching of police ethics must not be construed as the exclusive cultivation of reason or will or emotion but as part of the development of police officers. There is no single way to teach police ethics, nor, apart from attention to context, an exclusively 'best' way. For the police, ethics, as a human response to human problems, may, with appropriate caveats, be taught in a variety of ways in a variety of contexts, exhausted by no one or simple paradigm.

With the author, as an experienced former officer does not accept that police officers routinely discriminate. However for some communities perceptions about police discrimination is an aggravating factor that adds to frustrations about the police's inability to deal with their problems. Yet despite of all the policies, codes of practice, reassuring 'diversity speak' and training, the complaint continues to remain that police relations with some communities are fractured and are in urgent need of improvement.

One special feature of training in ethics should be noted. Applied ethics rarely questions a person's disposition to do 'what is right', but instead assumes the existence of this attitude and then asks what it would be right to do in a given situation. Trainers must of course take a principled stance on dilemmas facing policing; that is the only way such issues can be resolved. But the position the service takes should not be confused with the strongly directive guidance and training currently in place for such issues. Officers should begin to understand the arguments presented are intended to provoke thought and that any assent can only be justified on the basis of rational reflection on a policing problem. The quality and effectiveness of policing itself will be enhanced when this training is developed and delivered.

References

- Bland, N., Miller, J. and Quinton, P. (2000) 'Upping the PACE? An Evaluation of the Recommendations of the Stephen Lawrence Enquiry on Stops and Searches', *Police Research Series Paper 128*. London: Home Office Policing and Reducing Crime Unit.
- Bowling, B. and Phillips, C. (2002) *Racism, Crime and Justice*. Harlow: Pearson Education.
- Davis, Angela Y. (1996) Gender, class and multiculturalism: Rethinking "race" politics. In Avery Gordon & Christopher Newfield (Eds.), *Mapping multiculturalism* (pp. 40- 48). Minneapolis, MN: University of Minnesota Press.
- Delanty (2005) *Community*. London: Routledge
- Feldman, D. (2002) *Civil Liberties and Human Rights in England and Wales* (2nd edn, Oxford University Press)
- Foster, J., Newburn, T. and Souhami, A. (2005), 'Assessing the Impact of the Stephen Lawrence Enquiry', *Home Office Research Study 294*. London: Home Office.
- Klienig J (1990) Teaching and Learning Police Ethics: Competing and Complementary Approaches. *Journal of Criminal Justice* Vol. 18, pp. 1-18
- Macpherson, W. (1999) *The Stephen Lawrence Inquiry – Report* (The Stationery Office Limited, London.
- McGoldrick, Dominic. (2005) Multiculturalism and its discontents. *Human Rights Law Review*. 5(1) 27-58
- Mill, J. (1978). *On Liberty*, ed. E. Rapaport, Indianapolis: Hackett.
- Neyoud P (2011) *Report on Police Leadership and Training*. HMSO
- Sharpe, D and Atherton, S. (2007) To serve and protect? The experiences of policing in the community of young people from black and other ethnic minority groups. *Brit. J. Criminol.* 2007, 47(5), 746-763
- Sherman, L. (1981) The teaching of ethics in criminology and criminal justice. *Joint Commission on Criminology and Criminal Justice Education and Standards*, LEAA. Washington, D.C.
- Waddington, PAJ; Kleinig, J & Wright, M (2013) (eds) *Professional Policing Practice: Scenarios and Dilemmas*, Oxford University Press, Oxford.

Instructions for Authors

1. Your paper should be submitted via e-mail in Word format to **j.fleming@soton.ac.uk**
2. Contributions should be between 4-8 single-sided A4 pages (including references) using single spacing and 12 point font.
3. Do not use footnotes. Endnotes should be kept to a minimum.
4. When an acronym is first mentioned, it should be written in full with the acronym in brackets immediately following. The acronym is to be used thereafter. Uncommon abbreviations should be explained in full. Full stops should not be used in abbreviations or acronyms, eg NSW.
5. Use single quotation marks to introduce a word or phrase used as an ironic comment, as slang, or which has been coined. Use quotation marks the first time the word or phrase is used; do not use them again. Do not use quotation marks to introduce a technical or key term. Instead, italicise the term.
6. Tables to be created in the document (do not paste in as a picture from another application).
7. Charts to be created in Excel using placement instructions in the Word document, ie 'Insert Fig X here'. Charts are to be formatted as follows: Arial 10pt, no chart title, standard black for text and chart axes, no background colour and the legend placed at the bottom of the chart. Separate Excel files must also be provided so that the charts can be reformatted if necessary.
8. Table and figure captions must be included.
9. Photographs to be supplied as separate jpg or TIF file at a high resolution (600dpi).
10. References should follow the Harvard in-text style and format as follows: The theory was first propounded in 1970 (Larsen, 1971). Larson (1971) was the first to propound the theory. Drawing on research recently conducted with Australian police unions (Fleming & Marks, 2004, pp. 673-76). Examples of references are: Fisse, B. & Shearing, C. (1989) 'The proceeds of crime act: The rise of money laundering, offences and the fall of principle'. *Criminal Law Journal*, 13, 5-23. Macpherson, W. (1999) *The Stephen Lawrence inquiry*. London: Oxford: Oxford University Press. Newburn, T. (2003) 'Policing since 1945'. In T. Newburn (Ed.), *Handbook of Policing*. Cullompton: Willan, pp. 84-105. Sherman, L., Strang, H., Barnes, G., Braithwaite, J., Inkpen, N. & Teh, M.M. (1998) *Experiments in restorative policing. A progress report on the Canberra reintegrative shaming experiments*. Research School of Social Sciences: Australian National University. Jonas, B. (2003) *Discrimination against indigenous peoples in the justice system – examples, experiences, and governmental, administrative and judicial measures to ensure equitable justice system*. Retrieved July 15, 2004, from **<http://www.unhchr.ch/indigenous/backgroundpapers.htm>**
11. Authors are expected to check the accuracy of all references in the document, ie ensure that in-text references are provided in full in the List of References, and in reverse, ie if any in text references are removed, then they are removed from the List of References.

If you would like to discuss a potential article or any other contribution to the Journal please contact
j.fleming@soton.ac.uk

Five Years on ANZPAA and Professionalization

Larry Proud BA (Pol.Stud.) MLds.Mgt. (Police)

Since Federation, the various Australian police agencies have established robust inter-jurisdictional forms of coordination and cooperation, at the Ministerial, Commissioner and organisational level. The Police Commissioners have held regular conferences since 1903, the first meeting of which established an agenda to explore the possibilities of greater co-operation between the police forces of the newly formed federation. New Zealand Police joined the Conference in 1937, and other Pacific nations (such as Fiji and Papua New Guinea) have also participated, in what was known informally as the Police Commissioners' Conference.

In March 2005, the then Police Commissioners' Conference established a review to progress the professionalisation and future direction of Australasian policing arrangements.

A working party was formed, guided by a steering committee of Commissioners, and a senior representative from the Australian Government Attorney-General's Department to review police professionalisation. The review was to initially consider the scope and functions of the Australasian Police Professionalisation Standards Council (APPSC), in order to progress policing from an occupation to a profession, as well as conduct a review of other national bodies established under the auspices of the Police Commissioners' Conference.

In April 2005, the Senior Officers' Group of the then Australasian Police Ministers' Council endorsed and extended this review to all current National Common Police Service (NCPS) arrangements and the future capacity of CrimTrac, with a view to assessing their suitability to the needs of the current and emerging national policing environment. It also included the Australasian Centre for Policing Research, Australian Institute of Police Management, National Institute for Forensic Science and the National Crime Statistics Unit.

As a result of this review, a report was produced entitled, *'Blueprint for future cross-jurisdictional arrangements – PCC/APMC Review – Developing the future of Policing'*. This review acknowledged that Commissioners and Ministers across Australasia had long recognised the benefits of thinking and acting collaboratively across jurisdictions to come up with cost effective, innovative solutions that can be adapted in a number of jurisdictions. Over the previous 25 years, a range of organisations and specialist groups had been established that provided policy advice, research assistance, education and training and facilitated information-sharing across police organisations. Each of these organisations had provided valuable service and, through research and policy initiatives, had greatly improved police responses and facilitated the adoption of best practice across jurisdictions.

However, the report also determined that the structure of those groups and organisations was reducing the effectiveness of this work. It was disparate and inefficient in terms of managing resources, developing comprehensive strategic directions for Australia and New Zealand policing, and ensuring the directions set by the Commissioners were carried out in a thorough way. Concerns were raised about duplication of effort, and a number of stakeholders expressed the view that the policing environment had substantially developed, and that national cooperative arrangements could better reflect this change.

The Blueprint report proposed that a revised, collaborative delivery of services, working to a different model, in a different way and through more effective relationships with Commissioners and Ministers, would improve the outcomes that existing organisations currently provide across Australasia.

As a result of this report, and through a cross-jurisdictional team dedicated to the implementation of the recommendations arising from that report, the Australia New Zealand Policing Advisory Agency (ANZPAA) was established in October 2007. ANZPAA, based in Melbourne, was established to build on the combined resources of 17 amalgamated bodies identified in the Blueprint Report.

In 2013 ANZPAA delivers a range of services including:

- co-ordination of joint operational actions in collaboration with jurisdictions
- cross jurisdictional review

- development and promotion of professional standards
- forensics, science and technology development
- knowledge and information management
- negotiation of common approaches to specific issues
- policy development and strategic analysis and advice
- secretariat services

ANZPAA reports to a Board of Management, which currently comprises all the Police Commissioners across Australia and New Zealand, and senior officers from various government justice agencies across Australia. ANZPAA was established through a Memorandum of Understanding, and the ANZPAA Board is responsible to Police Ministers through the Standing Council for Police and Emergency Management.

ANZPAA's strategic functions include; policy development and strategic advice, project management, knowledge management and information sharing, training, professional development and standards, science and technology development, specialist issue advice, and secretariat services.

One of the 17 bodies identified for incorporation into ANZPAA was APPSC, however as the only separate legal entity, on review it has retained this status. APPSC includes Commissioners from Australia and New Zealand and the Presidents of the Australian Police Federation and the New Zealand Police Association. The aim of the APPSC at the time of ANZPAA's establishment was to attain full professional status for policing through incorporation of national educational standards, formal higher education qualifications, improved police practices and establishment of uniform anti-corruption strategies. APPSC assisted policing in these endeavours by the establishment of common standards for professional development of police practitioners, and promoting and adopting best practice service delivery standards.

In recognition that policing is best served by practitioners developing through skills training as well as underpinning knowledge and education, the APPSC establishes for all police:

- Professional development standards
- Agreed competencies for all functions performed by police practitioners, supervisors, managers, executives and specialists.
- An 'Australasian Police Qualifications Framework' within the Australian vocational and higher education qualifications system.
- Agreed adult learning outcomes.
- Training and education efficiency and effectiveness models and assessment tools.

In addition, the APPSC supported jurisdictions in traditional course accreditation through State and Territory training authorities (STAs) and promotes consistency and best practice learning outcomes.

The professionalisation space for Australia and New Zealand police continues to evolve. In 2011 APPSC approved the Police Practice Standards Model (PPSM) which aligns key professionalisation activities under one strategy; Police Practice Guidelines/Standards, Practice Levels, Continuous Professional Development and Certification. This Project is funded by the Commissioners and the peak police union bodies, Police Federation of Australia and the New Zealand Police Association, until 2017.

The goal for Australia and New Zealand policing is greater professionalisation leading to improved performance and better community outcomes rather than pursuing professionalisation as an end in itself. Recent progress in police professionalisation in Australia and New Zealand, when benchmarked against other Western policing organisations, stands us in very good stead in terms of defining our profession and those who work within it.

Larry Proud is the Director Strategic Services at ANZPAA

Reference

Formerly, the Group was initially known as the Police Commissioners' Forum, the Forum of Police Commissioners' of Police of Australasia and the South-West Pacific. Since 2010 it was revitalised at the Australia New Zealand Police Commissioners' Forum.

Processing the Numbers: Data as institutional practice

Professor Jenny Fleming & Dr Rachel King

Introduction

Data collected by police remains an important source of information for external bodies, other government agencies, state budgetary processes and indeed, academics (Maguire 2007: 254; Manning 2009: 451). Most of us who have worked with police have confronted some of the issues associated with primary and indeed secondary data analysis. Researchers are constantly seeking to make sense of data, understand the codes, classifications, and narratives in police data collection and uncover more of the organisational imperatives and processes that drive the collection and use of data. In this paper we seek to identify potential changes in recording practices that may assist in clarifying outcomes that have been recorded previously. The use of secondary data while much easier in some respects¹, raises issues about how that data was collected and whether or not previous researchers have considered some of the broader issues associated with data collection in vast bureaucracies. Data that has been used by individuals/groups with a variety of legitimate interests is often interpreted in different ways. A new researcher often finds it difficult to reconcile the 'evidence' and conclusions of others with their own interpretations of the same data (or data from the same source).

This paper is not about identifying inconsistencies with definitive reports and scholarly work. If we are to make a useful contribution to data interpretation, there should be no impulse to seek to 'establish a monopoly of interpretation' (Bottomley and Coleman 1981: 17) but to recognise and acknowledge the different perspectives that others may have of data sets and the reasons they may hold those perspectives.

In this paper we distinguish between a realist perspective of crime and an institutional approach to such statistical data. We question the validity of a realist approach that emphasises accuracy and reliability and is concerned with 'the virtues of completeness with which data represent[s] the "real crime that takes place"'. Instead it adopts the institutionalist view that crime statistics need to be understood in terms of the organisational processes and everyday interactions that are reflected in the way in which data is recorded and presented (Biderman and Reiss: 1967). The paper is also concerned with why police collect data and the recording practices they employ to collect, collate and organise that data. It suggests that police collect data for a number of reasons – none of which are concerned with the role of the researcher and his/her data concerns.

While we uncovered many of the issues discussed in this paper in the process of looking at sexual assault data in Victoria Police (VicPol), the broader observations are relevant to all crime data and indeed, to all police organisations.

Thinking about Crime Data

Crime in all its perceived manifestations has become one of the greatest areas of public concern. 'Law and Order' issues have risen up the political agenda in the past decade and 'a whole industry has developed around the goal of reducing and managing it, both at a local and national level' (Maguire 2007: 242). In police organisations in Australia and elsewhere, the growing preoccupation with data management, crime statistics, and crime clearance figures reflects not only the now not so new managerialism agenda with its emphasis

on objectives, performance measurement and organisational targets to reduce crime across a range of offences, but also the notion that crime reduction and 'keeping the customer satisfied' is now a police organisation's *raison d'être* and a prime indicator by which it is judged.

The realist position in relation to data is a belief that 'data can tell us about the nature, extent and distribution'[of crime]; a belief that is often held, ostensibly at least, by politicians, the mass media and others with a vested interest in taking data at face value (Coleman & Moynihan 1996: 142). Police data is perceived as the 'official statistics' that is, they are 'compiled and presented by those who have been given the authority to identify and count crimes and offenders' on behalf of the state (Coleman and Moynihan 1996: 23). So, as Manning observes (2009: 452), despite the fact 'that there is no body of data that is more consistently and brilliantly critiqued than officially gathered and processed crime data', politicians, academics and the media are content to use such data to support a 'professional' position (Coleman & Moynihan 1996: 132) or to provide a 'barometer of crime' (Maguire 2007: 247). This is problematical (Loveday 2000: 235; Coleman and Moynihan 1996: 136; Manning, 2009).

The idea that police function as a crime fighting organisation capable of reducing crime at whim has been questioned by police scholars for many years. We know for example that arrest and clearance rates on their own are not related to crime rates (Bayley 1994); we are aware that the crime rate is not entirely within the criminal justice system's control at any point (Coleman and Moynihan 1996) and ultimately, as Morris and Heal (1981: 49) noted thirty years ago, following their own review of police effectiveness:

At the risk of some over-simplification the message most obviously to be drawn from this review is that it is beyond the ability of the police to have a direct effect on a good deal of crime.

Despite being ready to use crime data statistics for their own purposes, politicians, academics and the media are not beyond questioning the legitimacy of data and how it is compiled²; often without the benefit of any knowledge about how and why these statistics are produced and in what context. According to Maguire, crime data in the United Kingdom (UK) is widely regarded as 'unfit for purpose' in terms of evolving data needs and argues that the 'changing contours of the crime problem' are often seen as 'seriously misleading' (Maguire 2007: 242). The advent of crime surveys suggested twenty years ago that criminal victimisation rates often exceed recorded crime data and this in itself has fuelled debates about the recording practices of police, despite the fact that we know that many people do not report crime for a variety of reasons. We know for example that sexual offences 'have a sizeable dark figure' (Coleman and Moynihan 1996: 41); we know that different forms of white-collar crime (for example, fraud, embezzlement and larceny) are often not included in official statistics (Nelken 2007) and we know that police recording practices have a significant impact on 'official data' (Maguire 2007: 258). Yet as Young (1991: 224) pointed out, 'the primacy of the idea of the war against crime and its ultimate detection remains basic to the ideology of the [police] institution'. From the public's point of view, its various judgements on how the police are doing their job are primarily based on publicly released crime statistics, media reports, government inquiries and to a lesser extent, the published findings of academics whose work is based on secondary analysis informed by 'official data'.

