

Australasian Policing

*A Journal of Professional
Practice and Research*

One System Does It All



The T5 Digital Interview Recording System can be configured to suit your agencies requirements:

Portable Field System / Desktop System / Multi Room System

- ✓ Up to 12 hours real-time recording
- ✓ Up to 5 DVD or CD drives
- ✓ Flexibility of recording media & format
- ✓ Touch screen control
- ✓ Built-in camera & stereo microphones
- ✓ Up to 3 external camera inputs & Picture In Picture
- ✓ Metadata with on-screen or external keyboard
- ✓ Network / Internal backup enabled
- ✓ Playback enabled
- ✓ Compact portable unit
- ✓ Copy function



wifi remote control



In-desk microphones



Multiple cameras



Call today for a demonstration or trial of the system



Proven reliability with over 3000 verifiable recording systems supplied to Australian law enforcement over the past 32 years

For full specifications visit www.tpr.net.au

**CALL (02) 9894 8200
tpr@tpr.net.au
38/10 Gladstone Rd Castle Hill NSW 2154**

Published by the Australasian Institute of Policing Inc.

A0050444D ABN: 78 937 405 524

ISSN: 1837-7009

Editor

Professor Colin Rogers, B.A. (Hons), MSc., PGCE, PhD.

Board Members Australasian Institute of Policing

Interim Public Officer: Luke Farrell
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: 100016068

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 Editor, colin.rogers@southwales.ac.uk. 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. 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

Responding to 'Active Shooter' Incidents in Australia	
<i>Gene Hodgins and Anthony Saliba</i>	3
Methamphetamine use among Australian Police Detainees	
<i>Susan Goldsmid and Rick Brown</i>	11
Is anyone remotely interested? The rise of the police drone	
<i>Mike Coliandris and Geoff Coliandris</i>	15
Taser! Taser! Problems Underlying the Police Mis-Use of Electronic Stun Guns	
<i>Professor Colin Rogers</i>	27
Incident Command Decision-Making: Perception vs Reality	
<i>Dr Amanda Davies</i>	32



PRIMARY MEMBERSHIP COMPRISED FROM





Police Journal: Theory, Practice and Principles

Editor:

Colin Rogers, *University of South Wales, UK*

Deputy Editor:

Tim John, *University of South Wales, UK*

Book Reviews Editor:

Geoff Coliandris, *University of South Wales, UK*

Police Journal: Theory, Practice and Principles reflects the constantly changing landscape within which policing operates. This includes diverse social, political, technological and organisational activities that affect policing in many countries. It engages with major issues such as increased demands for accountability, globalisation and growing threats to security and seeks to provide a resonance between theory and practice which will be able to support and enhance all aspects of policing.

Police Journal: Theory, Practice and Principles welcomes original articles and book reviews that contribute and stimulate the continuing discourse concerning policing not only from academics and researchers but also from practitioners.

To submit your article to *Police Journal: Theory, Practice and Principles* visit

<http://pjax.sagepub.com>

For 30 days free access to Journal of Intellectual Disabilities and all SAGE journals visit www.sagepub.co.uk/freetrial

Find out more and order online at
www.sagepub.co.uk



Responding to 'Active Shooter' Incidents in Australia

Gene Hodgins and Anthony Saliba, Charles Sturt University

Note: The following article presents a summary of research that was undertaken for the NSW Police Force in 2014 to provide a review of the relevant world-wide 'active shooter' literature. The aims of the research were to identify: what makes a situation an 'active shooter' incident; the characteristics of previous 'active shooter' incidents, how they have been dealt with, and what has been found to work; and current 'best practice' for police in dealing effectively with an 'active shooter' incident (for full report see: Hodgins & Saliba, 2014). While the full report covers the international literature, the following article focuses on Australian 'active shooter' incidents and recommended police responses.

Definition of an 'Active Shooter' Incident

An 'active shooter' incident is a term used to describe a situation in which a shooting is in progress and an aspect of the crime may affect the protocols used in responding to and reacting at the scene of the incident. Unlike a defined crime, such as a murder or mass killing, the 'active' aspect inherently implies that both law enforcement personnel and citizens have the potential to affect the outcome of the event based upon their responses (Blair & Schweit, 2014).

A consensus definition across Australian and U.S. jurisdictions of an 'active shooter' is:

A person(s) armed with a firearm(s) who is actively engaged in killing or attempting to cause serious harm to multiple people in a populated location.

Unlike other shooting homicides, 'active shooter' incidents are normally quick, people are killed indiscriminately, and the perpetrator's aim is to kill as many people as possible (while deterring a police response and normally not taking hostages).

Therefore an 'active shooter' incident is a highly specific type of situation the police and public may face, and is differentiated from similar incidents such as family shootings, gang shootings, sieges, revenge/infatuation killings and serial killings. It is also distinguished from other mass killings such as bombings, fires and vehicular multiple deaths.

As a further indication of the difference between an 'active shooter' incident and other homicides, Lankford (2013) states that in the U.S., only about 4% of murderers commit murder-suicide. At a global level, fewer than 3% of terrorist attacks are suicidal in nature. By contrast, 38% of 'active shooters' who attacked in the U.S. between 1966 and 2010 committed suicide by their own hand, an unknown additional percentage committed 'suicide by cop', and overall 48% of these offenders died as a result of their attacks (Kelly, 2010). This suggests that 'active shooters' can be quite different to other perpetrators of murder or terrorism (Lankford, 2013).

Research from the United States

The vast majority of the literature on 'active shooter' incidents comes from the U.S., with limited literature available from the U.K., Canada, Australia, New Zealand and elsewhere. The disparity of literature found from different countries regarding 'active shooter' incidents and practices in confronting them is not surprising given the number of 'active shooter' incidents that have occurred in the U.S. (160 between 2000-2013, compared to 14 in Australia between 1975-2014).

A number of important research reports have been released recently in the U.S. that provide comprehensive data on all 'active shooter' incidents that have occurred there since the year 2000. These include two reports through the FBI (Blair & Schweit, 2014; Blair, Martaindale & Nichols, 2014) and one through Texas State University (Blair &

Martaindale, 2013). They all found that there has been a noticeable increase in the number of 'active shooter' incidents per year in this time.