From a police perspective, ‘...police practices... are understood as good enough within the police organisation [although] mistakenly taken by many academics as indicative of a single aspect of a complex and contradictory reported situation’ (Manning 2009: 460).

As with all secondary data analysis, the reasons for their collection and/or the research objectives guiding that collection may be antithetical to the original requirement for this data (Boslaugh 2007). Data literally means – ‘things that are given’ (Coleman & Moynihan 1996: 142). Most scholarship on statistics is adamant that data should never be taken as given. This is particularly true of secondary data analysis which is increasingly (and often necessarily) adopted as a dominant method in criminological research, especially in relation to sensitive and traumatic criminal events such as rape and sexual assault. This is of course because police organisations are more likely to provide aggregate data or released data rather than ‘raw data’. Apart from acknowledging the ‘dark figure of unreported crime’ (Bottomley and Coleman 1981: 147), it should be understood that:

Social statistics never provide a simple mirror image of a state of the world ‘out there’. Virtually all crime statistics... are records of decisions made in very personal, private or professional contexts, whether by a victim deciding to report an incident to the police, by a police officer deciding what action to take, a jury or bench of magistrates deciding whether to convict, a judge or magistrates how to sentence... In order to begin to understand or properly interpret such statistics, their status as the products of personal interactions in their social and legal contexts must be fully appreciated (Bottomley and Pease 1986: 169).

[They are] grounded in and derive from community attitudes and professional practices and are also destined to serve a variety of social and political functions (Bottomley and Coleman 1981: 1).

This latter point is important. It is rare that an article (either academic or a public document) reporting secondary analysis of crime data discusses these issues and reminds readers of the potentially ambiguous or unreliable basis of the analysis. Police (and other criminal justice actors) collect data for a variety of reasons. It is rarely collected for the benefit of researchers. This should be understood and acknowledged by those looking in from the outside. It should also be discussed ‘in context’ with researchers who are given access to such data for the purposes of identifying, or indeed clarifying an issue. Why then do police collect data?

- Police collect data in relation to what is required to progress and process a reported incident through the criminal justice system. That is, police are concerned with establishing whether a crime has been committed, gathering evidence and identifying, apprehending and prosecuting the offender. Detailed and reliable data is an important factor in the successful prosecution of these functions
- Record-keeping at the local level allows for the monitoring of resources and where relevant provides data to allow basic analysis of local operational activity (local partnerships; crime-reduction initiatives for example)
- More broadly, and at the organisational level, data is collected and monitored for operational and tactical requirements and to generate statistical³ and management reports
- For pragmatic internal research purposes such as capacity management and the priority ratings system
- To meet internal and external audit/investigative activity – as with other public sector agencies, police organisations have become ‘increasingly subject to inspection, audit, evaluation and ‘other

means of testing their “performance” against defined criteria’ (Maguire 2007: 252-253)

- All public sector organisations are obliged to define what they do and to be accountable for the public monies put aside for that activity and are expected to ‘defend a socio-economic, and politically defined niche’ (Manning 2009:451). In this environment, data serves this purpose and becomes pivotal to providing ‘proof’/‘indicators’ of police activity and effectiveness. In addition, when targets were a priority in the UK for example, resource distribution came ‘to depend increasingly on local agencies’ performance in relation to “targets” (Hough 2004 cited in Maguire 2007: 253)
- Performance management – police (and other public sector agencies) have become increasingly subject to having their performance assessed against objectives. Resources can be dependent on how ‘effective’ an organisation is deemed to be (Fleming and Scott 2008). While the focus for performance measurement purposes has largely focused on the organisation and perhaps the region/unit – increasingly the individual is now under scrutiny for individual performance
- Reliable data with which to measure performance has become ‘a prime requisite of these processes’. In this context it is imperative that the ‘quality, consistency, and integrity of recording practices’ is upheld (Maguire 2007: 253)

Police recording practices

Information is a valuable asset to all public sector organisations, particularly those where potentially sensitive information is handled on a regular basis. The way in which that information or data is collected and used has become increasingly more important to agencies themselves, governments and the many publics that seek to gauge the efficiency and effectiveness of their tax-payer funded services.

Police do not collect data for researchers. In observing any recording practices it should be remembered that the way in which data is collected and subsequently organised will largely depend on what that data is going to be used for. As Bottomley and Pease point out, (1986: 159) this can be a revelation to an early career researcher when analysing their first major data base.

As noted above, police may collect data to progress and process a reported incident through the criminal justice system. Recording practices and reported offences are a ‘key stage in the mobilization of the criminal justice process’ (Coleman & Moynihan 1996: 35) and police officers hold ‘a strategic role in the production of police-recorded statistics’ (Boivin and Cordeau 2011: 187). This is important because police are ‘gatekeepers’ to the criminal justice system and are particularly ‘important processing agents in [for example] sexual assault cases’ (Lafree 1981: 582). Recording crime data is a complex exercise that will to varying degrees depend on definitions of what constitutes a crime. Given that 80 per cent of recorded crime comes directly from reported crime – encouraging the public to do so is an important issue (see Boivin and Cordeau 2011). In the context of sexual assault and family violence this has been recognised by many police organisations in recent years and in the VicPol context, positive attempts to increase reporting ratios have been a central focus of the organisation’s Violence against Women and Children strategy launched in 2007.

The Issue of Discretion

Despite formal frameworks, codes of practice and official forms, the police retain considerable discretion as to which of the incidents observed by or reported to them are deemed to be crimes and recorded as such. Such discretion has been the subject of academic inquiry and comment since the 1960s (Biderman and Reiss 1967; Black 1970; Skogan 1974; Maxfield et al 1980). More recently, scholars have looked at how this discretion is exercised or constrained and how it can be influenced by a wide variety of social, political, and institutional factors and remind us how such factors can have an impact on official criminal statistics (Maguire 2007: 258; Nickels 2007; Varano et al 2009); yet rarely do research studies take into account that impact (Boivin and Cordeau 2011: 189)⁴.

The counting rules of any organisation will clearly have an impact on:

- overall totals
- the overall 'picture' of crime that is presented to the public and
- on the levels of discretion that can be used when recording incidents

Moreover, different rules across organisations and jurisdictions for example, make comparison difficult. Specific rules (for example, one victim – one offence) can ensure practices are more consistent but there is still room for ambiguity and discretionary practice.

There have been some attempts in the United Kingdom (UK) to curtail bureaucratic discretion via counting rules. In 2002, the UK introduced the National Crime Reporting Standard. The Standard requires that any reported incident must be recorded as a crime (the *prima facie* principal) until such time as a Supervisor confirms that no offence can be detected (Maguire 2007: 261). Jon Simmons and his colleagues (2003) have demonstrated that the change in process in the UK increased recorded offence levels and crime rates (although Maguire notes that by 2006 the percentage of personal and household 'crimes' that were recorded as offences had dropped (2007: 261)).

Until 2005, VicPol officers were directed by the Victoria Police Manual to record a crime in the LEAP database only where the facts of an incident indicated that a crime had been committed (evidential method). Both *prima facie* and evidential methods provide for some level of discretion but clearly 'such discretion is more significant in the evidential method' (Carcach and Makkai 2002: 9). However, as Maguire points out (2007: 261), 'there is a limit to how far discretion can be constrained and how closely practices can be monitored (Maguire 2007: 261). Even though VicPol implemented a move to the *prima facie* method in 2005, there is a general view that the implementation was poor and if there has been a change in recording practices this has not been discernible in the organisation's official statistics (Personal communication, Sergeant, October 2011). Carcach and Makkai (2002: 9) argue that the *prima facie* method provides more consistency in terms of recording. Even if a crime is 'discounted' later in the process, 'intelligence information contained within the administrative database is not affected'. This would be particularly useful around the study of sexual assault and attrition. If the *prima facie* principle prevailed in practice, police and researchers could potentially know so much more for example about why some cases do not get progressed.

There is a lot of speculation as to why police record incidents in some ways and not others. Why some have more detail than others and why some incidents are not recorded at all. There is a general view that 'police-derived statistics depict a selective picture of criminality' (Boivin and Cordeau 2011:186; Loveday 1999; Reiner 1992) with all the negative connotations that observation contains. Overtime some of the main reservations about crime statistics have been a result of a

lack of understanding of police processes and suspicion about the use (and perceived misuse) of data. Such suspicions were compounded with the now common use of victimization surveys whereby in many categories the rate of crime indicated in the surveys exceeded those rates 'officially' recorded by police (Loveday 2000: 215).

Criminologists have long sought to understand the 'why' in police recording practices. Maguire (2007: 260) cites a number of studies that point to 'work avoidance', deliberate elevation of crime rates to support resource claims and concerted attempts to improve clear up rates. Other studies have cited collective bargaining (Boivin and Cordeau 2011); organisational structures (Chappell et al 2006) police cynicism (Klinger 1997); rationing of work flow (Manning 2009: 453); accommodation of political interests (Meehan 2000); performance measurement (Loveday 2000; Fleming and Scott 2008) and community characteristics (Varano et al 2009) as factors in police decision-making processes around recording practices. There is also a relatively large body of work focusing on police decision-making processes and recording practices in relation to sexual assault response (for example, Burt, 1980; DuMont, Heenan & Murray, 2004; Jordan, 2001, 2002, 2005; Lievore, 2002, 2004).

Attitudes, levels of discretion, politics, targets, and other performance indicators are all relevant concerns in these discussions. Yet the value of statistical information is maximised when we assess it against the social and political context within which the data are produced and the organisational culture that provides the environment for work practices. Assessments of the "usefulness" of such data need to take into account the circumstances under which they were produced and the purposes for which they might be used (Coleman and Moynihan 1996: 142). McLeary et al (1982: 371) have argued that in the context of police recording crime any set of organisational 'official statistics' can only be used with any validity, 'for the study of organisational processes' (1982: 371).

Police as Workers

If we consider the police organisation as a work place and police officers as workers, then we need to think about data collection as a part of that work and the police officer as a worker that will inevitably seek to control the flow and level of effort at the workplace (Weber cited in Manning 2009: 456). As Manning (2009: 452) observes:

Policing on the ground is a practice, that is, a set of routines intended to produce a degree of certainty in managing fundamentally problematic recurring situations. Practices are focused on the concrete objects in the situation and reflect an understanding of both the material and subjective constraints upon action.

In such an environment the practice of recording incidents is part and parcel of 'the job' and not one that many enjoy or give much thought to (Young 1991; McCabe and Sutcliffe 1978: 22). The tricks of the trade, writing practices, as in all occupations, involve what to leave in and what to leave out when creating a written record of decision-making. 'These are learned practice [and] sanctioned within the local culture' (Manning 2009: 455).

Such 'tricks' and 'practices' sanctioned within the local culture are known to all of us who work in professional occupations where the written word and the ubiquitous email has become a potentially legal liability. We are careful not to write the slanderous comment or make an unwise observation in a hastily written email.

Notwithstanding that the reader may choose to read between the lines – we take care to be professional and deal only with the facts as we see them. So too police, arguably one of the most accountable organisation in the public sector have long been used to writing the emotionless narrative and omitting any personal observations, discriminatory thoughts and negative attitudes.

Concluding thoughts

This paper has discussed police management of data. It has argued for an institutionalist perspective when looking at crime statistics – a perspective that acknowledges that such statistics (indeed, arguably all statistics) are produced as a result of organisational processes and everyday imperatives and interactions in the workplace. It has recognised the myriad of reasons why police collect data and has noted that police do not collect data for the benefit of researchers. It has discussed the management of police data and has cited culture, discretionary practice, police recording practices and the status of police as workers as important considerations in any discussion of data management in police organisations. These observations suggest that research projects and/or similar ventures that seek to use ‘official statistics’ to demonstrate or argue a specific thesis need to consider that the data they are using is not necessarily indicative or ‘evidence’ of what is often a complex situation or problem.

References

Bayley, D (1994) *Police for the Future*, Oxford University Press, Oxford

Biderman, AD and Reiss, AJ (1967) ‘On exploring the “Dark Figure” of crime’, *Annals of the American Academy of Political and Social Science*, Vol. 374, 1-15, November

Black, D (1970) ‘The production of Crime Rates’, *American Sociological Review*, 35, 733-748

Boivin, R and Cordeau (2011) ‘Measuring the Impact of Police Discretion on Official Crime Statistics: A Research Note’, *Police Quarterly*, 14, 2 186-203

Boslaugh, S. (2007) *Secondary Data Sources for Public Health: A Practical Guide*. Cambridge University Press: Cambridge, MA.

Bottomley, K and Coleman C (1981) *Understanding Crime Rates*, Farnborough, Hants, Gower Publishing.

Bottomley, K and Pease, K (1986) *Crime and Punishment: Interpreting the Data*, Milton Keynes, Open University Press.

Burt, Martha R. (1980) “Cultural myths and Supports for Rape.” *Journal of Personality and Social Psychology* 38: 217-230.

Campbell, R., and Johnson, C. R. (1997) Police officers’ perceptions of rape: Is there consistencies between state law and individual beliefs? *Journal of Interpersonal Violence*, 12 (2), 255-274.

Carcach, C and Makkai, T (2002) ‘Review of Victoria Police Crime Statistics’, Australian Institute of Criminology, Research and Public Policy Series, No. 45, AIC, Canberra, <http://www.aic.gov.au/documents/8/5/9/%7B85903818-A4C4-4349-BCEC-426F2325605E%7DRPP45.pdf> Retrieved, 17 April 2013

Chappell, AT; MacDonald, JM; Manz, PW (2006) ‘The organizational determinants of police arrest decisions’, *Crime and Delinquency*, 52, 287-306

Coleman, C and Moynihan, J (1996) *Understanding Crime Data: Haunted by the Dark Figure*, Open University Press

DuMont, Janice, Karen-Lee Miller, and Terri L. Myhr (2003) “The Role of “Real Rape” and “Real Victim” Stereotypes in the Police Reporting Practices of Sexually assaulted Women.” *Violence Against Women* 9: 466-486.

Fleming, J and Scott, A (2008) ‘Performance Management in Australian Police Organisations’, *Policing: A Journal of Policy and Practice*, Vol. 2 (3) September, 322-330

Heenan, M., and Murray, S.E. (2004) Study of Report Rapes in Victoria 2000-2003. Summary Research Report. Victoria: Office of Women’s Policy. Retrieved 18 October 2011 from www.police.vic.gov.au/retrievemedia.asp?Media_ID=19462

Jordan, J. (2001) Worlds apart? Women, rape and the police reporting process. *British Journal of Criminology*, 41 (4), 679-706.

Jordan, J. (2002) Will any woman do? Police, gender and rape victims. *Policing: An International Journal of Police Strategies and Management*, 25, 319-344.

Jordan, J. (2005) Rape, reform and resistance. *The Journal for Women and Policing*, 17, 27-33.

Klinger, DA (1997) ‘Negotiating order in patrol work: an ecological theory of police response to deviance’, *Criminology*, 35, 277-306

Lafree, G D (1981) ‘Official reactions to social problems: police decisions in sexual assault cases’, *Social Problems*, 28, (5) 582-594

Lievore, D. (2002) *Non-reporting and Hidden Recording of Sexual Assault: An International Literature Review*. Canberra: Commonwealth Office for the Status of Women.

Lievore, D. (2004) *Prosecutorial Decisions in Adult Sexual Assault Cases: An Australian study*. Australia: Australian Institute of Criminology. Retrieved 11 September 2007 from <http://www.aic.gov.au/publications/reports/2004-10-decisions.pdf>

Loveday, B (2000) ‘Managing Crime: Police use of Crime data as an Indicator of Effectiveness’, *International Journal of the Sociology of Law*, 28, 215-237

Manning, P.K. (2009) ‘Policing as self-audited practice’, *Police Practice and Research*, 10 (5-6), 451-464.

Maguire, M (2007) ‘Crime Data and Statistics’ in Maguire, M; Morgan, R and Reiner, R (eds) *The Oxford Handbook of Criminology*, Fourth Edition, Oxford University Press, Oxford; New York, 241-301

Maxfield, MG; Lewis, DA; Szoc, R, (1980) ‘Producing crime rates: Verified crime reports as measures of police output’, *Social Science Quarterly*, 61, 221-236

McCabe, S and Sutcliffe, F (1978) Defining crime: a study of police decisions, *Issue 9 of Occasional paper – Oxford University, Centre for Criminological Research*, University of Oxford Centre for Criminological Research

McLeary, R; Neistedt, D; Erven, P (1982) ‘Uniform crime reports as organisational outcomes’, *Social Problems*, 29, 361-372

Meehan, AJ (2000) ‘The organisational career of gang statistics: the politics of policing gangs’, *The Sociological Quarterly*, 41, (3), 337-370

Morris, P and Heal, K (1981) *Crime Control and the Police*, Home Office Research Office, Research Study 67; London, HMSO

Nelken, D (2007) ‘White-collar and corporate crime’ in Maguire, M; Morgan, R and Reiner, R (Eds.) *The Oxford Handbook of Criminology*, Fourth Edition, Oxford University Press, Oxford; New York, 733-770

Nickels, E.L. (2007) ‘A Note on the status of discretion in police research’, *Journal of Criminal Justice*, 35, 570-578.

Reiner, Robert. 1992, *The Politics of Police*, Second Edition, University of Toronto Press, Toronto.

Simmons, J; Legg, C; Hosking, R (2003) ‘National Crime Recording Standards (NCRS): an analysis of the impact of recorded crime - companion volume to Crime in England and Wales 2002/2003. The national picture, Part 1’, Research Report, 31/03, Home Office, London, UK

Skogan, W (1974) ‘The validity of Official Crime Statistics: an Empirical investigation’, *Social Science Quarterly*, LV, 25-38

Varano, SP; Schafer, JA; Cancino, JM; and Swatt, ML (2009) ‘Constructing Crime: Neighborhood Characteristics and police recording behavior’, *Journal of Criminal Justice* 37, 553-563

Young, M. (1991) *An Inside Job: Policing and police culture in Britain*. Oxford: Oxford University Press.

The authors acknowledge the assistance of an ARC Linkage Grant (LP0668126) in this research.

Jenny Fleming is Professor of Criminology at University of Southampton, UK

Dr Rachel King was a Post-Doctoral Research fellow on the ARC-Linkage Project, Policing Just Outcomes

End Notes

1. There are significant savings involved in the use of existing data, savings for example in relation to time, money and personnel. The researcher does not need to apply for funding, prepare ethics applications, designing and implementing surveys and paying for a sampling frame. As well, they do not have to conduct fieldwork, prepare data or even clean the data!
2. This is a significant feature of crime data analysis in the western industrialised world. In the Victorian context see for example, the Office of Police Integrity (2011); Auditor-General’s Office (1996); *The Australian*, 1 March 2011 and *Herald Sun*, 26 May 2011.
3. In the Victorian context, LEAP does not supply ‘statistical reports’ to the organisation. Instead LEAP is replicated in an environment whereby analysts can create statistical sets for specific purposes (Victoria Police, Data Management Workshop – 13 December 2011).
4. It should be noted that we are talking here about police recording practices. It should be understood that other factors such as the reporting behaviour of the public should be taken into consideration. As Maguire (2007: 261-262) notes, changes in the reporting behaviour of the public can ‘have an even greater impact on recorded crime trends’. There is a significant element of underreporting (Loveday 2000). Decisions to report or not are also subject to a number of influences, such as insurance claim requirements and family pressure to ‘keep it in the family’ for example (Coleman and Moynihan 1996:33-34).



The 8th Australasian Women and Policing Conference

Making It Happen - Making It Last

Hotel Grand Chancellor on Hindley, Adelaide

25-28 August 2013

For more information: Conference Co-ordinators,

PO Box 139 Calwell ACT 2905 AUSTRALIA

Phone +61 2 6292 9000 Facsimile +61 2 6292 9002

Email conference@confco.com.au

Community Intelligence: Exploring human source as a new frontier

*Nikki Rajakaruna, Associate Professor Pamela Henry, Commander Charl Crous,
Assistant Commissioner Alf Fordham.*

Abstract

The use of informants is by no means a new or novel method to obtaining intelligence about criminal activity. However, over the last decade many police agencies have reviewed and changed the way they engage with informants to devise efficient crime reduction and problem solving strategies. In particular, policing agencies have made significant developments towards professionalising the police-informant relationship (Madinger, 2000; Innes, 2000; Crous, 2009). These changes are reflected in the replacement of the term 'police informant'; a term commonly associated with secrecy and 'snitching' with terms that reflect a much stronger focus on the development of human intelligence (HUMINT) capabilities such as 'Covert Human Intelligence Sources' (CHISs) or 'Human Sources' (HSs). Police agencies have also sought to improve processes and practices governing the cultivation and management of HSs (Crous, 2011). Agency policies and frameworks have been introduced, each of which have a dual purpose; to increase the depth and breadth of information obtained from HSs and to provide appropriate governance in an area of high risk. The purpose of this article is to reflect on recent efforts by Western Australian Police (WA Police) to improve police use of HSs. To achieve this, reference is made to a pilot project implemented by WA Police which focussed on building HS capability at a local District level. The article highlights the outcomes and lessons learnt by WA Police in adopting a localised approach to developing human intelligence capabilities.

Evolution of Human Source Practice

Intelligence-led policing relies on the gathering and strategic use of criminal intelligence to proactively target and prevent criminal activity (Ratcliffe, 2003). Criminal intelligence can be derived through a range of methods, including surveillance, deployment of undercover officers and reports from members of the public. Maguire and John (1995) emphasise that these sources of information should be fully and strategically integrated to ensure an effective, proactive policing system. Within this system

of networked intelligence, information obtained from individuals directly involved in the criminal world is of particular use to policing agencies (Hess & Amir, 2002). Within contemporary police agencies, these individuals are now commonly referred to as Human Sources (HSs). The value of HSs in creating a knowledge base of criminality rests on the access that these individuals have to the criminal environment and their subsequent ability to provide policing agencies with timely, relevant information that would otherwise remain unknown (Billingsley, 2004; Flynn, 2009; Innes, 2000; Madinger, 2000). In addition, building relationships with those who have access to the criminal environment is recognised as a financially viable solution to the ever increasing economic demands placed on policing agencies (Cooper & Murphy, 1997; Dunnighan & Norris, 1999; Innes, 2000).

Despite the recognised value of HSs there are a number of concerns about their use as an intelligence tool. Firstly, there are risks associated with the cultivation and management of HSs that have been validated by a number of local and international inquiries. Such inquiries have repeatedly highlighted inappropriate relationships between police officers and HSs, negligent supervision of officers who handle HSs and a general failure to adhere to agency policies and procedures guiding the management of HSs (Police Ombudsmen for Northern Ireland, 2007; Queensland Crime and Misconduct Commission, 2009). Secondly, the use of HSs has remained reactive, whereby officers seek information only about crimes that have already been committed (Audit Commission, 1993). There has been little effort within police agencies to use HSs to their full potential; for example, recruiting specific individuals who have knowledge of and/or access to particular targets and tasking them to obtain information before criminal acts are committed. Finally, the use of HSs within police agencies has traditionally been limited to organised crime investigations, special investigations or the policing of insurgency, subversion and/or terrorism. For example, Dudai (2012) provides an insightful reflection on the role of HSs during the Northern Ireland conflict, whilst Flynn (2009) describes the effective use of HSs in special crime investigations associated with precious metals. Indeed

there is a longstanding perception that HSs are only useful for this type of work.

Of concern, is that this perception remains despite the fact that the value of and need to use HSs in a more general sense, to actively target local crime was emphasised in the UK Audit Commission Report (1993) some 20 years ago. The Report advocated the need for British forces to proactively recruit and deploy HS capabilities at a more general, localised level to exploit the full potential of this intelligence tool. The value of building HS capabilities at a local level was later supported by Innes (2006) who emphasised that neighbourhood policing, and in particular, the gathering of intelligence through neighbourhood policing, is essential for community safety. Given that law-abiding citizens are generally not aware of the detailed activities of criminals in their neighbourhoods (Innes, 2000) there is a legitimate need to develop relationships with those directly involved in the local criminal environment to build knowledge of local crime issues and trends.

Notwithstanding agency efforts in implementing the recommendations of the Audit Commission Report, the use of HSs has largely remained the focus of detectives within specialised police squads for targeted police operations which aim to infiltrate organised crime and/or drug syndicates. Evidently, police organisations face a significant challenge in developing officer awareness and acceptance of the potential value of HSs to target local criminal activity and developing support for and acceptance of agency policy and practice that aims to promote the effective deployment of this policing methodology at a local level.

The WA Police Human Source Management Framework (HSMF) Pilot Project

In acknowledgement of the potential value of local level HS management as well as the need to professionalise police-source relationships, WA Police have developed the Human Source Management Framework (HSMF). The aim of the HSMF is to develop local human intelligence capabilities at a District level to inform the development of targeted crime reduction strategies.

This is achieved through the recruitment and deployment of HSs, under the auspices of community intelligence. The HSMF formalises the use of HSs at a local district level and is driven by a range of processes and procedures that ensure HS practices bring minimal risk to the HS, the handler and the agency.

The HSMF involves the allocation of a dedicated HS manager to a District intelligence office. The role of the HS manager is to facilitate, coordinate and supervise HS recruitment and management across the district. A training course is delivered to potential HS handlers in each district in order to provide intermediate training in the skills and strategies required to recruit and manage HSs. An electronic case management system, designed specifically for HS management supports the HSMF. Officers are required to use the case management system to record the details of every registered source and all contact requests and meetings.

Evaluation of the HSMF Pilot Project

In mid 2011, the HSMF was piloted in a local district in metropolitan Perth, Western Australia. The agency engaged an independent team of researchers to evaluate the impact of the HSMF. Two researchers from the Sellenger Centre for Research in Law, Justice and Social Change underwent national security clearance and were provided access to agency personnel, documents and training programs to facilitate the evaluation. Access was limited to an extent in order to ensure that no HS could be identified.

The evaluation framework consisted of three stages of data collection. Each stage is outlined below:

Stage One

The first stage of the evaluation involved the administration of a survey to police officers within the pilot district (n=20). Semi-structured interviews were also conducted with consenting officers in the pilot district (n=2). The aim of this stage was to learn about the implementation of the HSMF from the officers' perspective, in order to identify perceived benefits and drawbacks of the framework and perceived enablers and inhibitors to the recruitment and management of HSs in the District.

Stage Two

The second stage of the evaluation involved semi-structured interviews with managers

who were involved in the implementation and/or oversight of the HSMF in the District (n=11). The aim of this stage was to learn about the implementation of the HSMF within a District from a management perspective; identifying successes and lessons learnt from their experience.

Stage Three

The third stage of the evaluation involved the analysis of various sources of agency data. Specific details contained within these agency documents were coded and analysed using quantitative data analysis techniques. The aim of this stage was to determine if the HSMF impacted on the amount and quality of information obtained from HSs and to identify distinctive trends in HS related data. Agency documents from May 2007 until January 2012 were included in the analysis.

Evaluation Findings and Interpretations

Key findings of the evaluation project are presented below with a specific focus on the lessons learnt from implementing the HSMF Pilot project.

Experience of officers

Overall, feedback from officers indicated support for the HSMF in promoting the safe and efficient use of HSs within the agency. Officers in the district recognised that HSs had the capacity to provide valuable intelligence to the agency that would otherwise remain unattainable by WA Police. More specifically, HSs were seen as an effective vehicle enabling the strategic targeting of offenders and access to criminal networks in the pilot district. Benefits of the HSMF identified by officers included:

- Consistency in HS practices.
- Increased intelligence holdings.
- The availability of advice from the HS manager.
- The development of an informal peer support network which facilitated the exchange of HS-related ideas and strategies.
- Improved transparency and therefore, accountability in processes and procedures associated with the use of HSs which facilitated improved management of risk.

Despite this, a number of concerns were highlighted including:

- The risk of compromising the identity of the HS due to an increased number of officers being involved in the management process.

- The potential for criminal circles to become aware that the agency is actively recruiting HSs and aware of recruitment and management methodologies.
- Increased workload, which officers indicated would impede their ability to complete core functions, and/or manage registered HSs effectively.

When asked to reflect on inhibitors to the recruitment and management of HSs at a district level, officers indicated:

- A lack of time, existing workload and competing priorities
- No perceived benefit for the officers who are taking on the extra workload
- Lack of training for HS handlers.
- Lack of experience amongst officers in the district.
- Difficulty in identifying suitable sources.
- An expectation that sources would be unwilling to be registered.

A consistent theme across responses from officers was the increased demand placed upon them due to renewed agency focus on HS recruitment and management. Officers indicated that although expectations had changed in relation to required HS duties, key performance indicators (KPIs) had remained the same. This created tension as KPI's were not consistent with HS management. Therefore, time and effort was focussed on HS-related duties which reduced the time available to focus on existing case files and therefore the attainment of KPIs.

Importantly, perceived inhibitors identified by officers were the lack of HS training and HS experience in the pilot district. Generally, officers did not feel well prepared. This lack of knowledge was evident when considering the nature of other identified inhibitors. For example, officers indicated that it was difficult identifying suitable HSs, emphasising a lack of knowledge about those attributes characterising high value HSs. Officers also indicated that HSs were generally unwilling to be registered, emphasising a lack of knowledge/skill as to how to communicate the purpose of registration in terms that appeal to the HS, rather than the officer/agency. This lack of knowledge is to be expected given the historic reluctance of the agency to promote the use of HSs due to the fact that HS management is high risk and has been discredited through various local and international commissions and inquiries over the last two decades. It is also typical of the response given by people working within an environment when significant change is introduced and so may be seen as part of the change cycle.

It is likely that agency reluctance has fostered a culture of uncertainty and limited experience amongst police officers. Although officers in the pilot district completed a HS training course, survey findings and interviews with officers highlighted the need for a more comprehensive training structure, and the need to develop on-going learning opportunities, outside the formal training environment. These developments were considered crucial in facilitating continued skill development, knowledge and expertise in an area that has remained largely dormant within contemporary police practice.

Experience of managers

Managers viewed the HSMF positively, citing positive investigative outcomes (i.e. arrests and seizures), an increased volume of intelligence, increased information sharing and collaboration across business units within the district as well positive changes in officer skill sets, morale and collegiality. The position of HS Manager in the district was described as pivotal to the effective implementation of the HSMF at a district level. This role was described as the driver of the HSMF and a necessary source of knowledge in HS recruitment, management and agency processes.

Interviews with managers highlighted the importance of standard operating procedures to direct HS management at a district level. Management indicated that during the initial stages of the pilot program, there was limited coordination and management which resulted in officers recruiting HSs without appropriate supervision and guidance. To address this issue, a HS-specific Tasking and Coordination Group was established with a fortnightly meeting schedule. Meetings were held to ensure consistency and accountability in the management of HSs within the district and to ensure that all relevant managers were informed of HS issues. These meetings facilitated on-going and consistent oversight of the project and of the work that registered HSs were engaged in.

Managers indicated an initial lack of clarity about the role of the dedicated HS manager in the district. The appointment of a dedicated HS manager at a district level, overseeing staff who are in the role of HS handler, caused uncertainty about day to day supervision. This is because all HS handlers are part of other functional teams, for example the District Crime team or a detectives' office, and as such are required to report to a line supervisor. However handlers must also report to the HS manager for HS management issues, thus creating a dual reporting line. This complex

relationship presented a challenge for district managers who had to continuously clarify and emphasise the different supervision arrangements between line supervisors and the HS manager.

Finally, concern was raised by district managers about the actioning of incoming intelligence. Although the volume of intelligence entering the district had increased substantially, managers were concerned that HS intelligence was not always actioned in an efficient manner. Two reasons were provided for this:

- Limited analytical capacity to manage the greater amount of information that was generated from HSs.
- The prioritisation of incoming information according to corporate performance targets which meant that volume crime related information might get a higher priority whilst information not relating to volume crime was filed.

Intelligence Holdings

Contact advice reports were coded to identify the types of intelligence that were obtained from HSs pre and post implementation of the HSMF in the district. Findings showed that pre HSMF implementation, intelligence from registered HSs related primarily to drugs, which is consistent with the traditional view that HSs are only useful for drug detection work. Furthermore, only 6.7% of contact between police and HSs resulted in multiple intelligence items (i.e. intelligence relating to multiple crime types such as drug and volume crime). In the 6 months following the implementation of the HSMF in the district much greater variation was evident in the crime types that intelligence items related to.

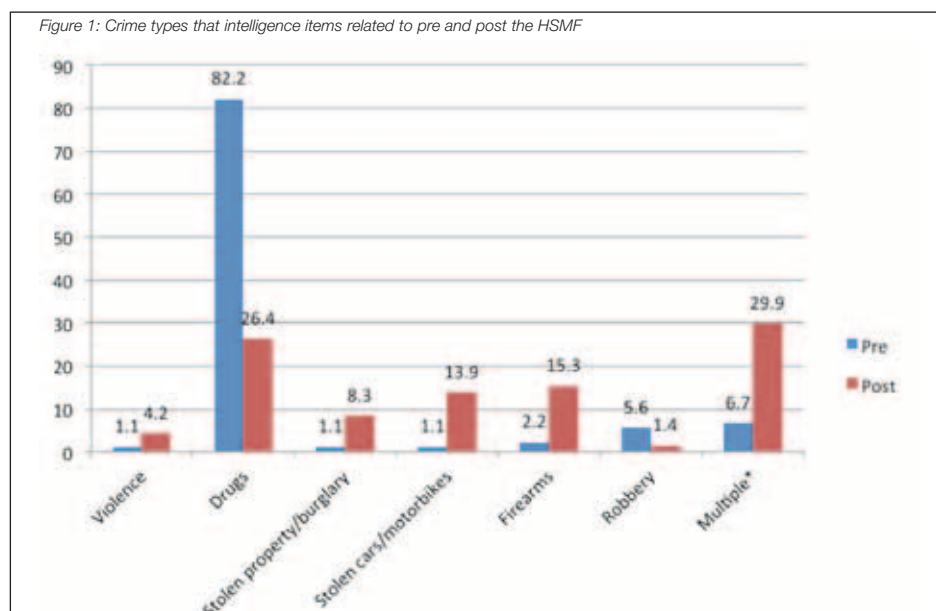
Specifically, there was a particular emphasis on volume and district priority crime. Of interest was the significant increase in intelligence relating to motor vehicle theft (13.9%) and firearms (15.3%) and the significant increase in intelligence relating to multiple crime types (29.9%). These patterns are clearly illustrated in Figure 1 below.