Analysis of 'Active Shooter' Incidents in Australia

While a large number of 'active shooter' incidents have occurred in the U.S., in the context of a specific 'gun culture', Australia is not immune to 'active shooter' incidents. Several significant incidents have occurred here in public spaces, business areas, and universities over the past 30 years.

The Port Arthur, Hoddle Street, Strathfield, and Queen Street incidents in particular demonstrate that 'active shooter' mass casualty attacks in Australia remain a real and persistent threat to the community (ANZCTC, 2013). And when they do occur here, their broad profile is that attackers usually use rifles or shotguns, they don't discriminate amongst their victims, they are extremely unpredictable, and the shootings occur rapidly. For example:

"Saturday afternoon, 17 August 1991, Wade Frankum walked into a shopping plaza in the Sydney suburb of Strathfield. He sat down at a café, placing the bag he was carrying next to him. He drank several cups of coffee. Behind him sat two teenage girls. Frankum looked like an average guy. No one could have guessed that concealed in Frankum's bag was a large hunting knife and Chinese made SKS semi-automatic rifle. At approximately 3.30 pm, and without provocation, Frankum withdrew the large hunting knife, stood up, spun around and repeatedly stabbed one of the two teenage girls sitting behind him. Snatching the SKS semi-automatic weapon, he then opened fire on innocent café patrons. In less than ten minutes, seven people were shot dead and a further six wounded. The nightmare ended just as police arrived. Frankum turned the gun on himself and fired. None of the victims were personally known to Frankum."

(Johnstone, 2014)

In a recent example of an 'active shooter' incident that was prevented in NSW in August 2009, police arrested four men in association with a plot targeting the Holsworthy Army Barracks, where several Australian Defence Force units involved in overseas deployments were based. The perpetrators planned to infiltrate the barracks and shoot as many people as possible (ANZCTC, 2013).

In Australia, the characteristics of 'active shooter' incidents since 1975 and how they have been responded to are summarised in Table 1. While heterogeneous in nature, summary data from these 14 incidents are given in Table 2 (with comparisons to summary data from one report from the U.S.).

Norris (2013) states that the formation of Special Weapons and Tactical Response Groups in Australia significantly removed the responsibility of general duties police to deal with high-risk incidents (as also occurred in the U.S.), including the skills, training and experience they would require to do so.

In Australia the current strategy of 'containment and negotiation' has created a reliance on tactical units to resolve almost all high-risk situations, including 'active shooter' incidents.

Responses to 'Active Shooter' Incidents in the United States

The shootings at Columbine High School in Colorado in 1999 were a watershed event for police responses to 'active shooter' incidents in the U.S. Soon after the shootings started, two police officers exchanged fire with one of the teenage gunmen just outside the school door, then they stopped — as they had been trained to do — to wait for a SWAT team.

During the 45 minutes it took for the SWAT team to assemble and go in, the shooters shot 10 of the 13 people they killed that day. The killers committed suicide around the time the SWAT team finally entered.

Following Columbine the traditional 'contain and negotiate' response to 'active shooters' in the U.S. was gradually replaced by a tactic that takes into account the presence of an 'active shooter' whose interest is to kill, not to take hostages. Police officers became trained to first assess the danger and if the danger is imminent, officers were instructed to move toward the sound of gunfire at a sustained pace to stop the 'active shooter'.

Once the shooter had been identified, officers were to either disarm them if possible or kill them. Their goal was to stop the shooter at all costs; they were to walk past wounded victims, as the aim was to prevent the shooter from killing or wounding more people (Cullen, 2009; Garrett, 2007). As Cullen (2009) has noted, "The active protocol has proved successful at numerous shootings during the past decade. At Virginia Tech alone, it probably saved dozens of lives." The literature indicates that these new approaches were not easy to implement, with difficult issues arising including that a faster response could be more dangerous for responding officers; and 'active shooter' incidents are inherently dangerous, uncertain and dynamic by their nature (PERF, 2014).

Table 1 – Australian 'Active Shooter' Incidents

Event	Date	Perpetrator	Duration	Killed	Wounded	Weapons	How Ended	Who Ended
Spring Hill	22 Sept 1976	William Wilson	15 mins – shooting 3 hrs – siege	2	4	.22 calibre rifle	Hostages and siege – arrested	Specialist police
Kimberley	June 1987	Joseph Schwab	5 days	5	-	.223 semi-automatic rifle	After 5 more days, shot dead by police	Specialist police
Hoddle Street	9 Aug 1987	Julian Knight	45 minutes	7	19	.22 calibre rifle high-powered rifle pump-action shotgun	Surrendered to police	General duties police
Queen Street	8 Dec 1987	Frank Vitkovic	7 minutes	8	5	Sawn-off semi-automatic rifle	Subdued by victims – committed suicide	Victims, then suicide
Burleigh Heads	17 April 1990	Rodney Dale	30 minutes	1	7	.22 calibre rifle Pump-action shotgun	Shot by police and surrendered	General duties police
Surry Hills	30 Aug 1990	Paul Evers	10 minutes	5	-	12 gauge pump-action shotgun	Surrendered to police	General duties police
Strathfield	17 Aug 1991	Wade Frankum	10 minutes	6	6	Hunting knife semi-automatic rifle	Ended just as police arrived – suicide	Suicide
Central Coast	27 Oct 1992	Malcolm Baker	2 hours	6	1	12 gauge pump-action shotgun	Surrendered at police station	General duties police
Cangai Siege	March 1993	Leonard Leabeater Robert Steele Raymond Bassett	5 days	5	-	Multiple weapons	26 hour siege Leabeater – suicide Steele & Bassett – surrendered to police	Specialist police
Fawkner, Vic	5 Dec 1994	Fotios Diakonidis	90 minutes	2	3	M1 semi-automatic rifle Ruger rifle	Shot dead by police	Specialist police
Port Arthur	April 1996	Martin Bryant	2 days	35	21	2 semi-automatic rifles	Arrested by police after overnight siege – 32 killed before first police arrived	Specialist police
LaTrobe University	3 August 1999	Jonathan Horrocks	5 minutes	1	1	.38 calibre revolver handgun	Overpowered by staff	Victims
East Melb Abortion Clinic	16 July 2001	Peter Knight	5 minutes	1	-	rifle	Overpowered by staff	Victims
Monash University	21 Oct 2002	Huan Yun Xiang	5 minutes	2	5	6 handguns	Lecturers and students subdued for 30 minutes until police arrived	Victims