The change in the pattern of acquired intelligence items across time can be attributed to the active targeting and deployment of HSs against crime types deemed to be district priorities; that being volume crime. These data demonstrate the ability to recruit and task HSs to provide information across the criminal environment relevant to a local district, and challenges the common perception that HSs are only useful for providing information relating to drug and organised crime or to support major investigations.

An important issue to note with regard to the analysis of agency documents was the disparity in the quality and volume of information provided by officers in their reports. Some officers provided highly detailed narrative information and others did not. This inconsistency in the type and level of detail recorded impacts on the validity and reliability of the data set as a whole, and the subsequent conclusions that can be drawn. It also limits the strategic value of information obtained from HSs.

Investigative Outcomes

The cost of running the HSMF pilot program at the district for 6 months was \$7285.153 (AUS\$), excluding remuneration of a detective sergeant position who filled the position of HS manager.



As a result of this investment 7 burglaries were solved, 13 cars were recovered (with an estimated value of \$300 000), and 8 clandestine laboratories were detected and dismantled. A total of 15 search warrants were executed during the 6 month pilot period which resulted in the seizure and recovery of 11 firearms, \$32,000 cash and a significant amount of illicit drugs.

Conclusion – Lessons learnt

Three main lessons are evident from the pilot of a district-based HSMF in Western Australian. The first lesson relates to the importance of standard operating procedures and supervision. The introduction of new processes, procedures and roles must be accompanied by clear standard operating procedures to ensure clarity. On-going and intrusive supervision is then required to ensure that officers are engaging effectively with standard operating procedures. This will ensure transparency and accountability in processes and will reduce the risks that are commonly associated with the use of HSs as an intelligence gathering methodology.

The second lesson relates to the importance of training, not only in processes and procedures relating to the new HSMF but also in the general methodology of recruiting and managing HSs to gain criminal intelligence. The practice of recruiting and engaging with HSs has been actively discouraged for many years due to the risks and associated stringency of processes and procedures associated with HS management. Indeed, this history was reflected in the concerns and perceived inhibitors expressed by officers. This skill/knowledge gap indicates a clear need for officer training that addresses attitudes and perceptions around the use of HSs and equips officers with appropriate skills and strategies that facilitate safe and effective recruitment and management of HSs. Additionally, inconsistencies in the type and level of detail contained within agency documents highlights the need for training to focus on the importance of record keeping, the type and nature of data that should be collected from HSs, and the importance of adequately capturing these data to better facilitate the strategic use of intelligence that is obtained from HSs.

This issue relates directly to the third lesson that has been learnt from the pilot program, that being, the importance of an effective IT system. The introduction of an appropriate IT system can assist in the collection of important details and further facilitate the strategic use of HSs at a local level. Specifically, details captured on the system

can be searched, enabling the speedy profiling of HSs for future investigations. For example if an incident has occurred involving offender A at venue B, the system can be searched to determine if any HS has a known associate named 'offender A', or has had dealings associated with 'venue B'. When the system identifies a 'hit', that HS can be tasked to gather intelligence that will inform the investigation. The greater the detail about the HS stored on the IT system, the greater the scope for using one HS across a number of investigations. It is therefore imperative that the IT system does not simply replicate paper based forms, which rely on the officer to include the right details. Ideally, the system must avoid open text fields, and instead use tick boxes and mandatory fields of data input. This will ensure improved quality and volume of information obtained about registered HSs, their associations and their involvement in the criminal environment.

Conclusion

WA Police has rapidly become recognised for excellence in their approach to HS management at the national and international levels. This recognition is the product of developing an evidence base to inform the development and implementation of the HSMF and associated tiers of training. It is important to note that the framework was not implemented with the expectation that processes, procedures and practices would be maximally effective in the first instance. Rather, it was anticipated that the findings of research would be incorporated to shape the HSMF into a model of best practice recognised for excellence nationally and internationally. Given the obvious sensitivities associated with this area of policing, this approach has not been adopted by many jurisdictions. Therefore, the approach taken by WA Police needs to be recognised as revolutionising the utility of deploying HSs to effectively target and reduce crime.

Authors

Nikki Rajakaruna is a researcher in the Sellenger Centre for Research in Law, Justice and Social Change located in Edith Cowan University in Western Australia. Associate Professor Pamela Henry is the Director of the Sellenger Centre. Charl Crous is the Commander of Intelligence and Deployment in Western Australian Police. Alf Fordham is the Assistant Commissioner of Intelligence and Communications in Western Australian Police.

References

- Ashcroft, J., Daniels, D. & Hart, S.V. (2003). Fighting urban crime: The evolution of federal-local collaboration. *National Institute of Justice*. US Department of Justice. Retrieved from www.ojp.usdoj.gov/nij.
- Audit Commission (1993). *Helping with enquiries: Tackling crime effectively*. London: Audit Commission.
- Billingsley, R. (2004). Process deviance and the use of informers: The solution. *Police Research and Management*, 6(2), 67 – 87.
- Cooper, P. & Murphy, J. (1997). Ethical approaches for police officers when working with informants in the development of criminal intelligence in the United Kingdom. *Journal of Social Policy*, 26(1), 1 – 20. doi:10.1017/S0047279496004886
- Crous, C. (2009). Human Intelligence Sources: Challenges in policy development. *Security Challenges*, 5, 117–27.
- Crous, C. (2011). Managing Covert Human Intelligence Sources: Lessons for police commanders. *Australian Policing: A Journal of Professional Practice and Research*, 3(2), 12-15.
- Dudai, R. (2012). Informers and the transition in Northern Ireland. *British Journal of Criminology*, 52, 32-54. doi: 10.1093/bjc/azr055
- Dunnighan, C. & Norris, C. (1999). The detective, the snout, and the Audit Commission: The real costs in using informants. *The Howard Journal*, 38(1), 67 – 86. doi: 10.1111/1468-2311.00117
- Flynn, H. F. (2009). The use of informers during precious metals undercover operations. Pretoria, South Africa: University of South Africa.
- Flood, B. (2004). Strategic aspects of the UK National Intelligence Model. In J. H. Ratcliffe (Ed.), *Strategic thinking in criminal intelligence*. Sydney: The Federation Press.
- Gilmour, S. (2008). Understanding organised crime: A local perspective. *Policing: A Journal of Policy and Practice*, 2(1), 18–27. doi:10.1093/police/pan002
- Harvey, P. (1994). *Identification, Recruitment and Handling of Informants*. London: The Home Office Police Research Group.
- Harfield, C. (2008). Paradigms, pathologies, and practicalities – *Policing organized crime in England and Wales*. *Policing: A Journal of Policy and Practice*, 2(1), 63–73. doi: 10.1093/police/pan008
- Her Majesties Inspectorate of Constabulary (2005). *Closing the gap: A review of the 'fitness for purpose' of the current structure of policing in England and Wales*. London: Home Office. Retrieved from <http://www.hmic.gov.uk/media/closing-the-gap-20050911.pdf>
- Hess, A., & Amir, M. (2002). The program of criminal undercover agents sources in the drug trade. *Substance Use and Misuse*, 37(8-10), 997-1034. doi: 10.1081/JA-120004163
- Innes, M. (2000). Professionalizing the role of the police informant: The British experience. *Policing and Society*, 9, 357–383. doi: 10.1080/10439463.2000.9964823
- Innes, M. (2006). Policing uncertainty: Countering terror through community intelligence and democratic policing. *The ANNALS of the American Academy of Political and Social Science*, 605(1), 222-241. doi: 10.1177/0002716206287118
- Maguire, M. & John, T. (1995). *Intelligence, surveillance and informants: Integrated approaches*. Police Research Group: Crime Detection and Prevention Series, No. 64. London: Home Office.
- Madinger, J. (2000). *Confidential informant: Law enforcement's most valuable tool*. Florida: CRC Press.
- Police Ombudsmen for Northern Ireland. (2007). *Investigative report into the circumstances surrounding the death of Raymond McCord Jnr (Operation Ballast)*. Retrieved from <http://www.policeombudsman.org/publicationsuploads/OP-BALLAST-PUBLIC-STATEMENT.pdf>
- Queensland Crime and Misconduct Commission. (2009). *Dangerous Liaisons: A report arising from a CMC investigation into allegations of police misconduct (Operation Capri)*. Retrieved from www.cmc.qld.gov.au
- Ratcliffe, J. H. (2003). Intelligence – led policing. *Trends & Issues in Crime and Criminal Justice*, No. 248. Canberra: Australian Institute of Criminology.

Toward a New Professionalism in Policing

Christopher Stone and Jeremy Travis

Executive Session on Policing and Public Safety

This is one in a series of papers that will be published as a result of the Executive Session on Policing and Public Safety.

Harvard's Executive Sessions are a convening of individuals of independent standing who take joint responsibility for rethinking and improving society's responses to an issue. Members are selected based on their experiences, their reputation for thoughtfulness and their potential for helping to disseminate the work of the Session.

In the early 1980s, an Executive Session on Policing helped resolve many law enforcement issues of the day. It produced a number of papers and concepts that revolutionized policing. Thirty years later, law enforcement has changed and NIJ and Harvard's Kennedy School of Government are again collaborating to help resolve law enforcement issues of the day.

Learn more about the Executive Session on Policing and Public Safety at:

NIJ's website: <http://www.ojp.usdoj.gov/nij/topics/law-enforcement/executive-sessions/welcome.htm>

Harvard's website: http://www.hks.harvard.edu/criminaljustice/executive_sessions/policing.htm

Introduction

Across the United States, police organizations are striving for a new professionalism. Their leaders are committing themselves to stricter *accountability* for both their effectiveness and their conduct while they seek to increase their *legitimacy* in the eyes of those they police and to encourage continuous innovation in police practices. The traffic in these ideas, policies and practices is now so vigorous across the nation that it suggests a fourth element of this new professionalism: its *national coherence*. These four principles — accountability, legitimacy, innovation and coherence — are not new in themselves, but together they provide an account of developments in policing during the last 20 years that distinguishes the policing of the present era from that of 30, 50 or 100 years ago.

Many U.S. police organizations have realized important aspects of the new professionalism and many more have adopted its underlying values. The ambitions for accountability, legitimacy and innovation unite police organizations in disparate contexts: urban, suburban and rural, municipal, county, state and federal. With approximately 20,000 public police organizations in the United States, national coherence in American policing would be a signal achievement.¹ We do not see this new professionalism fully realized in any single department. We know how difficult it can be to narrow the gap between these ambitions and many deeply ingrained routines and practices.

Much policing in the United States remains, in these terms, unprofessional, but professional ambition is itself a powerful force and it is at work almost everywhere.

We hear similar ambitions for accountability, legitimacy, innovation and coherence in other countries, from the state police organizations in Brazil and India to the South African Police Service, the French Gendarmerie and the Chilean Carabineros. A global police culture with these same four elements increasingly defines the ambitions of police leaders in most countries. In this paper, however, we focus on the trend in the United States.

To describe and illustrate the elements of this new professionalism, we draw on our own experiences working in and studying police organizations and on the deliberations of two Executive Sessions on Policing, both convened by the National Institute of Justice and Harvard University's Kennedy School of Government: the first from 1985 to 1992 and the second commencing in 2008 and continuing today.

Why a New Professionalism?

We offer the "New Professionalism" as a conceptual framework that can help chiefs, frontline police officers and members of the public alike understand and shape the work of police departments today and in the years ahead. Even as it remains a work in progress, the New Professionalism can help police chiefs and commissioners keep their organizations focused on why they are doing what they do, what doing it better might look like, and how they can prioritize the many competing demands for their time and resources. On the front lines, the New Professionalism can help police officers work together effectively, connect their daily work to the larger project of building a better society, and share their successes and frustrations with the communities they serve. In communities everywhere, the New Professionalism can help citizens understand individual police actions as part of larger strategies, and assess the demands and requests that police make for more public money, more legal authority and more public engagement in keeping communities safe. From all of these vantage points, the New Professionalism helps all of us see what is happening in policing, how we got here and where we are going.

Each of the four elements of the New Professionalism — accountability, legitimacy, innovation and national coherence — has something to offer police and the communities in which they work.

By a commitment to accountability we mean an acceptance of an obligation to account for police actions not only up the chain of command within police departments but also to civilian review boards, city councils and county commissioners, state legislatures, inspectors general, government auditors and courts. The obligation extends beyond these government entities to citizens directly: to journalists and editorial boards, resident associations, chambers of commerce — the whole range of community-based organizations.

By a commitment to legitimacy we mean a determination to police with the consent, cooperation and support of the people and communities being policed. Police receive their authority from the state and the law, but they also earn it from the public in each and every interaction.

Although it is important to derive legitimacy from every part of the public, those citizens and groups most disaffected by past harms or present conditions have the greatest claims to attention on this score because their trust and confidence in the police is often weakest. Fortunately, research we discuss later in this paper suggests that police departments can strengthen their legitimacy among people of color in the United States and among young people of all races and ethnicities without compromising their effectiveness.² Indeed, effectiveness and legitimacy can be advanced together.

By a commitment to innovation we mean active investment of personnel and resources both in adapting policies and practices proven effective in other departments and in experimenting with new ideas in cooperation with a department's local partners. Empirical evidence is important here. Departments with a commitment to innovation look for evidence showing that practices developed elsewhere work, just as they embrace evaluation of the yet unproven practices they are testing.

By national coherence we mean that the departments exemplifying the New Professionalism are participating in national conversations about professional policing. They are training their officers, supervisors and leaders in practices and theories applicable in jurisdictions across the country. Not long ago, it was common to hear police officers insist that they could police effectively in their city, county or state only if they had come up through the ranks there: good policing was inherently parochial. Such a belief belies a true professionalism. Inherent in the idea of the New Professionalism in policing is that police officers, supervisors and executives share a set of skills and follow a common set of protocols that have been accepted by the profession because they have been proven to be effective or legally required. That is not to say that local knowledge and understanding are unimportant — they are vital. But they are not everything. There is vital knowledge, understanding and practice common to good policing everywhere, and this common skill set defines police professionalism.

There are many definitions of professionalism and some debate about what it means for policing to be a profession. We take these up at the end of this paper, after putting the New Professionalism in historical context. For now, suffice it to say that for any profession to be worthy of that name, its members must not only develop transportable skills but also commit themselves both to a set of ethical precepts and to a discipline of continuous learning. A look back in history reveals how this meaning of "professional" contrasts with another use of the word employed in the early debates over community policing. The New Professionalism embraces and extends the best of community policing, whereas the "old professionalism" said to characterize policing in the 1960s and 1970s was seen as antithetical to community policing.

Community Policing and the New Professionalism

Twenty-five years ago, when the elements of the New Professionalism began to emerge in urban American police departments, "community policing" was the organizing framework advanced to describe the new approach and new priorities. To most Americans who heard of the idea, community policing summoned up images of police walking the beat, riding on bicycles, or talking to groups of senior citizens and to young children in classrooms. These images adorn countless posters and brochures produced by individual police departments to explain community policing to local residents. They picture community policing as a specialized program: a few carefully selected officers taking pains to interact with "good" citizens while the rest of the police department does something else.

Inside police departments, however, and at the first Executive Session on Policing, community policing was being described as far more than the next new program. It was promoted as the organizing framework around which police departments were going to change everything they did. Community policing might look like a specialized program when a police department first adopts it, but that is "Phase One," as Lee Brown, who led police departments in Atlanta, Houston and New York City before becoming mayor of Houston, wrote in a 1989 paper for the first Executive Session. Brown explained that "Phase Two":

...involves more sweeping and more comprehensive changes...It is the department's style that is being revamped

...Although it is an operating style, community policing also is a philosophy of policing...(emphasis in original).³

Brown went on to explain how, in Phase Two, community policing requires changes to every part of policing, including its supervision and management, training, investigations, performance evaluation, accountability and even its values. True community policing, Brown wrote, requires a focus on results rather than process; it forces decentralization, power sharing with community residents, the redesign of police beats, and giving a lower priority to calls for service. Malcolm Sparrow, a former Detective Chief Inspector in the English police service on the faculty of the Harvard Kennedy School, made the same point in even more dramatic language:

Implementing community policing is not a simple policy change that can be effected by issuing a directive through the normal channels. It is not a mere restructuring of the force to provide the same service more efficiently. Nor is it a cosmetic decoration designed to impress the public and promote greater cooperation.

For the police it is an entirely different way of life. It is a new way for police officers to see themselves and to understand their role in society. The task facing the police chief is nothing less than to change the fundamental culture of the organization.⁴

In this grand vision, the advent of community policing marked an epochal shift, replacing an earlier organizing framework: professional crime-fighting. And this, finally, is why the field today needs a "new" professionalism, for the original professionalism was — as an organizing framework at least — discarded in favor of community policing.