Table 2 – Characteristics of Australian Compared to U.S. 'Active Shooter' Incidents

Characteristics	Australia (N = 14; 1975-2014) ¹	United States (N = 110; 2000-2012) ²
Location of Attacks	64% outdoors 14% business 14% university 7% other	19% outdoors 40% business 29% school/university 12% other
Number of people shot	Median = 6.5	Median = 5
Shooter profile	93% involved single shooters all male	all single shooters 94% male
Shooter equipment	50% had multiple weapons 7% had a knife	33% multiple weapons 5% body armour; 3% IEDs
Most powerful weapon	64% rifle 14% shotgun 14% handgun 7% unknown	26% rifle 8% shotgun 59% handgun 7% unknown
Duration time (shooting)	Median = 22.5 minutes	N/A
Event resolution: – How incident was resolved	36% (5) surrender 29% (4) subdued by victims 21% (3) suicide 21% (3) siege 14% (2) shot dead by police	11% (11) surrender/leaves 6% (17) subdued by victims 42% (44) suicide 9% (9) subdued by police 22% (23) shot by police
– Who resolved the incident	36% (5) specialist police 29% (4) general duties police 29% (4) victims 21% (3) suicide	37% (38) police 16% (17) victims 42% (44) suicide 5% (5) attacker leaves
– Before police arrived	36% (5) ended before police arrived • 29% (4) subdued by victims o 29% (4) physically o 0% (0) shot attacker • 14% (2) suicide	49% (51) ended before police arrived: • 16% (17) subdued by victims o 13% (14) physically o 3% (3) shot attacker • 28% (29) suicide • 5% (5) attacker leaving the scene 8% (8) the attacker shot the responding officers

Note
– Not all percentages add up to 100% due to multiple occurrences in some incidents
1 Hodgins & Saliba, 2014
2 Blair, Martaindale & Nichols, 2014

Then in 2011-2012 in the U.S. a number of high profile 'active shooter' incidents occurred:

- Tucson, Arizona, where 6 people died and 13 more were wounded (including U.S. Representative Gabrielle Giffords)
- Aurora, Colorado, where a man walked into a movie theatre and killed 12 people and wounded another 58
- Oak Creek, Wisconsin, a shooting in a Sikh temple left 6 people dead and 4 more wounded
- Newtown, Connecticut, at Sandy Hook Elementary School, where a man broke into the school and killed 20 first graders and 6 staff members.

In response to these incidents, U.S. President Barack Obama in January 2013 presented a plan to reduce gun violence. One of the results of this plan was the announcement of expanded training for 'active shooter' incidents for law enforcement officers, first responders and school officials, including measures through the U.S. Department of Homeland Security (DHS; www.dhs.gov/active-shooter-preparedness), and the U.S. Department of Justice, Federal Bureau of Investigation (FBI; www.fbi.gov/about-us/cirg/active-shooter-and-mass-casualty-incidents; www.alerrt.org).

Changes in police response to 'active shooter' incidents have also occurred in other countries such as Canada, the U.K. and New Zealand. In Canada for example (where there have been at least 9

'active shooter' incidents since 1975), the literature indicates that after the Ecole Polytechnique shootings in 1989 in Montreal (14 killed and 14 injured) some police jurisdictions in Canada changed their training and policy so that first responders to 'active shooter' incidents endeavoured to reduce or suppress the threat posed by the perpetrator as quickly as possible. This is credited to have had some effect at the Dawson College shootings in 2006 (where there was 1 killed, 19 injured):

About the police response to the Dawson College shootings ... "Delorme [Montreal police Chief Yvan Delorme] also said the lessons learned from the Montreal Massacre [Ecole Polytechnique] about the need to co-ordinate emergency services and act promptly helped save lives. "Before, our technique was to establish a perimeter around the place and wait for the SWAT team," Delorme said. "Now, the first police officers go right inside. The way they acted, saved lives." ... "Their training kicked in and they did what they had to do," ... since Ecole Polytechnique, police have been trained specifically to enter a building as a group where gunshots have been fired."

(Rakobowchuk, 2006)

It is also noted that the recent 'active shooter' incident in Canada this year (Parliament Hill, Ottawa, 2014) was ended by the Sergeant-at-Arms shooting the offender.

Best Practice in Responding to 'Active Shooter' Incidents

As indicated above, a discernable shift has occurred in some overseas jurisdictions in the way 'active shooter' incidents are responded to. A number of key reports and documents that best reflect the literature regarding the current best practice for police in dealing effectively with an 'active shooter' incident are:

- Australia-New Zealand Counter-Terrorism Committee (ANZCTC) (2013). *Active Shooter Guidelines for Places of Mass Gathering*
- Police Executive Research Forum (PERF) (2014). *The Police Response to Active Shooter Incidents*
- Blair, J.P., Martaindale, M.H. & Nichols, T. (2014). Active shooter events from 2000 to 2012
- Blair, J.P. & Martaindale, M.H. (2013). *United States Active Shooter Events from 2000 to 2010: Training and Equipment Implications*
- Schweit, K.W. (2013, May). Addressing the Problem of the Active Shooter
- Blair, J.P., Nichols, T., Burns, D. & Curnutt, J.R. (2013). *Active Shooter: Events and Response*

After acknowledging the heterogeneity of 'active shooter' incidents, and the dominance of literature from the USA, the literature indicates that there are a number of themes relating to the most utilised, evidence-based and recommended practice models for police in responding to such incidents. These themes are:

- Due to the dynamic nature of 'active shooter' incidents, specialist and highly trained and equipped police may be unable to respond to the scene in a timely manner – therefore uniformed general-duties police officers may need to respond and manage them to their conclusion
- The main objective of police first responders should be to save lives and prevent further loss of life or injuries, including to themselves
- The focus of the police response should be to reduce or suppress the threat posed by the 'active shooter' as quickly as possible. To achieve this, first responders may initially need to keep moving past casualties and panicked people to try and contain the threat as quickly as possible
- Any delays in responding to an 'active shooter' incident can result in more lives being lost
- Traditional cordon, contain and negotiate strategies are unlikely to be effective in reducing the time a shooter has to achieve their desired outcomes, or limiting their freedom of movement
- Responding officers should be prepared to use force, to utilise breaching skills to defeat barricades, and to operate outdoors
- If responding officers are to intervene quickly, they need to have appropriate 'active shooter' training, access to appropriate firearms (eg. rifles) and protection (eg. body armour), and should also have appropriate medical training to allow them to stabilize victims where needed
- Integrated response models between police, fire and emergency medical services for 'active shooter' incidents are preferable
- Research and resources should be utilised in the prevention of 'active shooter' incidents.

How these themes have resulted in practice models and policy, and have been implemented in various jurisdictions and countries does differ because of many factors (including societal mores and 'gun culture', incident settings, police resources, and geography).

Norris (2013) states that 'active shooter' tactics such as those outlined above would be a significant departure from the prevalent Australian police strategy of containment and negotiation during a high-risk incident. However, they are not intended to replace 'contain and negotiate' tactics which should still be used in the vast majority of high-risk / hostage situations. Rather, they are designed to give appropriate skills and knowledge to police first responders in situations that require immediate action to save lives, such as 'active shooter' incidents.

Implications for Australian Policing

So what does this mean for police in Australia in relation to responding to 'active shooter' incidents? The literature and data reviewed in this paper indicates that Australian police services need 'active shooter' policies and procedures. As has been shown 'active shooter' incidents are fundamentally different from other shooting homicides and hostage situations, because of the pressure on police to respond as quickly as possible to stop the killing and wounding of victims. 'Active shooter' policies should be built around the reality that even a one-minute delay in responding may result in multiple additional fatalities.

In developing such policies and procedures, as well as taking into account the relevant literature and best practice models, the health and safety of police officers must be balanced with considerations of public safety. Also, such policies and procedures should be unambiguously clear – if they are vague or highly interpretable based on complex variables, there is a probability that a police first responder may take a significant risk in actively responding, or leave themselves open for criticism by not actively responding.

Based on the current review of the literature and the number of 'active shooter' incidents that have occurred in Australia, 'active shooter' policies and procedures for Australian police services could encapsulate either of the following:

1. Police first responders actively seek to neutralize the offender (after being given appropriate training and access to resources)
2. Police first responders secure and contain the situation, and wait for specifically trained units to arrive (of which this backup may be different – ie. more localized and quicker – than what is currently often available).

If the first intervention is decided upon, the literature suggests that:

- There is an inherent risk to police first responders
- If the 'active shooter' situation is still active when police first responders arrive (ie. perpetrators are still shooting), active intervention may well save lives
- Police first responders must be appropriately trained to respond to 'active shooters' (including testing with realistic scenarios, and trained in emergency medical care), with refresher training at appropriate intervals
- Police first responders must be properly equipped (including firearms – eg. rifles – and protective equipment – eg. body armour)
- Recognition that such tactics would be a significant departure from the current Australian police strategy of 'containment and negotiation', however they are not intended to replace 'contain and negotiate' tactics which should still be used in the vast majority of high-risk / hostage situations. Rather, they are designed to give appropriate skills and knowledge to police first responders in situations that require immediate action to save lives.

If the second intervention is decided upon, the literature suggests that:

- People may be killed and injured by the 'active shooter' while police first responders wait for trained units to arrive
- The specifically trained units/personnel that police first responders wait to arrive may be different to what is currently available (eg. as in the U.K. regionally-based specifically trained and equipped officers could be made available).

In deciding between these interventions, a number of considerations would need to be taken into account. These include: the probability of 'active shooter' incidents occurring in Australia; potential distances involved for police in travelling to an 'active shooter' incident (especially in regional Australia); differences in levels of gun violence and 'gun culture' between Australia and the U.S.; and in a country as geographically large as Australia quick responses from even regional specialized units may be a substantial challenge.

Developing policies and procedures for dealing with 'active shooter' incidents can be a vexing issue, which may be best summed up by the following:

"Officers have a job to do and no one expects them to become kamikaze warriors to save lives. However, few expect them to remain passive observers of violence, either. Somewhere in-between these two extremes exists a realistic policy that combines the proper balance of both officer and public safety."

(Armellino, 2007)

References

Armellino, R. (2007, December 3). Protecting citizens from killers takes bravery, aggression and speed. *Police One*: www.policeone.com/active-shooter/articles/1630799-Protecting-citizens-from-killers-takes-bravery-aggression-and-speed/

Australia-New Zealand Counter-Terrorism Committee (ANZCTC) (2013). *Active Shooter Guidelines for Places of Mass Gathering, Commonwealth of Australia*. www.nationalsecurity.gov.au/Mediaandpublications/Publications/Documents/active-shooter-guidelines-places-mass-gathering.pdf

Blair, J.P. & Martaindale, M.H. (2013). *United States Active Shooter Events from 2000 to 2010: Training and Equipment Implications*. ALLERT Center, Texas State University. alert.org/files/research/ActiveShooterEvents.pdf

Blair, J.P., Martaindale, M.H. & Nichols, T. (2014). Active shooter events from 2000 to 2012. *FBI Law Enforcement Bulletin*: leb.fbi.gov/2014/january/active-shooter-events-from-2000-to-2012

Blair, J.P., Nichols, T., Burns, D. & Curnutt, J.R. (2013). *Active Shooter: Events and Response*. Boca Raton, FL: CRC Press. books.google.com.au/books?id=PrZcE8U04mUC&pg=PA32&dq=active+shooter:+events+and+response&hl=en&sa=X&ei=UoKkVNDtHlzm8AWajoGoCg&ved=0CBwQ6AEwAA#v=onepage&q=active%20shooter%3A%20events%20and%20response&f=false

Blair, J.P. & Schweit, K.W. (2014). *A Study of Active Shooter Incidents in the United States between 2000 and 2013*. Texas State University and Federal Bureau of Investigation, U.S. Department of Justice, Washington D.C. www.fbi.gov/news/stories/2014/september/fbi-releases-study-on-active-shooter-incidents/pdfs/a-study-of-active-shooter-incidents-in-the-u.s.-between-2000-and-2013

Cullen, D. (2009, April 29). The four most important lessons of Columbine: How "leakage" and the "active shooter protocol" have prevented other tragedies. *Slate*: www.slate.com/articles/news_and_politics/history_lesson/2009/04/the_four_most_important_lessons_of_columbine.html

Federal Bureau of Investigation (FBI): *Active Shooter/Mass Casualty Incidents*. www.fbi.gov/about-us/cirg/active-shooter-and-mass-casualty-incidents

Federal Bureau of Investigation (FBI): *Active Shooter Event: Quick reference guide*. www.fbi.gov/about-us/cirg/active-shooter-and-mass-casualty-incidents/active-shooter-event-quick-reference-guide-04-29-14

Garrett, R. (2007). Marching to the sound of gunshots: Virginia Tech incident puts emphasis on active shooter response". *Law Enforcement Technology*, 34(6), 54–63.