In their promotion of community policing and a focus on problem solving, the proponents of reform roundly criticized what they saw as the professional crime-fighting model, or simply the "professional model" of policing.⁵ They saw the professional model as hidebound: too hierarchical in its management, too narrow in its response to crime and too much at odds with what police did. Led during the first Executive Session on Policing by the scholarship of three academics — Professors Mark Moore of the Harvard Kennedy School, George Kelling of Northeastern University and Robert Trojanowicz of Michigan State University — the champions of community policing contrasted their principles and methods to this "traditional," "classical," "reform" or, most commonly, "professional" style of policing.⁶

The criticisms made by Moore, Kelling and Trojanowicz of the then-dominant form of policing in U.S. cities were right on the mark, but by labeling this dominant form "professional" crime-fighting, they needlessly tarnished the concept of professionalism itself.⁷ Looking back on these debates, it is easy to see that this so-called professional model of policing was at best a quasi-professionalism and at worst an entirely false professionalism.

At the time, however, the critique from Moore, Kelling, Trojanowicz and others succeeded in giving professional policing a bad name, so much so that reformers in countries where policing was still entirely a matter of political patronage and a blunt instrument of political power began to ask if they could skip the professional stage of police evolution and proceed directly to community policing.⁸

Community policing was an important improvement on the style of policing it challenged in American cities, but it is time to correct two distortions inherited from that earlier debate. First, what community policing challenged in the 1980s was not a truly professional model of policing, but rather a technocratic, rigid, often cynical model of policing. Moreover, it reinforced pernicious biases deeply entrenched in the wider society. Both good and bad police work was performed in that mode, but it was hardly professional. Second, community policing was only part of the new model of policing emerging in the 1980s, with contemporaneous innovations occurring in technology, investigation and the disruption of organized crime. By reinterpreting the rise of community policing as part of a larger shift to a New Professionalism, we hope simultaneously to rescue the idea of professional policing from its frequently distorted form in the mid-20th century and to show how the elements of this New Professionalism might anchor a safer and more just society in the decades ahead.

The So-Called Professionalism of Mid-20th-Century Policing

Proponents of community policing in the 1980s labeled its mid-century predecessor as “professional crime-fighting,” but what sort of policing were they describing? What were the characteristics of the mid-century policing they hoped to replace?

First, in its relationship to citizens, the previous mode of policing was deliberately removed from communities, insisting that police understood better than local residents how their communities should be policed. As George Kelling described it in the first paper in the *Perspectives on Policing* series, the police had long been seen as “a community’s *professional* defense against crime and disorder: Citizens should leave control of crime and maintenance of order to police (emphasis added).”⁹ Or, as a separate paper explained, “The proper role of citizens in crime control was to be relatively passive recipients of professional crime control services.”¹⁰ In contrast, explained Kelling, under community policing, “the police are to stimulate and buttress a community’s ability to produce attractive neighborhoods and protect them against predators.”¹¹

Second, in terms of tactics, the previous mode of policing relied on a limited set of routine activities. As another 1988 paper in the series explained, “Professional crime-fighting now relies predominantly on three tactics: (1) motorized patrol; (2) rapid response to calls for service; and (3) retrospective investigation of crimes.”¹²

Third, the management structure of professional crime-fighting was centralized and top-down. Its management technique was command and control, aiming principally to keep police officers in line and out of trouble. As one paper described it, “the more traditional perspective of professional crime-fighting policing... emphasizes the maintenance of internal organizational controls.”¹³ And as another paper explained in more detail:

In many respects, police organizations have typified the classical command-and-control organization that emphasized top-level decisionmaking: flow of orders from top-level executives down to line personnel, flow of information up from line personnel to executives, layers of dense supervision, unity of command, elaborate rules and regulations, elimination of discretion, and simplification of work tasks.¹⁴

This mid-century model of policing can be criticized as technocratic and rigid, but it was not all bad. The elevation of technical policing skills, the introduction of hiring standards, and the stricter supervision and discipline of police officers improved some police services and helped some police chiefs put distance between themselves and political ward bosses, corrupt mayors and local elites demanding special attention. Prioritizing 911 calls at least allocated police services to anyone with access to a telephone rather than only to those with political connections or in favor with the local police. But these were incremental gains, and policing remained (and remains) closely tied to politics.¹⁵

Moreover, each of the three elements of so-called professional policing described here — its claim to technical expertise, its tactics and its management strategy — failed to produce adequate public safety. Rising crime and disorder in the 1960s and 1970s belied the technical expertise of the police, as did the repressive response to the civil rights and peace movements and the persistence of brutality on the street and during interrogations. A growing body of research evidence demonstrated the ineffectiveness of random patrol, the irrelevance of shortened response times to the vast majority of calls for service, and the inability of retrospective investigation to solve most crimes. As for command-and-control management, the work of frontline police officers, operating outside of line-of-sight supervision, proved ill-suited to this form of supervision.

Ironically, the command-and-control management techniques identified with “professional crime-fighting” were the antithesis of the practices generally used to manage professionals. Instead of depending on continuous training, ethical standards and professional pride to guide behavior, command-and-control structures treated frontline police officers like soldiers or factory workers, yet most of the time the job of policing looked nothing like soldiering or assembly-line production.

Even then, the advocates for community policing recognized that mid-century policing was hardly professional in its treatment of the officers on the street. They minced no words here, explaining that by the 1960s and 1970s, line officers were still managed in ways that were antithetical to professionalization...patrol officers continued to have low status; their work was treated as if it were routinized and standardized; and petty rules governed issues such as hair length and off-duty behavior.

...the classical theory [of command-and-control management]... denies too much of the real nature of police work, promulgates unsustainable myths about the nature and quality of police supervision, and creates too much cynicism in officers attempting to do creative problem solving. Its assumptions about workers are simply wrong.¹⁶

Of all the problems created by terming mid-century policing “professional,” none was more glaring than its dissonance with the experience of African-Americans and other racial and ethnic minorities. Former New York City Police Commissioner Patrick Murphy and former Newark (NJ) Police Director Hubert Williams coauthored a 1990 essay in which they argued that for black Americans, the so-called professional model was infused with the racism that had biased policing since the organization of the police during slavery:

The fact that the legal order not only countenanced but sustained slavery, segregation, and discrimination for most of our Nation’s history — and the fact that the police were bound to uphold that order — set a pattern for police behavior and attitudes toward minority communities that has persisted until the present day. That pattern includes the idea that minorities

have fewer civil rights, that the task of the police is to keep them under control, and that the police have little responsibility for protecting them from crime within their communities.¹⁷

Indeed, as Williams and Murphy pointed out, blacks were largely excluded from urban police departments in the same years that “professional” policing was taking hold, and those African-Americans who were hired as police officers were often given lesser powers than white officers. In New Orleans, the police department included 177 black officers in 1870, but this number fell to 27 by 1880, further fell to five by 1900, and to zero by 1910. New Orleans did not hire another black officer until 1950. Even by 1961, a third of U.S. police departments surveyed still limited the authority of black police officers to make felony arrests. By the end of that decade, anger at racial injustice had fueled riots in more than a dozen cities, and a Presidential commission had concluded that many of these riots, as Williams and Murphy underscored, “had been precipitated by police actions, often cases of insensitivity, sometimes incidents of outright brutality.”¹⁸

Today it is clear that the rise of community policing did not mark the end of professional policing, but rather its beginning. Little about policing in the mid-20th century was “professional.” Its expertise was flawed, its techniques crude, its management techniques more military than professional, and it reinforced rather than challenged the racism of the wider society. Community policing, with its emphases on quality of service, decentralization of authority and community partnership, was more professional than the style of policing it attempted to displace.

The phrase “community policing” does not, however, adequately describe what replaced mid-century law enforcement and what continues to propel the most promising developments in policing today. What began to emerge in the 1980s was a new, truer, more robust professionalism of which community policing was and remains a part. The proponents of the term “community policing” were, in the 1980s, already aware of this problem with their language. They knew their “community policing” framework was merely a partial replacement for mid-century policing. Yet they resisted the broader labels suggested by their colleagues, clinging to their banner of community policing. Why?

The Attorney General and the Professors

Among the participants in the first Executive Session on Policing was Edwin Meese, then- Attorney General of the United States. Two years into the session, during the discussion of a paper by Professors Moore and Kelling tracing the evolution of policing strategies over the previous 100 years, an exchange between the Attorney General and Professor Moore captured not only the state of the debate in the policing field, but the reason that Moore and his academic colleagues adopted the phrase “community policing” to describe the broad changes they were both charting and championing.

Emphasizing the historical significance of these changes, Kelling and Moore had argued in their paper that American policing since the 1840s had begun in a “political” era in which policing and local politics had been intimately connected and in which police carried out a wide range of social and political functions, only some of which related to law enforcement. Policing had then passed through a “reform” era, reaching its zenith in the 1950s, in which professional crime-fighting became the dominant organizational strategy. Then, just as the many failures of professional crime-fighting became apparent in the 1960s and 1970s, police departments, according to Kelling and Moore, were achieving new successes with the reintroduction of foot patrol and with

experiments in “problem solving.” Foot patrol proved both effective at reducing fear of crime and politically popular with residents, merchants and politicians, so much so that voters were willing to increase taxes to pay for it. At the same time, problem solving appeared to capture the imagination and enthusiasm of patrol officers, who liked working more holistically in partnership with residents to resolve neighborhood concerns. This led Kelling and Moore to the principal claim in their historical account: foot patrol, fear reduction, problem solving and partnerships with local residents were “not merely new police tactics.” Instead, they constituted “a new organizational approach, properly called a community strategy.”¹⁹ Although some departments were introducing foot patrol or problem solving as mere add-ons to professional crime-fighting, their implications were far broader:

We are arguing that policing is in a period of transition from a reform strategy to what we call a community strategy. The change involves more than making tactical or organizational adjustments and accommodations. Just as policing went through a basic change when it moved from the political to the reform strategy, it is going through a similar change now.²⁰

Attorney General Meese was sympathetic but skeptical. “I think the paper is good, but perhaps a shade grandiose,” he told its authors. “Suggesting that we have ‘a whole new era’ to be compared with the reform era is too grand an approach.” Community policing, the Attorney General insisted, is “only one component of the whole picture.”²¹ The then-director of the National Institute of Justice, James K. “Chips” Stewart, suggested a different term, “problem-oriented” policing, because police were taking many initiatives, not merely creating community partnerships, to affirmatively identify and solve problems rather than waiting to respond to reports of crime.²² Attorney General Meese suggested “strategic policing” because the term embraced not only the work in communities but also the support that community work was going to require (especially the intelligence, surveillance and analysis functions) and the “specialist services that are going to focus on homicide, citywide burglary rings, car theft rings, and organized crime and terrorism.” The Attorney General said that his concerns would disappear if the professors talked about community policing as a *part* of a new era of policing, rather than defining the era itself. If they did that, he concluded:

Everybody would realize that this [community policing] is a very important contribution which, along with other things happening in the police field, marks a new era of strategic policing in which people are thinking about what they are doing.²³

Not only did the professors continue to insist on using “community policing” to define the new era and its strategy, but they soon persuaded the field to do the same. Community policing became the slogan around which reformers rallied, eventually including President Bill Clinton, who put “community policing” at the heart of his national strategy to deal with crime and to provide unprecedented federal assistance to local police.

In response to Attorney General Meese’s suggestion that the professors substitute the term “strategic policing,” Professor Moore responded with a four-part argument. First, he agreed that the many elements of strategic policing and problem solving were an important part of the new era. Second, he predicted that most of these new strategies would take hold even without encouragement from leaders in the field or academics. Third, he predicted that police would find most uncomfortable the building of true partnerships with communities. He concluded, therefore, that labeling the entire package of innovations as community policing would give special prominence to the very aspect that would be most difficult for the police to adopt.

In short, the name was a dare. As Moore said to the Attorney General:

Let me say why we keep talking about this phrase “community policing.” Let us imagine...that there are two different fronts on which new investments in policing are likely to be made. One lies in the direction of more thoughtful, more information-guided, more active attacks on particular crime problems. Some are local crime problems like robbery and burglary, and some turn out to be much bigger... [including] organized crime, terrorism, and sophisticated frauds. That is one frontier.

In many respects it is a continuation of an increasingly thoughtful, professionalized, forensic, tactical-minded police department. The other front is...how to strike up a relationship with the community so that we can enlist their aid, focus on the problems that turn out to be important, and figure out a way to be accountable... The first strand is captured by notions of strategic and problem-solving policing. The second strand is captured by the concept of community policing. ...My judgment is that the problem solving, strategic thing will take care of itself because it is much more of a natural development in policing. If you are going to make a difference, you ought to describe a strategy that challenges the police in the areas in which they are least likely to make investments in repositioning themselves. That is this far more problematic area of fashioning a relationship with the community.²⁴

The dare worked. Not everywhere, and not completely, but many American police departments took up the banner of community policing and found it possible to varying degrees to create partnerships with the communities they policed.²⁵ The successful marketing of community policing was solidified in the first presidential campaign and then the presidency of Bill Clinton, whose signature policing initiative — federal funding to add 100,000 cops to U.S. police departments — was managed by the newly created Office of Community Oriented Policing Services (COPS Office). With those funds, local police departments pursued hundreds of varieties of community partnerships, and the public came to understand that modern policing was community policing.

But Attorney General Meese was right. Community policing was only one part of the new era in American policing, and police departments did not, indeed could not, transform their entire organizations in service of local community priorities. There were too many things to do that did not fit neatly within that frame. Instead, departments began to change on many fronts at once: incorporating new forensic science technology and new surveillance capabilities, building new information systems that allowed chiefs to hold local commanders accountable almost in real time for levels of crime in their districts, expanding the use of stop-and-search tactics, responding to criticisms of racial profiling, and managing heightened concern about terrorism. And every one of these innovations raised problems, at least in some departments, beyond the guidance that community policing principles provided.

As federal funding for community policing diminished after 2001, police leaders found themselves without a single organizing framework that could allow them to make sense of all of these developments. Soon the labels were proliferating: intelligence-led policing, evidence-based policing, pulling levers, hot-spot policing and predictive policing.²⁶ Some still argued that community policing, rightly understood, was a vessel capacious enough to contain all of these developments, but others believed that many of these tactics and strategies had become divorced from community engagement and participation. Community policing, in short, lost its power as a comprehensive, organizing concept and again became a single element in the complex and contentious field of policing.

Moreover, even in the Clinton years, community policing succeeded as a political slogan and provided a framework for important changes in police practice, but did not serve as the transformative paradigm that Moore and others thought was needed. Police leaders remain uncertain even to this day what they should ask of their communities. Despite books, trainings, conferences and countless new community policing initiatives, police departments became only marginally better at building broad, trusting, active partnerships with community residents, especially in high-crime neighborhoods. By the time of Barack Obama’s election in 2008, community policing had not only lost most of the federal funding and priority it had enjoyed in the 1990s, but the power of the slogan to focus police attention, catalyze public support for police reform, and serve as an overarching philosophy was exhausted as well.

The New Professionalism can restore to the field an overarching, organizing framework. It brings together the strategic, problem-oriented, community partnership strands from the 1980s and 1990s, and incorporates many additional developments in policing in the new century. Still, the exchange between Attorney General Meese and Professor Moore is worth recalling, for it reminds us that some elements of reform are easier than others for police to integrate into their tradition-bound organizations. As the New Professionalism advances, reformers inside and outside police departments should focus on those aspects that will be most difficult for those departments to embrace.

The New Professionalism in the 21st Century

All four elements of the New Professionalism are already apparent in the values espoused by many police leaders in the United States and in the operations of several of their departments: accountability, legitimacy, innovation and national coherence. Indeed, the fourth is why the first three define a true professionalism: a collection of expertise, principles and practices that members of the profession recognize and honor.

Increased Accountability

Police departments used to resist accountability; today, the best of them embrace it. Twenty years ago, the term “police accountability” generally referred to accountability for misconduct. To speak of police accountability was to ask who investigated civilian complaints, how chiefs disciplined officers for using excessive force, and so on — sensitive topics in policing. Police chiefs did not generally feel accountable for levels of crime.²⁷ The change today is dramatic, with increasing numbers of police chiefs feeling strong political pressure to reduce crime even as they contain costs. The best chiefs speak confidently about “the three C’s”: crime, cost and conduct. Police departments today are accountable for all three.

Consider accountability for crime. Originating in the New York Police Department (NYPD), the CompStat accountability process, in which chiefs in headquarters hold precinct and other area commanders accountable for continuing reductions in crime and achievement of other goals, is now a staple of police management in most large departments. The CompStat process focuses most intensely on “index crimes”: homicide, rape, robbery, aggravated assault, burglary, larceny and motor vehicle theft. At the same time, neighborhood residents in local community meetings question police commanders most commonly about other problems, such as open-air drug markets, disorderly youth, vehicle traffic and noise. In still other forums with more specialized advocates, police executives are expected to account for their responses to domestic violence complaints and hate crimes. In these and other ways, police agencies are now routinely accountable for their ability — or inability — to reduce the volume of crime.