Hodgins, G. & Saliba, A. (2014). *'Active Shooter' Literature Review: Report*. Charles Sturt University.

Johnstone, P. (2014, April 7). Dealing with an active shooter situation. *Australian Security Magazine*: www.australiansecuritymagazine.com.au/2014/04/dealing-with-an-active-shooter-situation/

Kelly, R. (2010). *Active Shooter: Recommendations and analysis for risk mitigation*. New York City Police Department

Lankford, A. (2013). Mass shooters in the USA, 1966–2010: Differences between attackers who live and die. *Justice Quarterly*. DOI: 10.1080/07418825.2013.806675

Morrissey, J. (2011, July 1). EMS response to active-shooter incidents. *EMS World Journal*: www.emsworld.com/article/10279321/ems-response-to-active-shooter-incidents

Norris, G. (2013, September). Responding to an Active Shooter. *Australian Police Journal*: apjl.com.au/issues/year/2013

Police Executive Research Forum (PERF) (2014). *The Police Response to Active Shooter Incidents*. Police Executive Research Forum (PERF). www.policeforum.org/active-shooter-report

Rakobowchuk, P (2006, September 14). Lessons learned from Montreal massacre help save lives. *Canoe Network: C News*: cnews.canoe.ca/CNEWS/Canada/2006/09/14/pf-1839448.html

Ready Houston: *Run. Hide. Fight – Active shooter video*. www.readyhoustontx.gov/videos.html

Schweit, K.W. (2013, May). Addressing the Problem of the Active Shooter. *FBI Law Enforcement Bulletin*: leb.fbi.gov/2013/may/addressing-the-problem-of-the-active-shooter

The White House (2013). *Training First Responders and School Officials on Active Shooter Situations*. The White House, Washington, D.C. www.whitehouse.gov/sites/default/files/docs/fact_sheet_training_first_responders_and_schools_on_active_shooter_situations.pdf

U.S. Department of Homeland Security: *Active Shooter Preparedness*. www.dhs.gov/active-shooter-preparedness

About the Authors

Gene Hodgins, DPsych, is a clinical psychologist and associate head of the School of Psychology at Charles Sturt University. He has been a clinical psychologist for 15 years and a university academic for 9 years. Gene completed his doctorate research on risk factors for posttrauma reactions in officers with the Victoria Police, and has conducted research with ambulance and fire brigade personnel, as well as in the area of rural mental health. Clinically Gene has specialized in working with anxiety, trauma and depression, including with Vietnam Veterans, as coordinator of a rural depression and anxiety clinic, and with major physical trauma victims at Royal Melbourne Hospital.

Anthony Saliba, PhD, is a professor of perceptual psychology at Charles Sturt University. His research focuses on the influence of sensory cues on judgments, particularly in real-life situations during high cognitive workload, stress or distraction. He has been awarded over \$3 million in nationally competitive research funding and has published over 100 peer reviewed articles and reports.

This article has been reproduced with permission from



RECOGNITION OF PRIOR LEARNING FOR POLICE



FREE SKILLS ASSESSMENT
Towards Nationally Recognised Qualifications
clet.edu.au/police-rpl | 1300 760 605



BUSINESS



GOVERNMENT



JUSTICE



LEGAL



MANAGEMENT



PUBLIC SAFETY



TRAINING



SECURITY



WHS

Recognition of Prior Learning - Explained

RPL is a government supported initiative that ensures individuals with employment experience do not have to relearn existing skills and knowledge.

Our comprehensive assessment process provides the opportunity to potentially convert knowledge and skills to nationally recognised qualifications.

For the Public: Responding to an 'Active Shooter' Incident

Research over the last decade has bolstered the idea that people at the scene of an 'active shooter' incident have a better chance of survival if they take an active stance rather than waiting to be rescued by the police, who in many cases cannot get there fast enough to prevent some loss of life (Goode, 2013).

For example, of the 14 'active shooter' incidents that occurred in Australia since 1975, 4 were resolved as a result of the shooter being subdued by victims, and 3 because of the suicide of the perpetrator.

For example in April 2007 at the Virginia Tech massacre in the U.S.:

In two classrooms, the students and instructors tried to hide or play dead after Mr. Cho entered. Nearly all were shot, and most died. In a third classroom, Prof. Liviu Librescu, a Holocaust survivor, told his students to jump out the second-story window while he tried to hold the classroom door shut, delaying Mr. Cho from coming in. Professor Librescu was killed, but many of the students survived, and only three were injured by gunfire. In another classroom, where the students and teacher blocked the door with a heavy desk and held it in place, Mr. Cho could not get in, and everyone lived.

(Goode, 2013)

Therefore, fast and effective police response comprises only part of the answer to limiting the damage done during these incidents. Also important are the actions that civilians take to protect themselves during an 'active shooter' incident. It therefore follows that civilians should be prepared in what to do if one of these incidents occurs.

A variety of resources are available to advise civilians and organizations on such responses, including the following:

- *Active Shooter: How to Respond Resource Materials*, US DHS – www.dhs.gov/active-shooter-preparedness
- *Active Shooter Event: Quick reference guide*, FBI – www.fbi.gov/about-us/cirg/active-shooter-and-mass-casualty-incidents/active-shooter-event-quick-reference-guide-04-29-14
- *Run. Hide. Fight – Active shooter video*, Ready Houston – www.readyhouston.tx.gov/videos.html
- *Active Shooter Guidelines for Places of Mass Gathering*, ANZCTC, 2013 – www.nationalsecurity.gov.au/Mediaandpublications/Publications/Documents/active-shooter-guidelines-places-mass-gathering.pdf

These resources endorse the teaching technique of 'Run, Hide, Fight' (or a variant of this) to explain to civilians how they can protect themselves and others around them during an 'active shooter' incident.