Accountability for cost is hardly new, but the costs of policing are receiving intense scrutiny across the United States as state and local governments cut their budgets. Although some police departments are resorting to familiar cost-cutting strategies — reducing civilian staff, slowing officer recruitment, limiting opportunities for officers to earn overtime and eliminating special programs — others are urging a more fundamental re-examination of how police departments are staffed and what work they do.²⁸ In Los Angeles, Chief of Police Charles Beck eliminated an entire citywide unit of 130 officers known as Crime Reduction and Enforcement of Warrants (CREW), used for tactical crime suppression. This allowed the department to maintain patrol officer levels in local police districts during a time of budget cuts, even though it deprived his executive team of a flexible resource for responding quickly to new crime hot spots. More than cost cutting, this is a serious bet on the value of district-level leadership, entailing a public accounting of how the department is managing costs in a tight fiscal environment.²⁹

Finally, police leaders are taking responsibility for the conduct of their personnel: not only apologizing promptly for clear cases of misconduct, but also taking the initiative to explain controversial conduct that they consider legal and appropriate. For example, when the Los Angeles Police Department employed excessive force on a large scale at an immigrants-rights rally in MacArthur Park in May 2007, then-Police Chief William Bratton publicly confessed error within days, and followed up with strict discipline and reassignment of the top commander at the scene, who later resigned.³⁰ Perhaps a less obvious example is the NYPD's annual report on all firearms discharges, in which the department reports the facts and patterns in every discharge of a firearm by any of its officers. In the 2008 report, for example, the NYPD reported on 105 firearm discharges, the fewest in at least a decade. These included 49 discharges in "adversarial conflict" in which 12 subjects were killed and 18 injured. The report takes pains to put these police shootings in context, providing accounts of the incidents, information on the backgrounds of the officers and the subjects shot, and comparisons with earlier years.³¹

The embrace and expansion of accountability is likely to continue as part of the New Professionalism in policing, as it is in most professions. On crime, for example, we expect to see more police agencies conducting their own routine public surveys, as many do now, holding themselves accountable not only for reducing reported crime, but also for reducing fear and the perception that crime is a problem in particular neighborhoods or for especially vulnerable residents. The police department in Nashville has engaged a research firm to conduct surveys of residents and businesses every six months since 2005, tracking victimization as well as the percentage of respondents who consider crime their most serious problem, and sharing the results publicly.³²

To decrease costs, police departments will likely accelerate the shifting of work to nonsworn, and therefore less expensive, specialist personnel, especially in crime investigation units that are currently staffed mostly with detectives. A range of new specialists, including civilian crime scene technicians, data analysts and victim liaisons, might well replace one-half or more of today's detectives. A wide range of new civilian roles could emerge, boosting the prominence of civilian police careers in much the same way that nurses and technicians have taken on many of the roles traditionally played by doctors within the medical profession.

This move is already under way, but it proceeds haltingly and with frequent reversals because of the politics of police budgets in periods of fiscal constraint, when retaining sworn officers becomes an especially high priority for elected officials.

On issues of conduct, the New Professionalism may bring substantial reductions in the use of force — already apparent in several jurisdictions — as police departments become more proficient in analyzing the tactical precursors to use-of-force incidents. Already, some departments are reviewing uses of force not only to determine if the officers were justified in the moment that they pulled their triggers or struck a blow, but also to discern earlier tactical missteps that may have unnecessarily escalated a situation to the point where force was legitimately used. By moving beyond a focus on culpability and discipline to smarter policing that relies less on physical force, more departments can demonstrate their professionalism and better account for the force that they deploy.

Finally, we see a growing appreciation among police executives for their own accountability to frontline officers and other members of the organization. This is the least developed form of accountability, with too many police managers still speaking about doing battle with their unions and too many unions bragging about their control over chiefs. This familiar, bruising fight between labor and management obscures the beginnings of a more professional, constructive engagement between police unions and police executives, where leaders at every level are committed to disciplinary systems that are fair and perceived as fair, the development of rules with robust participation of frontline officers and staff, and codes of ethics and statements of values that speak to the aspirations of men and women throughout policing and are grounded in a participatory process.

Legitimacy

Every public-sector department makes some claim to legitimacy, and policing is no exception. In their account of professional crime-fighting of the mid-20th century, Professors Kelling and Moore identified the sources of legitimacy for policing as "the law" and the "professionalism" of the police. They contrasted these sources of legitimacy with early sources of legitimacy in urban politics. To free themselves from the corruptions of political manipulation, the police of mid-century America, the professors explained, claimed their legitimacy from enforcing the law in ways that were properly entrusted to their professional expertise. By contrast, community policing emphasized the legitimacy that could be derived from community approval and engagement.

The legitimacy of policing under the New Professionalism embraces all of these, recognizing that legitimacy is both conferred by law and democratic politics and earned by adhering to professional standards and winning the trust and confidence of the people policed. The New Professionalism, however, puts a special emphasis on the sources of earned legitimacy: professional integrity and public trust. The last of these — public legitimacy — extends a long-established principle of democratic policing and a tenet of community policing: policing by consent of the governed.

In recent decades, police have had only the weakest means to measure erosion of public legitimacy, mostly derived from the numbers of civilian complaints against the police. As every police officer and police scholar can agree, counting formal civilian complaints produces highly problematic statistics. Relatively few people who feel aggrieved in their encounters with the police make a formal complaint, so the complaints received are unlikely to be representative of wider patterns. Moreover, the police discount complaints from at least two categories of civilians: persistent offenders who use the complaint process to deter police from stopping them, and persistent complainers who file literally dozens of complaints annually.

These complainants may be relatively few, but the stories about them circulate so widely among police officers that they undermine the ability of police commanders or outside oversight bodies to use numbers of civilian complaints as a credible measure of public dissatisfaction. Finally, adjudicating civilian complaints is so difficult that most complaints remain formally unsubstantiated, further undermining the process.

The problem is with the use of civilian complaints as the leading measure of public legitimacy, not with the goal of public legitimacy itself. Research conducted by New York University Professor Tom Tyler and others over the last two decades demonstrates that rigorous surveys can reliably measure legitimacy, and that doing so allows police departments to identify practices that can increase their legitimacy among those most disaffected: young people and members of ethnic and racial minority groups. Tyler and others demonstrate that police can employ even forceful tactics such as stop-and-frisk in ways that leave those subject to these tactics feeling that the police acted fairly and appropriately.³³ It is through the pursuit of public legitimacy, guided by repeated surveys that disaggregate results for specific racial, ethnic and age groups, that the New Professionalism can directly address the persistent distrust between ethnic and racial minorities and the police in the United States.

As the New Professionalism develops further, police departments will be able to use better surveys than are common today to measure public legitimacy, allowing them to make more appropriate and modest use of civilian complaints statistics. In 2007, then-Senator Barack Obama underscored the importance of this pillar of the New Professionalism when he promised that, as President, he would work for a criminal justice system that enjoyed the trust and confidence of citizens of every race, ethnicity and age.³⁴ Public surveys that capture the satisfaction of people in these discrete groups in their encounters with police and in their broader confidence in the police can help measure progress toward that goal.³⁵

Continuous Innovation

One complaint about the old professionalism of mid-century policing is that it stifled innovation at the front lines of policing. Police managers were so concerned about the dangers of corruption and a loss of discipline that they suppressed the creative impulses of frontline officers who wanted to try new ways of solving crime problems and eliminating other conditions that caused people grief. Conversely, a complaint about community policing in the 1990s was that it left problem solving to the variable skills of frontline officers, with only rare examples of senior management investing in departmentwide problem solving or developing responses beyond the “generic” solutions of “patrolling, investigating, arresting, and prosecuting... without benefit of rigorously derived knowledge about the effectiveness of what they do.”³⁶

Today, innovation at every level is essential for police agencies charged with preventing crimes and solving problems from terrorism to youth violence, vandalism, mortgage fraud, Internet gambling, drug dealing, extortion, drunk driving, intimate partner violence and so on. The last decade has seen innovation in the strategies, tactics and technologies that police employ against all of these, and in ways that police develop relationships within departments and with the public. Films and television series popularize innovations in forensic sciences, but equally dramatic are innovations in less-lethal weaponry, the use of “verbal judo” to control unruly people without physical force, direct engagement with neighborhood gangs and drug dealers to reduce crime, and recruiting techniques that can rapidly diversify the pool

of applicants for police jobs. Other innovations boost attention to customer service at police stations, help supervisors identify officers at greater risk of engaging in misconduct, improve the outcomes of confrontations with mentally disturbed individuals, and provide more effective service to victims of persistent domestic violence and spousal abuse. It is a dizzying array.

The challenge of the New Professionalism is to encourage innovation within the bounds not only of the law but also of ethical values. The use of value statements to guide police behavior in place of the strict enforcement of detailed regulations continues to gain acceptance in the field, driven first by community policing and problem solving and more recently by reforms to disciplinary processes and closer collaborations between union leadership and police executives. As police departments reward innovators with recognition, resources and promotion, that trend will continue.

As part of the New Professionalism, departments can expand the range of incentives for innovation and build structures that encourage innovation as part of the routine work of police officers and senior management teams. These might include community partnerships that go beyond the neighborhood activities of community policing, and joint ventures with other government departments, national and international nonprofit organizations, and private-sector companies. Such partnerships encourage police to see crime and crime problems in new forms and new places, well beyond the narrow confines of those reported to the police and recorded in the Uniform Crime Reports.

But innovation alone will not prove valuable without a way to learn from the process. All professions are distinguished from mere trades by their commitment to continuous learning through innovation, whether it is experimentation in medicine, the development of the common law, or the application of engineering breakthroughs in architecture. As Herman Goldstein wrote a few years ago in urging the importance of developing knowledge as part of police reform, “The building of a body of knowledge, on which good practice is based and with which practitioners are expected to be familiar, may be the most important element for acquiring truly professional status.”³⁷

Knowledge — its creation, dissemination and practical application — is essential to genuine professionalism. Police organizations need not only to encourage innovation but also to measure their outcomes, and reward and sustain innovations that succeed. They should encourage independent evaluations of their policies and tactics. Working with researchers, they should design experiments that rigorously test new ideas. Police organizations must then communicate the reasons for their successes widely and quickly throughout the profession. Formal partnerships with universities and nonprofit think tanks can help, and many departments have already built such partnerships.

All this suggests a new way of learning within policing. The pace of innovation and knowledge development today is simply too fast for police organizations to rely on recruit training and occasional specialized courses. Rather, police departments need to become learning organizations of professionals. For example, analysts in police agencies should not only be studying crime patterns but also analyzing what the police are doing about them and to what effect, informing the development of tailor-made strategies to deal with the underlying problems, and then sharing their analyses widely within the department in forms that busy frontline officers and supervisors can easily digest, retain and apply. Another example: frontline officers and rising managers should be rewarded for the professional habits of reading, learning and actively contributing to the expansion of knowledge in the field.³⁸

National Coherence

Achieving accountability for crime, cost and conduct; public legitimacy across social divisions; and continuous innovation and learning at every rank would mark a watershed in policing. These first three elements build on efforts begun with community policing, elevating them to a New Professionalism that infuses all of what police organizations do. To make that New Professionalism worthy of the name, however, requires one more step: achieving national coherence in this radically decentralized business. This element has not yet developed as far as the first three, but it has begun to grow.

Policing in the United States is notoriously parochial, entrusted to something close to 20,000 police departments — the precise number changes so quickly that there is no reliable count. Yet in the last three decades, policing has begun to develop features of a coherent field of professional work. The Police Foundation and Police Executive Research Forum have helped by nurturing national conversations among practitioners and researchers. These conversations took on greater intensity in the first Executive Session on Policing, and they became far more public when Bill Clinton, campaigning for the presidency in 1992, argued for using federal resources to spread community policing to every state. Since then, national discussions and debates about police practices and strategies have become commonplace, thanks in large part to the efforts of the COPS Office, the Office on Violence Against Women and the Office of Justice Programs — all within the Department of Justice — and the conversations hosted by the Major Cities Chiefs Association and other professional associations.³⁹ Many of the best-known brands in policing practices — “CompStat Meetings,” “Fusion Centers” and even older brands like “Weed and Seed” programs — are national in name only, with each manifestation so different from the others that they contribute little to national coherence. Still, even these widely differing practices can create an appetite for more truly coherent practices in an extremely decentralized field.

Most other countries achieve at least some national coherence through a national police agency or a limited number of state police services. England, with only 43 local police services, has recently created the National Police Improvement Agency to assume a variety of shared functions and bring a greater degree of national coherence to policing. Canada uses a mixed model, in which municipalities and provinces contract with the Royal Canadian Mounted Police (RCMP) to provide local or provincial police services according to local specifications aiming to achieve locally negotiated goals. Large jurisdictions, such as the provinces of Ontario and Quebec and the cities of Toronto, Montreal and Vancouver, still choose to field their own police services, but the other provinces and many smaller cities contract with the RCMP.

Local control over local policing is deeply ingrained in American political culture, and we do not expect that to change. Some consolidation among the 80 percent of police agencies with fewer than 25 police officers could help residents of those communities receive more professional police services, but such consolidation will not do much for national coherence. Indeed, further progress toward national coherence through the New Professionalism may be necessary for this consolidation to be attractive.

Greater mobility among police departments for officers and professional staff could do more than consolidation to advance national coherence. True professionals are mobile across jurisdictions, even across national boundaries. Engineers, doctors and even lawyers can practice their professions and apply their skills and training almost anywhere. Many professions have local testing and licensing requirements, but

reciprocity arrangements recognize that the training and skills of these licensed professionals are portable, and both individuals and organizations take advantage of this portability. Local experience has value in every profession, but local expertise can be balanced with wider knowledge and experience.

Only in the last few decades has it become common for big-city police chiefs to be recruited from outside of their departments and states, though even today most chiefs have spent their entire careers in the departments they lead. That trend needs to deepen, and the profession needs to find ways to encourage greater movement from place to place and across state lines at every stage of police careers. The obstacles are substantial. Police pension rules can create powerful disincentives for officers to move. In some states, such as California, the pension system does not block movement within the state, but creates disincentives for wider moves. In Massachusetts, state laws and contracts make it difficult for veteran officers and supervisors to move even within the state without loss in rank.

If the values of policing are really professional, not local, then departments need not worry that a workforce enjoying geographic mobility will become unskilled or undisciplined. Officers who have worked in the same community for a decade or more and who know the local people and their customs will be invaluable members of any police service, but that is true in many professions. What is needed is a genuine national coherence in the skills, training and accreditation of police professionals.⁴⁰

At stake here is much more than the ability for some police officers to move from one department to another. Citizens should be entitled to professional performance from U.S. police officers wherever they find them. Not only should the definition of professional performance be constantly evolving, but the public — itself mobile across the country — should expect police officers everywhere to keep up with these developments.

This kind of coherence implies the development of national norms of how the police respond to situations, particularly to criminal activity, public disorder, political dissent or even a traffic infraction. Consider, for example, a routine traffic stop. This can be a tense moment for a police officer who does not know if the car’s occupants were merely speeding or escaping the scene of a crime, just as it is an anxious moment for most drivers. A common protocol for how the police approach the vehicle, what they require of the driver, and how they respond as the encounter proceeds could not only save the lives of officers, but could help motorists as they drive from state to state avoid inadvertently alarming any officers who stop them. Such protocols have already begun to spread, but they could usefully be developed for a much wider range of situations.

The concept of a “protocol,” familiar in the medical field, could prove useful in professional policing. Some may become standard because of research findings, others because of judicial decisions, still others because of advances in forensic science. As in medicine, the danger is that protocols will, in the hands of busy police professionals, replace nuanced diagnosis and a plan to address the problems at hand. Careful analysis of local problems and the custom crafting of solutions continue to be necessary. Still, once a tool becomes part of that solution, its use according to standard protocols can save lives, improve effectiveness, reduce costs and let everyone benefit from the accumulation of professional knowledge. Just as systematic evaluation and rigorous research can discipline innovation, they can strengthen national protocols.⁴¹

Increased mobility and stronger protocols are only two ways in which national coherence can advance. The attraction of the new professionalism is likely to feed a flowering of specialist professional associations, bachelor's and master's degree programs, professional journals and other features of professional infrastructure.

Is the New Professionalism Really New?

We return, finally, to the definitional question: What is professionalism? When an earlier generation of reformers described the police strategy of the mid-20th century as professional crime-fighting, they may have been using the term "professional" merely as the opposite of "amateur." Perhaps they thought of professional police much as people think of professional athletes or professional actors. Through more rigorous selection, better training and tighter command, they had left the ranks of mere amateurs.

It is also likely that this earlier generation wanted to put distance between the police and partisan elected officials. Police departments live with a constant tension between serving the government leaders of the day, whether mayor, county executive or governor, and remaining independent of partisan politics. In the mid-20th century, reformers deployed the language of professionalism to help manage that tension, hoping to hold the local political machine at arm's length. That aim was laudable, but the claim was false. These departments were not professional.

We describe today's genuine police professionalism as "new" to distinguish it from the earlier rhetoric that mistakenly equated professionalism with an overreliance on technology, centralization of authority and insulation from the public. These features, found in much policing in the second half of the 20th century, do not define true professionalism.

Consider the parallel with the practice of medicine as a profession. In the 1960s and 1970s, U.S. doctors were often criticized as overly reliant on technology and distant from the patients whom they treated. A wave of reformers in medicine developed new specialties in family practice and championed medical education that trained doctors to communicate with patients respectfully, engaging patients more meaningfully in their own treatment. New roles for nurse practitioners and other health workers made the practice of medicine more humane. Family practice and other reforms aimed to build good relationships between medical practitioners and patients, just as community policing aimed to build good relationships between police and the people they served. But no one seriously suggests that doctors and nurses should abandon their identity as professionals. Instead, professionalism in medicine has come to embrace the respect for patients, accountability and innovations that are improving practice. Medicine has discovered its own new professionalism. So, too, has legal practice, in part through law school clinics that teach the importance of respectful client relationships alongside legal doctrine.