Run

- Run away to a safe location if a safe path is available
- Always try and escape and encourage others to leave with you but don't let the indecision of others slow down your own effort to escape
- Evacuees should leave behind their belongings, visualise their entire escape route before beginning to move, and avoid using elevators. Maintaining concealment or cover while moving is also important
- Once you are safe, try to prevent others from walking into the danger zone and call police

Hide

- If you cannot evacuate safely, find a place to hide – find a secure area and lockdown
- If possible when hiding, turn out the lights, lock doors and blockade them with heavy furniture, cover all windows, remain silent, and silence the ringer and vibration mode on your mobile phone

Fight

- If the option of hiding is adopted, individuals may also need to consider options to disrupt and/or incapacitate the active shooter in the event they are located
- This can include using or throwing available objects or using aggressive force, working together or alone, when confronted, to overcome the situation
- Such action should only be taken as a last resort and in order to protect the life of the individual or others in that area.

Police Response

- In an attack involving firearms a police officer's priority is to protect lives. In an 'active shooter' incident, this usually means locating the offender as quickly as possible, even if it means initially moving past people who need help. Please remember:
 - At first police officers may not be able to distinguish you from the gunman
 - Police officers may be armed and could point guns in your direction
 - They may initially move past you in search of the gunman
 - Avoid quick movements or shouting and keep your hands in view
 - Promptly follow any instructions given.
- Be aware that police may enter your location at some stage to secure the building and locate people that have hidden from the threat.



TRIPLE B Leathercraft



Tripod Industries

LED LENSER®



PROPPER

MUVI™



LEATHERMAN



SAFARILAND

**Accredited Manufacturer for:
Police, Border Patrol, Ambulance,
Corrective & Security Services.**

SPECIALTY WALLET

DOG LEADS & COLLARS

DOG ACCESSORIES



**ORIGINAL
S.W.A.T.**



DURABLE, VERSATILE, RELIABLE



Triple B Leathercraft Pty.Ltd.
manufactures products that you can
depend upon: Est 1986

1/13 Josephine St. Loganholme, Qld. 4129
Ph: 07 3806 2262 Fax 07 3806 2134
Email : sales@tripleb.com.au

www.tripleb.com.au

Methamphetamine use among Australian Police Detainees

Susan Goldsmid and Rick Brown, Australian Institute of Criminology

Introduction

Police are on the frontline, dealing with the harms associated with illegal drug use. The National Drug Strategy noted that the role of police included the management and control of harms and risks associated with the extreme behaviours displayed by amphetamine type stimulants users (Ministerial Council on Drug Strategy 2011). Since publication of the National Drug Strategy, methamphetamine has been identified as a substance of particular concern to police and other frontline service personnel (Law Reform, Drugs and Crime Prevention Committee 2014).

In order for police to develop best practice in managing methamphetamine affected offenders and associated risks, police must first understand the nature and extent of the problem.

Methamphetamine has, in part, been identified as of national concern due to intoxication and withdrawal effects. Methamphetamine is a stimulant. It impacts upon the user's central nervous system and hastens the messages from the brain to the body, resulting in feelings of alertness, confidence, energy and wakefulness (ADF 2014).

Long-term use of methamphetamine has been associated with a number of adverse psychological outcomes, including anxiety, mood disturbances, psychosis, paranoia and delusions (McKetin et al. 2013). Methamphetamine use has also been linked with violence via psychosis or through intoxication - whereby the cues that control aggressive behaviour are inhibited (Sommers & Baskin-Sommers 2006; Baberg et al. 1996; Sexton et al. 2009).

However, the Victorian Parliamentary Ice Inquiry concluded that the link between use and violence required further research (Law Reform, Drugs and Crime Prevention Committee 2014). Presenting difficulties in terms of police control, methamphetamine use can increase levels of arousal, intensify emotions, and produce difficulties with communication and interpersonal interaction (Sommers & Baskin-Sommers 2006).

Methamphetamine users in police custody are also likely to experience intoxication effects over a much longer time period, than users of other substances. The elimination half-life of methamphetamine (8 to 13 hours) is considerably longer than that of a number of other illicit drugs, such as cocaine, which has an elimination half-life of 1 to 3 hours.

This means that it takes 8 to 13 hours for half of the consumed dose of methamphetamine to be eliminated from the user's system. Therefore, many hours after entering custody, police may still have to manage risks to the offender in terms of their level of intoxication.

The current study examined the national prevalence of methamphetamine use among Australian police detainees using data derived from the Drug Use Monitoring in Australia Program (DUMA). Further, the data were examined to reveal recent trends in use among police detainees.

Method

The DUMA program is a Commonwealth funded research initiative that has been run by the Australian Institute of Criminology (AIC) since 1999. The aims of the program are to improve the quality of data available on illicit drug use in the offender population; provide an early warning system for changes in patterns of illicit drug use; and provide data to law enforcement to assist in planning, risk assessment and policy initiatives.

AIC personnel and local researchers interview police detainees at select police stations and watch-houses on a quarterly basis. All detainees at the station/watch-house during the four week data collection period are invited to participate. Participation is voluntary and confidential.

Detainees are excluded from participating if they have been in police custody for more than 96 hours; have been in a custodial setting within the 48 hours prior to arrest; are highly intoxicated; are potentially violent; are mentally unfit; or require the use of an interpreter. Police custody managers can also exclude a detainee from participating on other grounds.

Participation is in two parts: 1) completion of an interviewer-assisted self-report questionnaire about demographics, alcohol and other drug use, past criminal justice system contact and drug attribution data; and 2) provision of a urine sample.

Detainees can complete the survey and elect not to provide a urine sample. Since 2013, urine samples have been collected on a biannual basis; prior to 2013 they were collected each quarter.

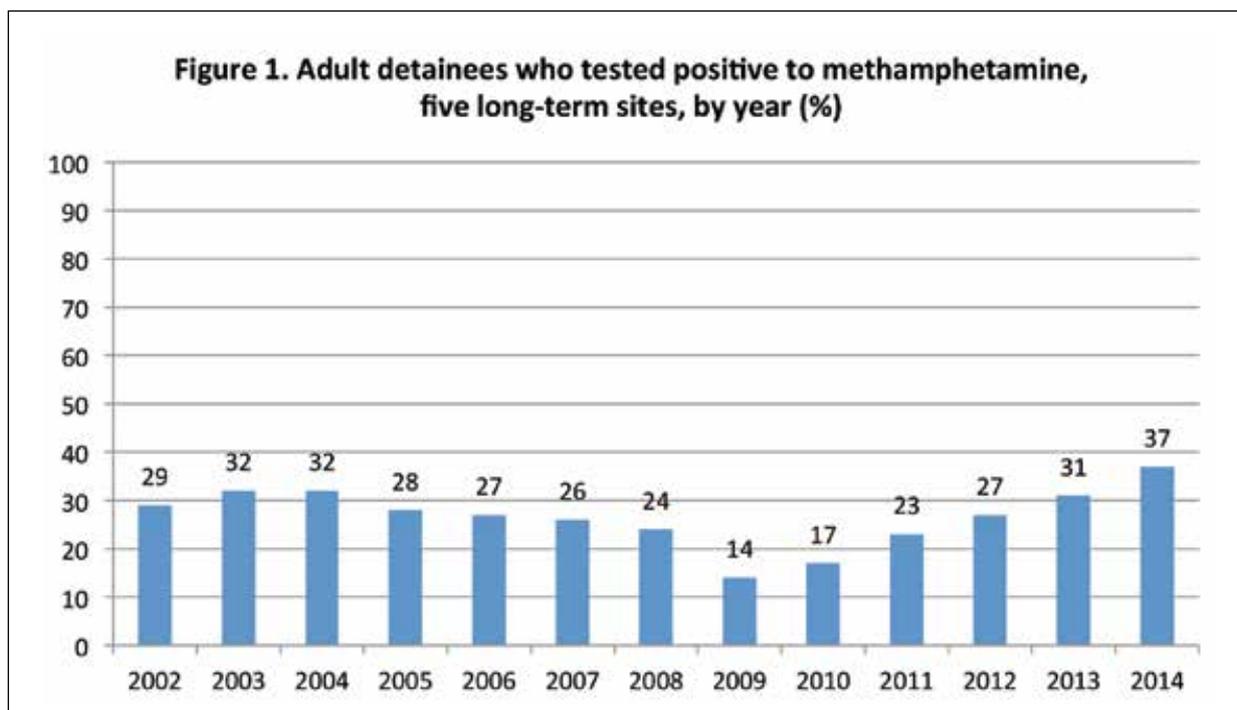
Collection of a urine sample is an important and unique part of the project as it provides an objective measure of recent illicit drug use. All urine samples are subjected to urinalysis at an independent laboratory and tested for five classes of drugs – amphetamines, benzodiazepines, cannabis, cocaine and opiates. Positive test results indicate recent use of that drug by the offender.

The collection of data on illicit drug use, via urinalysis, over 16 years of the DUMA program provides the AIC with an unprecedented ability to monitor and detect changes in illicit drug use trends in the Australian police detainee population.

Since 1999, 51,748 detainees have been interviewed and 37,398 urine samples collected. The majority of detainees interviewed are male (approximately 80 percent), which is representative of the gender composition of the overall Australian detainee population.

Results

Figure one shows the percentage of adult police detainees per year who tested positive to methamphetamine via urinalysis between 2002 and 2014. The data is presented at a national level and includes data collected at the Adelaide, East Perth, Bankstown, Kings Cross and Brisbane sites. Since 2009, there has been a notable rise in the proportion of detainees returning a positive urine test to methamphetamine.



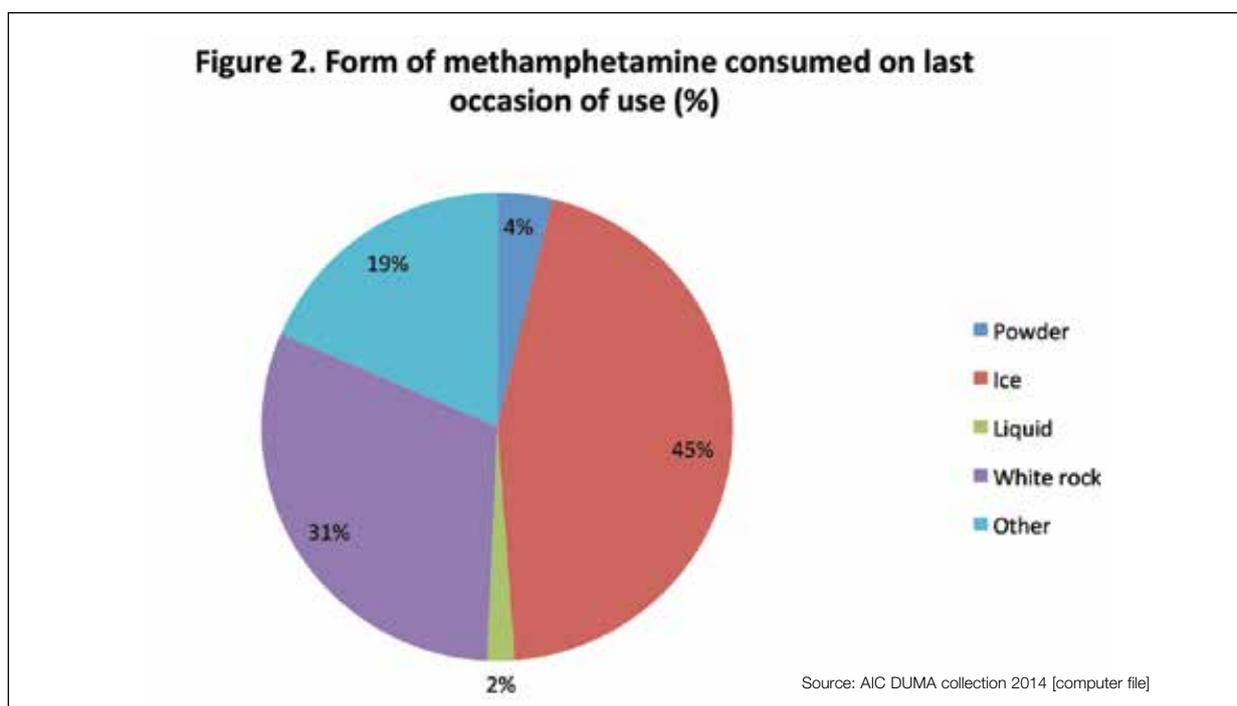
Note: Includes five long-term DUMA sites – Adelaide, Bankstown, Brisbane, East Perth and Kings Cross
 Source: AIC DUMA collection 2002-14 [computer file]

In 2014, 37 percent of detainees, who provided urine samples, tested positive to methamphetamine. This is up six percentage points from 2013 and up 23 percentage points from 2009, which was the lowest recorded rate of use in the 2002 to 2014 period.