Similarly, in law enforcement, the New Professionalism embraces the respectful engagement of citizens and communities that lies at the core of community policing. Those who continue to champion the aspirations of community policing should understand the New Professionalism as aligned with their ambitions.⁴² Moreover, the New Professionalism is clear about its expectations, whereas community policing has become so vague a term that it has lost its operational meaning. As Moore advised two decades ago, the New Professionalism focuses police attention on the very things that are most difficult to achieve: accountability, legitimacy, innovation and national coherence. Community engagement is essential at least to the first two of those and perhaps all four.

Much can be gained from a truer police professionalism. For the public, policing promises to become more effective, more responsive to the opinions of residents and less forceful, less brusque. For members of the police profession themselves, the work promises to become more stimulating with a greater emphasis on learning, innovation, ethics and professional mobility. But the greatest gains are for democratic societies generally and the American experiment in democracy more specifically.

A certain amount of force will always be a part of police work; a degree of coercion is necessary to keep order and enforce the law. What matters is whether policing — when it forcefully asserts its authority — makes democratic progress possible or impedes it. Professional policing enhances democratic progress when it accounts for what it does, achieves public support, learns through innovation and transcends parochialism. That is the promise of the New Professionalism.

Printed with the kind permission of the National Institute of Justice and the Harvard Kennedy School Program in Criminal Justice Policy and Management

End Notes

1. According to the Bureau of Justice Statistics, as of September 2004, 17,876 state and local law enforcement agencies with the equivalent of at least one full-time officer were operating in the United States. Reaves, Brian A., *Census of Law Enforcement Agencies, 2004* (Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2007), p. 1.
2. See the discussion on pp. 14-15 and note 33 and the sources referenced therein.
3. Brown, Lee P., *Community Policing: A Practical Guide for Police Officials*, Perspectives on Policing, no. 12 (Washington, D.C., and Cambridge, Mass.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, and Harvard University, John F. Kennedy School of Government, Program in Criminal Justice Policy and Management, September 1989). Hereinafter, publications in this series are identified by their number in the series, Perspectives on Policing. The entire set is available at: www.hks.harvard.edu/criminaljustice/executive_sessions/policing.htm.
4. Sparrow, Malcolm K., *Implementing Community Policing*, Perspectives on Policing, no. 9 (Washington, D.C., and Cambridge, Mass.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, and Harvard University, John F. Kennedy School of Government, Program in Criminal Justice Policy and Management, November 1988), p. 2.
5. See, for example, Kelling, George L., and Mark H. Moore, *The Evolving Strategy of Policing*, Perspectives on Policing, no. 4 (Washington, D.C., and Cambridge, Mass.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, and Harvard University, John F. Kennedy School of Government, Program in Criminal Justice Policy and Management, November 1988), p. 6 (where the authors write specifically of "the professional model").
6. The first Executive Session on Policing convened 31 officials and scholars, but its 16 published papers were authored by only 13 participants. Mark Moore and George Kelling were authors or co-authors on six papers each; Robert Trojanowicz was co-author on three; Malcolm Sparrow, Robert Wasserman and Hubert Williams were authors or co-authors on two each. No one else appeared on more than one. Of the first six papers issued, all were authored or coauthored by Moore, Kelling and Trojanowicz, with no other co-authors; and through the end of 1992, the Executive Session published only three papers that were not authored or co-authored by Moore, Kelling or Trojanowicz. Other scholars played at least as great a role in the formulation of community policing during these years, including Herman Goldstein (who was a member of the first Executive Session) and David Bayley (who is a member of the second Executive Session), but neither wrote for the first Executive Session on Policing.
7. More recently, the Committee to Review Research on Police Policy and Practices convened by the National Research Council of the National Academies recounted the story in the same way, although choosing in its own analysis to refer to the professional model of policing as the "standard" model. See National Research Council, *Fairness and Effectiveness in Policing: The Evidence*, Committee to Review Research on Police Policy and Practices, Wesley Skogan and Kathleen Frydl, editors, Committee on Law and Justice, Division of Behavioral and Social Sciences and Education (Washington, D.C.: The National Academies Press, 2004), p. 85. (Community policing "is characterized as something that transforms the 'professional' model of policing, dominant since the end of World War II ...")
8. Police officials in Kenya, eager to implement a version of community policing, put this question to one of the authors of this paper in 2000, as did a leader in the military police of Rio de Janeiro in 2001.
9. Kelling, George L., *Police and Communities: The Quiet Revolution*, Perspectives on Policing, no. 1 (Washington, D.C., and Cambridge, Mass.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, and Harvard University, John F. Kennedy School of Government, Program in Criminal Justice Policy and Management, June 1988), pp. 2-3.

10. Kelling and Moore, *The Evolving Strategy of Policing* (note 5).
11. Kelling, *Police and Communities: The Quiet Revolution* (note 9), pp. 2-3.
12. Moore, Mark H., Robert C. Trojanowicz and George L. Kelling, *Crime and Policing, Perspectives on Policing*, no. 2 (Washington, D.C., and Cambridge, Mass.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, and Harvard University, John F. Kennedy School of Government, Program in Criminal Justice Policy and Management, June 1988).
13. Wasserman, Robert, and Mark H. Moore, *Values in Policing, Perspectives on Policing*, no. 8 (Washington, D.C., and Cambridge, Mass.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, and Harvard University, John F. Kennedy School of Government, Program in Criminal Justice Policy and Management, November 1988), p. 5.
14. Kelling, George L., Robert Wasserman and Hubert Williams, *Police Accountability and Community Policing, Perspectives on Policing*, no. 7 (Washington, D.C., and Cambridge, Mass.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, and Harvard University, John F. Kennedy School of Government, Program in Criminal Justice Policy and Management, November 1988), p. 2.
15. Daryl Gates, then-Police Chief in Los Angeles, explained more fully: "Chiefs today are unfortunately deeply tied to politics and politicians. It's a very sad commentary on local policing. How do chiefs refer to their mayor? 'My mayor.' 'Is your mayor going to win this election?' ... And if they do not, that is the last time we see that commissioner or chief. Gone, because of political whim, not his or her performance as a chief. So, if you do not think politics are tied into policing today, you are being very, very foolish." See Hartmann, Francis X. ed., *Debating the Evolution of American Policing, Perspectives on Policing*, no. 5 (Washington, D.C., and Cambridge, Mass.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, and Harvard University, John F. Kennedy School of Government, Program in Criminal Justice Policy and Management, November 1988), p. 6.
16. Kelling and Moore, *The Evolving Strategy of Policing* (note 5), pp. 9, 14.
17. Williams, Hubert, and Patrick V. Murphy, *The Evolving Strategy of Policing: A Minority View, Perspectives on Policing*, no. 13 (Washington, D.C., and Cambridge, Mass.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, and Harvard University, John F. Kennedy School of Government, Program in Criminal Justice Policy and Management, January 1990), p. 2. The significance of this particular publication is especially great as Murphy had served as president of the Police Foundation from 1973 to 1985, succeeded by Hubert Williams, who continues in that position today.
18. *Ibid.*, pp. 9, 11.
19. Kelling and Moore, *The Evolving Strategy of Policing* (note 5), p. 13.
20. *Ibid.*, p. 14.
21. Quoted in Hartmann, *Debating the Evolution of American Policing* (note 15), p. 3.
22. Problem solving was discussed frequently at the Executive Session, often as a component of community policing, but its importance as an independent thrust in police reform has been more widely recognized since then. Herman Goldstein, who coined the term "problem-oriented policing," was careful to write at the time of the Executive Session that it "connects with the current move to redefine relationships between the police and community." Goldstein, Herman, *Problem-Oriented Policing* (New York: McGraw Hill, 1990), p. 3. Looking back on these discussions in 2003, Goldstein explained that in the years of the Executive Session, "the community policing movement grew rapidly in policing. One element of that movement supported the police becoming less legalistically-oriented: that police should redefine their role in ways that sought to achieve broader outcomes for those, especially victims, who turned to the police for help. Beat-level 'problem solving' was seen as supporting these efforts and therefore often incorporated into the community policing movement. As community policing and problem-oriented policing evolved alongside each other, the two concepts were intermingled. I contributed to some of the resulting confusion." Goldstein, Herman, "On Further Developing Problem-Oriented Policing: The Most Critical Need, The Major Impediments, and a Proposal," *Crime Prevention Studies* 15 (2003): 13-47, at p. 45, note 2 (citation omitted), available at http://www.popcenter.org/library/crimeprevention/volume_15/01Goldstein.pdf.
23. Quoted in Hartmann, *Debating the Evolution of American Policing* (note 15), p. 3.
24. *Ibid.* p. 5. In a later paper, Moore suggested, likely in jest, that one could term the new strategy "professional, strategic, community, problem-solving policing." Moore, Mark H., and Robert C. Trojanowicz, *Corporate Strategies for Policing, Perspectives on Policing*, no. 6 (Washington, D.C., and Cambridge, Mass.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, and Harvard University, John F. Kennedy School of Government, Program in Criminal Justice Policy and Management, November 1988), p. 14.
25. See, for example, Skogan, Wesley G., *Police and Community in Chicago: A Tale of Three Cities* (New York: Oxford University Press, 2006).
26. See, for example, Weisburd, David L., and Anthony A. Braga, eds., *Police Innovation: Contrasting Perspectives* (New York: Cambridge University Press, 2006).
27. See Kelling, Wasserman, and Williams, *Police Accountability and Community Policing* (note 14), p. 1. ("Rising crime or fear of crime may be problematic for police administrators, but rarely does either threaten their survival.")
28. See Gascón, George, and Todd Foglesong, *Making Policing More Affordable: Managing Costs and Measuring Value in Policing* (Washington, D.C., and Cambridge, Mass.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, and Harvard University, John F. Kennedy School of Government, Program in Criminal Justice Policy and Management, December 2010), NCJ 231096.
29. Beck disbanded the Crime Reduction and Enforcement of Warrants task force (CREW), weathering criticism that this vital unit "comprised quick-strike troops that former Chief William Bratton used to focus on problem gangs and neighborhoods." Beck also reduced the size of other specialized, central units focused on gangs and drugs by 170 officers to maintain patrol levels in the districts. See Romero, Dennis, "LAPD's Beck Shuffles Cops To Deal With Budget Crisis: No New Cars, No Unused Vacation Pay Possible," *LA Weekly*, February 17, 2010, available at: <http://blogs.laweekly.com/ladaily/city-news/lapd-metro-transfers>.
30. See Los Angeles Police Department, "An Examination of May Day 2007," Report to the Board of Police Commissioners, October 7, 2007.
31. Three police officers were injured by subject gunfire, and none were killed in those incidents. See New York Police Department, "2008 Annual Firearms Discharge Report," 2009.
32. Personal communication from then-Police Chief Ronald Serpas, November 2009. A copy of the June 2009 survey report is on file with the Program in Criminal Justice Policy and Management at the Harvard Kennedy School.
33. See, for example, Tyler, Tom R., "Enhancing Police Legitimacy," *Annals of the American Academy of Political and Social Science* 593 (10) (2004): 84-99. See also Tyler, Tom R., ed., *Legitimacy and Criminal Justice: International Perspectives* (New York: Russell Sage Foundation, 2007).
34. See Obama, Barack, Remarks at Howard University Convocation, September 28, 2007, available at http://www.barackobama.com/2007/09/28/remarks_of_senator_barack_obam_26.php. Accessed October 14, 2010.
35. At a national level, the *Sourcebook of Criminal Justice Statistics* annually reports levels of "confidence" in the police as an institution by age, income, racial and ethnic group, and political affiliation. The results in 2009 showed that 63 percent of white adults had "a great deal" or "quite a lot" of confidence in the police, in contrast to 38 percent of black adults. If individual departments track the exact language of these national surveys, they can compare themselves with these national benchmarks. See Pastore, Ann L., and Kathleen Maguire, eds., *Sourcebook of Criminal Justice Statistics*, Table 2.12.2009 [Online], available at <http://www.albany.edu/sourcebook/pdf/t12122009.pdf>. Accessed August 2, 2010.
36. Goldstein, "On Further Developing Problem-Oriented Policing" (note 22), p. 21.
37. *Ibid.*, p. 46, note 3. Goldstein here describes it as "especially troubling" that the 20th century "professionalization" of policing had not included this element.
38. The idea of a "learning organization" goes well beyond what we expect of all professional organizations. For more about learning organizations, see Garvin, David A., *Learning in Action: Putting the Learning Organization to Work* (Cambridge, Mass.: Harvard Business School Press, 2000).
39. The Major Cities Chiefs Association comprises the chiefs of the 63 largest police departments in the United States and Canada (56 of the departments are in the United States; seven more are in Canada). Members include the chief executive officers of law enforcement agencies in U.S. cities with populations greater than 500,000, the chief executive officer of the largest law enforcement agency in each U.S. Standard Metropolitan Statistical Area with a population greater than 1.5 million, and the chiefs of police in the seven largest Canadian cities. For more information about the association, see the association's website, <http://www.majorcitychiefs.org>.
40. The issues of national coherence and professionalism can raise questions about minimum standards for police, especially educational standards. Should police officers be required to have a college degree? Should there be educational qualifications for promotion? In light of racial and ethnic differences in formal educational attainment, standards might be more appropriately focused on knowledge rather than years of schooling or formal degrees. Many professions allow apprenticeships to substitute for formal classroom education. The issues also raise questions of pension portability for line officers, which some states are beginning to address with the support of police unions. In general, we have been impressed that many police unions share the ambitions of the New Professionalism.
41. The recently created National Network for Safe Communities, which links more than 50 jurisdictions that are implementing a gang violence reduction strategy piloted in Boston and a drug market reduction strategy piloted in High Point, N.C., represents one such effort to move police practice from experimentation to application and adaptation of common, national protocols. See <http://www.nnscommunities.org>. A similar national effort, the Policing Research Platform Project, is collecting comprehensive data from new recruits, supervisors and entire police agencies to expand understanding of the career paths of police professionals and of quality policing. See <http://www.ojp.usdoj.gov/nij/topics/law-enforcement/administration/policing-platform/welcome.htm>.
42. See, for example, Sklansky, David, *The Persistent Pull of Police Professionalism*, to be published in this series. Sklansky continues to identify "professionalism" in policing with the desire to centralize police authority, make use of the latest technology, and keep the public at a distance. He decries such professionalism and longs to engage police in questions of genuine partnership with communities. We agree with his ambition but disagree that he needs to strip police of their professional identity to achieve it. We believe the New Professionalism is a more accurate and more attractive banner for this effort than his "advanced community policing."

About the Authors

Christopher Stone is Daniel and Florence Guggenheim Professor of the Practice of Criminal Justice at the John F. Kennedy School of Government, Harvard University. Jeremy Travis is President of the John Jay College of Criminal Justice, City University of New York.

Policing and Integrity – What’s the Problem?

Professor Colin Rogers

Abstract

The changing landscape of policing in most mature democratic countries, fuelled in part by the economic recession, has meant a refocusing and questioning by communities and others regarding the attitudes and behaviour of their police service. In England and Wales there has been concerted questioning within the media and from other sources regarding the way the police deal with people as part of their day to day activities. In particular the question of the use of integrity in decision making by police officers has been a constant theme. Recent changes in the accountability processes have and will continue to focus upon how the police deal with their customers. This article seeks to examine the concept of police integrity and discusses why its use is so important for any country that utilises the democratic policing model, whereby the police work within communities. In doing so it considers what is meant by the terms police and democratic policing and examines the importance of police integrity in supporting these ideas. Further, this paper argues that without the use, maintenance and increase of integrity within policing organisations, the future of any true democratic policing model would be under jeopardy.

Introduction

Policing in England and Wales, as in most mature democratic countries, is currently undergoing many changes. As economic recessions force a rethink of the implications for resources, calls for service increase as well as demands for a quality product at the interaction phase of police and community, mean a changing landscape for many police agencies. Challenges to policing structures, particularly in England and Wales, have meant a close examination of the policing function and the critical examination of the way in which police actually deal with the people they are there to serve and protect. For example, in England and Wales, there appears to be a concerted drive to draw attention to the idea that police integrity needs to be examined very closely. The media, ironically enough given the recent exposures of media malpractice in the Leveson report (Leveson Inquiry, 2012), is also playing its part supporting the view that progress in dealing with alleged corruption was inconsistent and lacked urgency (BBC News 19/12/2012). In addition the way in which some police deal with victims of crime is causing concern, (BBC News 23/1/13), whilst certain undercover policing activities (The Guardian, 11/2/13) and the so called ‘plebgate’ incident involving a cabinet minister and police officers in Downing Street, London (The Guardian 23/12/12), have sharply called into focus the integrity of the police in England and Wales. Indeed, there have been calls for public enquiries into how the police operate, fuelled by the belief of one former Director of Public Prosecution that the police have lost their moral compass (The Guardian 4/2/13). In addition, a recent report into police integrity in England and Wales (Westmarland 2013), suggests that there is a need for more training for police officers and general staff with regard to their understanding of integrity and the rules about its application in their work environment.

There appears to be a belief that the police as individuals lack professional integrity when dealing with some individuals or sections of the community in England and Wales. The issue for discussion is what exactly is meant by the term ‘integrity’ and why it’s application is important in supporting a democratic model of policing

Integrity – a change in terminology.

The use of the word ‘integrity’ has become far more prominent in recent years when referring to policing activities. Previously words such as ethics and discretion, whilst not being totally rejected in policing discourse, appear to have lost prominence. There appear to be several reasons why this should be. The apparent advantage of using the term integrity rather than ethics or discretion is that integrity can be a feature of individual behaviour as well as small groups, such as shifts, departments etc or for that matter entire police organisations.

One definition of police integrity can be found in a document published by Her Majesties’ Inspector Of Constabulary (HMIC 1999) which suggests that...

“Integrity in its broadest sense encompasses fairness, behaviour, probity and equal treatment, as well as a range of operational and management issues”

(HMIC 1999:8)

This report suggests that integrity is not about corruption in its narrow sense, but how public confidence is secured and maintained. In policing, it is suggested, integrity means exercising powers to the highest standards of competence, and in practice integrity can be described as the minimum standards the public has a right to expect. There are some problems with this definition however. The main one being that it tends to focus integrity upon the individual. However, Klockars et al (2006) provides a slightly different definition of integrity as it applies to police work. They suggest that...

“Police Integrity is the normative inclination among the police to resist temptation to abuse the rights and privileges of their occupation.”

(Klockars et al 2006:1)

The first thing one notices about this definition is that the word police rather than police officer is used so that integrity may describe a characteristic of an individual person or any collection or group of police. Therefore integrity as discussed relates to the evolution of a culture of integrity. A further advantage of this approach is that integrity can also be a feature of individuals as well as groups of people. To understand why the issue of integrity is such a vital one, we need to consider the role and function of the police organisation, and in this instance, the public police services offered by most democratic governments.

The public police function

Egon Bittner once famously wrote that among all the modern government institutions, the police occupy a position of special interest, it being at once the best known and the least understood (Bittner, 1970). For Bittner, the prime function of the police revolves around *“being involved in something that ought not to be happening and about which someone had better do something NOW!”* (Bittner 1970:132). The component parts of this idea are that something illegal or intrinsically wrong is happening and that the intervention by police is needed to resolve that something from happening. In short, the police are required to deal with all those problems in which an intervention or even coercive force may have to be used.

Importantly for the police, this definition requires them to deal with matters not confined to the breach of legal rules but moral infractions as well.

However, fuelled by mass media, it appears that public perception regarding the role of the police in society revolves around the actions of the police rather than their public role. Therefore, to many the police are defined by what they do, such as arresting burglars or breaking up fights. This is a 'normative' definition of policing (Klockers 1985), and is problematic when examining policing philosophy. In the same vein as Bittner therefore, Klockers emphasises that it is the use of force that appears to be unique to the policing as a fundamental component in any search for a definition of police. For Klockers, the police are:

Institutions or individuals given the general right to use coercive force by the state within the states domestic territory.

(Klockers 1985:12)

Clearly if the use of force is such an important component of policing, it has to be administered legally and with integrity.

Historically, commentators and academics have studied the public police in a search to understand fully what this function involves. For example, Banton (1964) and Cain (1973) carried out their ethnographic studies during the 1960s and 1970s to try to understand just what the police were and what they did. It was during this time that the police use of discretion was brought to light, highlighting the social interactive nature of their day to day work when dealing with members of the public.

For Banton (1964) in particular, it was clear that the police relied upon informal measures of social control (such as education and parental input to deal with juveniles) which enabled them to work as peace officers. Cain (1973) suggested that this was more so in rural areas where the police needed the cooperation of the local population to maintain order, a 'quiet patch' being the main objective. Her work suggested that in country areas police were 'friendly' with the people they policed but emphasised that they were not necessarily friends. Both Banton and Cain however, stressed the role of the police in working closely with, and being part of, communities.

However, Holdaway (1984) in his seminal small scale ethnographic study of policing in a major city, reminds us that the external appearance of policing and the police is rather different from the internal reality, with a concern about so called 'crime fighting' being the most prevalent aspect of the police occupational sub culture's definition of what policing should be all about. In street level interactions with the public, the police have great power and also discretion in the use of that power. Muir (1979) emphasises that it is the way in which police use discretion in their powerful position which enables them to negotiate situations and provide solutions to problems that may not entirely fit into a legal framework. In short, the police through their unique situation in society have the power to adjudicate between individuals and situations without recourse to the law. Whilst this apparent pragmatic approach to dealing with incidents appears appealing it is not without its problems. As most police work at street level is carried out unsupervised, there is a danger that the decisions reached in such a manner are not based upon equity or are actually illegal in themselves.

Other important studies of police have tended to revolve around the function of policing, with particular concern with the occupational police subculture (Reiner 2010, Punch 1985, 2009, Chan, 1997). This has tended to become more prevalent in England and Wales since the introduction of the new managerialist approach into public services in general and the police in particular (James and Raine, 1998) with the

emphasis upon outputs such as the reduction of particular issues as a key performance measure of success. Therefore despite its increase in popularity over the past two or three decades as an academic and general study area, it would appear that the impact of the current proposed changes to the public police function which is witnessed throughout modern democracies has not been fully explored. Clearly, although public policing has some core features, such as the use of coercive force, the exact form that it takes varies widely in different countries.

The current model of policing in England and Wales, as in most countries, with its omnibus role including such activities as crime prevention, peace keeping and public order maintenance, has evolved from different historical trends. Whilst a 'social contract' can be identified in most democratic societies, a balance between the interests of security and liberty can be struck in a number of ways. In particular, accountability to the rule of law and to the community are hallmarks of the source of legitimacy for the police in England and Wales (Bowling and Foster 2002), and are major features when discussing a democratic policing model in any country where integrity is a major function of public policing.

Defining Democratic Policing

As Dunleavy and O'Leary (1987) point out, the concept of democracy is best understood through its Greek roots, with *demos* meaning 'the citizen body' and *cracy* meaning 'the rule of'. Therefore the great advantage of public policing in democratic countries is that it is accountable to every citizen through the mechanisms of representative government (Bayley and Shearing 2005).

However, Berkley (1969) suggests that the phrase 'democratic policing' is, in fact, a contradiction in terms with the police being both instructors and servants of society. In many senses this equates to the idea that the police have an 'impossible mandate' based upon their legal monopoly of the use of force, whilst they see themselves as crime fighters and crook catchers. Yet, the public want more crime prevention and legal accountability in dealing with criminals (Manning and Vanmaanen 1978).

Clearly, defining the idea of democratic policing model can be difficult. Whilst the antithesis of democratic policing is the police state, democracy itself has many meanings and definitions. However, there are certain important underlying themes and elements to the idea of democracy, such as 'consensus' and 'freedom and equality' which will now be discussed.

Consensus

All politically civilised societies owe their continuing existence to a consensus concerning the foundations of society (Berkley 1969). Citizens agree upon a common purpose, the procedures by which these purposes are to be effected and the institutions which are intended to preserve them. Without consensus, therefore, no democratic system would survive for very long. In general, the work of the police commences when this consensus fails.

There tends to be an inverse relationship between consensus and police power so that where there are fewer consensuses the more police power will generally occur. Aligned to the concept of consensus is the idea that society allows policing by consent, which is a crucial concept for how we think about public policing in most Western Societies.

Countries such as USA and the UK and Canada have historically been source countries for police expertise and training for developing countries, based upon the premise that policing is supported by consensus and consent of the public. By comparing police systems based on consent and consensus with alternative, state-centred social ordered systems, consent based policing generally appears in a favourable light. Whilst the consent of some groups to being policed has sometimes been lacking or unsatisfactory (Goldsmith 2001), the rhetoric of consent of people to being policed still appears to retain a certain value. However, the idea of a model of policing based upon near full consent of the governed is now open to question. Broad social changes, as well as changes to police management mean that there needs to be a reappraisal of the idea of consent based policing. As Fukuyama (1999, 2005) suggests there has been a rise in scepticism and distrust among citizens in western societies towards institutions representing political authority and public service.

Freedom and Equality

Another vital element of democracy is that of 'Freedom', which suggests that individuals in society need freedom to participate in politically motivated discussion and are able to hold those government officials to account. Additionally, police do not meet the citizen on equal footings. Police are equipped with additional legal powers, both formal and informal, but they also carry weapons as the tools of their trade (Skansky 2008). No matter how efficient the police may be and no matter how careful they are to observe civil liberties of long standing, they will always have to fight their way against an undercurrent of opposition and criticism from some of the elements of society which they are paid to serve and protect and to which in the last analysis they are responsible. This is an enduring problem of a police force in a democracy. This idea is reinforced by Manning (2008), who argues that a dominant and violent police force is a threat to a democratic society. This implies that violence or force can and may be applied as needed, but that the degree of force should be moderated to the minimum required to gain control. This is a major cause of abiding problems of policing in a democracy. In addition, there is the problem of situating the definition of democratic policing in a temporal context (Sklansky 2008).

Democratic policing meant something different in the 1950s and 1960s than it does today, partly because policing was different then and partly because, more fundamentally, our notions of democracy were different. Therefore, as Liang (1992) reminds us, democratic police are not neutral, non-political forces without their own motivations, interests and ideological readings of events. They can employ narrow, self servicing tactics when under threat but often compromise in the interest of maintaining public trust and support. Punch (2009) perhaps puts it more forcibly when he says that one of the most important decisions the state can make is to take the life of one of its own citizens. By implication, the gravest judgement a police officer may have to make, on behalf of the state, but also society, is to kill someone. However, policing is no longer monopolised by the public police, that is, the police entrusted by government with a monopoly of the use of state sanctioned force. Policing is now widely offered by institutions other than the state, most importantly by private companies on a commercial basis and by communities on a volunteer basis. What we have witnessed increasingly over the past decade has been the rise of a pluralised form of policing provision (Crawford et al. 2005, McLaughlin 2007). However, what we have seen is that, despite occasional problems highlighted by media, the great advantage of public policing in democratic countries is that it is accountable to every citizen through the mechanisms of representative government. Underpinning this idea is one of the most important

documents regarding democratic accountable policing in Europe is the recent 2008 publication by the Organisation for Security and Cooperation Europe (OSCE, 2008). This publication reinforces the key principles of democratic policing, in particular police accountability and transparency. Here, democratic policing is considered to require that the police be and consider themselves to be accountable to;

- The citizens
- Their representatives
- The State and
- The law.

Therefore public police activities ranging from behaviour and attitude, strategies for police operations, appointment procedures and even budget management must be open to scrutiny by a variety of oversight institutions. Furthermore, a central feature of democratic policing is the understanding that the consent of the people is required. Prerequisites for gaining public support should be 'providing transparency in police operations and mutual understanding with the public the police serve and protect' (OSCE 2008:13). In summation, there are several important strands that appear throughout the literature when considering public policing and the democratic policing ideal. These are that the public police have a monopoly of the use of legitimate force on behalf of the state underpinned by discretion in its use, they are accountable to the law and the people, and they work in partnership with communities, what Loader refers to as Policing by Government (Loader, 2000:326). This idea has taken on a new dimension in England and Wales recently with the introduction of Police and Crime Commissioners for each force area. This change in the so called 'tripartite arrangement' has the capacity to allow for members of the public to consult and influence the commissioner, who is elected into that role by the community itself. With such a change in the 'political' accountability process, the power of members of the community to influence the means by which they are policed has dramatically increased. However, their power to influence **how** they are treated by police in terms of integrity, fairness etc. has also increased with these changes.

Concluding thoughts

The current concern regarding police integrity in England and Wales is an important one and will have resonance for police in other democratic countries. Most mature democracies have evolved into consumer societies where people expect to be treated as customers, irrespective of what type of service they are trying to obtain. Fundamental to the idea of the democratic policing model is the fact that the police use their discretion in communities with integrity, as the police cannot fully operate effectively without their support. There appears to be new momentum with regard to examining how the police behave, as changes in terms of accountability, it is believed, will draw together police and their communities.

Everyday police officers make multiple often complex, value based decisions that impact on individuals and communities. They make judgements of when, what, and how to exercise their powers to arrest, report and stop and search, all discretionary decisions that can have wide-ranging implications. However, using their powers and making their decisions with integrity is vital if they are to maintain the support of the public. The problem of lack of integrity in decision making by the police is that it can undermine the faith communities place in the police, reduce their willingness to assist the police in their work, and severely damages the very idea of policing within a democratic policing model.

Professor Colin Rogers, Centre for Police Sciences, University of South Wales

References

- BBC News 19/12/2012, Action to combat corruption urged, available at <http://www.bbc.co.uk/news/uk-20778264?print=true>
- BBC News 23/1/13, Met Police needs to 'up its game' on victim support, available at <http://www.bbc.co.uk/news/uk-england-london-21148417?print=true>
- Bayley, D.H. and Shearing, C.D., (2005), *The Future of Policing*, in Newburn, T. (Ed), *Policing: Key Readings*, Cullompton, Willan.
- Banton, M., (1964), *The Policeman in the Community*, London, Tavistock.
- Berkley, G.E., (1969), *The Democratic Policeman*, Boston, USA, Beacon press.
- Bittner, E. (1970), *Florence Nightingale in Pursuit of Willie Sutton: A Theory of the Police, in The Functions of the Police in Modern Society*, Cambridge, Mass., OGH Publishers.
- Cain, M. E., (1973), *Society and the Policeman's Role*, London, Routledge and Kegan Paul.
- Chan, J. B. L., (1997), *Changing Police Culture: Policing in a Multicultural Society*, Cambridge, Cambridge University Press.
- Crawford, A., Lister, S., Blackburn, S. And Burnett, J., (2005), *Plural Policing- The Mixed Economy of Visible Patrols in England and Wales*, Policy Press, Bristol.
- Dunleavy, P. and O'Leary, B., (1987), *Theories of the State: The Politics of Liberal Democracy*, Macmillan, London.
- Fukuyama, F., (1999), *The Great Disruption: Human Nature and the Reconstitution of Social Order*, The Free Press, New York.
- Fukuyama, F. (2005), *State Building: Governance and World Order in the Twenty-First Century*, Profile Books Ltd, London
- Goldsmith, A., (2001), *The Pursuit of Police Integrity: leadership and Governance Dimensions*, *Current Issues in Criminal Justice*, Vol. 13: 185.
- HMIC (1999), *Police Integrity: England, Wales and Northern Ireland, securing and maintaining public confidence*, London, Home Office.
- Holdaway, S., (1983), *Inside the British Police-A Force at Work*, Oxford, Blackwell.
- James, A. and Raine, J., (1998), *The New Politics of Criminal Justice*, London, Longman.
- Klockers, C., (1985), *Idea of Police*, California, Sage.
- Klockars, C.B., Ivkovic, S.K. and Haberfeld, M.R., (2006), *Enhancing Police Integrity*, Springer Publications, Dordrecht, Netherlands.
- Liang, H. H., (1992), *The Rise of Modern Police and the European State System from Metternich to the Second World War*, Cambridge, Cambridge University Press.
- Loader, I., (2000), *Plural Policing and Democratic Governance, Social and Legal Studies*, 2009:9, 323, Sage.
- OCSE, (2008), *Guidebook on Democratic Policing*, Vienna, Austria.
- McLaughlin, E., (2007), *The New Policing*, London, Sage.
- Manning, P.K., and Vanmaanen, M., (1979), *Policing – a View from the Streets*, Goodyear Publishing, Santa Monica, USA.
- Muir, W.K. (1979), *Police- Street Corner Politicians*, Chicago, University of Chicago press.
- Newburn, T., (2003), *Handbook of Policing*, Willan Publishing, Cullompton, Devon.
- Punch, M., (1985), *Conduct Unbecoming- The Social Construction of Police Deviance and Control*, London, Tavistock.
- Punch, M., (2009) *Police Corruption: Deviance, Accountability and Reforming Policing*, Cullompton, Willan.
- Reiner, R., (2010) *The Politics of the Police*, 4th Edition, London, Oxford University Press
- Reith, C., (1956), *A New Study of Police History*, London, Oliver and Boyd.
- Sklansky, D.A., (2008), *Democracy and the Police*, California, USA, Stanford University Press.
- The Guardian, (23/12/2012), Plebgate: senior Tory slams 'cancer' of corruption in UK police service, available at <http://www.guardian.co.uk/uk/2012/dec/22/plebgate-senior-tory-slams-police-cancer/>
- The Guardian, (4/2/2013), Police spies scandal: call for public inquiry, available at <http://www.guardian.co.uk/uk/2013/feb/04/police-spies-scandal-public-inquiry/>
- The Guardian, (11/2/13), Police spies: Met police calls in outsider to take over investigation, available at <http://www.guardian.co.uk/uk/2013/feb/11/police-spies-theresa-may-investigation>
- Westmarland, L., (2013), *Police Integrity Feedback Report*, The Open University, available at <http://www.open.ac.uk/iccrr/files/iccrr-police-integrity-report.pdf> (permission for reference granted by author)

AiPol
Australasian Institute of Policing

AiPol
Australasian Institute of Policing

AiPol
Australasian Institute of Policing

AiPol
Australasian Institute of Policing