This rise in methamphetamine use does not reflect a general rise in illicit drug use among detainees, with rates of cannabis, heroin, cocaine and benzodiazepines remaining relatively constant or decreasing over this period. Examining methamphetamine trends at a site level, between 2013 and 2014 there was a rise in the level of positive tests for methamphetamine at all sites, although the magnitude of this rise varied. A 10 percentage point rise in use was recorded at Kings Cross, a seven percentage point rise at East Perth, a five percentage

point rise at Brisbane, a four percentage point rise at Adelaide and a one percentage point rise at Bankstown. Differences in prevalence of use at local sites can reflect differences in availability, quality or preference for substances at the local level. It may also reflect DUMA methodology, with higher numbers of detainees being interviewed at some sites.

In 2014, the majority of methamphetamine using detainees reported that on their last occasion of use they had consumed Ice (45%) (see Figure 2). This was followed by 31 percent of users who reported consuming white rock. Rates of consumption of powder based (4%) or liquid forms (2%) of methamphetamine on last occasion of use were substantially lower.



Source: AIC DUMA collection 2014 [computer file]

Nineteen percent of users reported consuming other forms of methamphetamine – these mostly included descriptions of consuming crystal based or mixed forms. Crystal based forms of methamphetamine are generally purer than powder based forms. In 2014, 69 percent of recent methamphetamine users (i.e., users of methamphetamine in the past 12 months) reported injecting methamphetamine on at least one occasion in the 12 months prior to interview.

Discussion

Nationally, methamphetamine use is increasing in the police detainee population. This means that the likelihood of police being in contact with methamphetamine users is also rising. Users in contact with the criminal justice system are likely to differ from users not involved in crime. Specifically, methamphetamine using police detainees are likely to use methamphetamine more frequently, consume purer forms and be poly-drug users than users in the general community.

These differences may increase risks to the detainee in terms of physical and psychological health complaints, and risks to police and the community in terms of aggression or behavioural disturbances.

Intoxication effects associated with methamphetamine use such as difficulties communicating, intensified emotions and psychological disturbances may render ineffective some policing strategies commonly used to control and manage detainees. For example, verbal commands may not be understood by intoxicated detainees. In addition, police engagement in use of force options, including arrest procedures, may be perceived as a threat and elicit an aggressive response. There may be a requirement to develop methamphetamine specific policies and procedures to assist police to overcome challenges experienced during initial interactions, arrest and custody of methamphetamine users.

Methamphetamine use also presents psychological and physical health risks to the offender, particularly when intoxication is coupled with physical exertion. Users can be at risk of seizures, cardiac arrest and organ failure if acute psychostimulant toxicity occurs (Baker, Whyte & Carr 2004). In recognition of these risks, the National Drug Strategy developed Psychostimulants – management of acute behavioural disturbances guidelines for police services (Baker, Whyte & Carr 2004).

These guidelines provide direction to police on the possible precipitants of acute behavioural disturbances, how to conduct assessments of intoxication, and how to manage risks. In particular, the guidelines suggest that police utilise calming verbal communication; minimal

restraint during arrest to minimise the risk of agitation and risks associated with increased body temperature; and regular monitoring. Finally, the report emphasises the need for police to seek medical assessments and advice for methamphetamine affected detainees to assist in the management of intoxication and withdrawal related risks while in custody.

The DUMA program provides a depth and breadth of data to aid police and policy makers with monitoring of illicit drug trends. However, as with all research studies, the DUMA methodology does have a number of limitations. Aggressive or highly intoxicated detainees are not interviewed; some intoxicated detainees may be interviewed once sober if they remain in custody. It is highly likely that a large proportion of these detainees are intoxicated with one or more substances.

In addition, detainees can elect not to provide a urine sample – in 2014, urine provision compliance was 74 percent. Thus, the proportion of methamphetamine using detainees reported in this study likely reflects the lower limit of the true prevalence.

Police are likely to be charged with managing methamphetamine users on an increasingly frequent basis, as use of methamphetamine is rising nationally among police detainees. Methamphetamine intoxication and withdrawal presents a number of unique challenges to police in terms of risk management. Development of specific policies and procedures to assist police in the management of those risks may be required.

References

- Australian Drug Foundation (2014) Amphetamine facts. Drug Info, Facts and resources about alcohol and drugs. <http://www.druginfo.adf.org.au/drug-facts/amphetamines>
- Baker, J.L. Whyte, A. & Carr, V. (2004) Psychostimulants – *Management of acute behavioural disturbances. Guidelines for police services*. Canberra: Australian Government Department of Health and Ageing.
- Baberg, HT, Nelesen, RA, & Dimsdale, JE. (1996) Amphetamine use: return of old scourge in a consultation psychiatry setting. *American Journal of Psychiatry*, 153(6), 789-793.
- Law Reform, Drugs and Crime Prevention Committee (2014) *Inquiry into the supply and use of methamphetamines, particularly Ice, in Victoria*. Melbourne: Parliament of Victoria. http://www.parliament.vic.gov.au/images/stories/LRDCCP/Ice_Inquiry/Government_response.pdf
- McKetin, R, Lubman, DI, Baker, AL, Dawe, S, & Ali, RL. (2013) Dose-Related Psychotic Symptoms in Chronic Methamphetamine Users: Evidence from a Longitudinal Study. *JAMA Psychiatry*, 70(3), 318-324.
- Ministerial Council on Drug Strategy (2011) *National Drug strategy 2010-2015*. Canberra: Ministerial Council on Drug Strategy. <http://www.nationaldrugstrategy.gov.au/internet/drugstrategy/publishing.nsf/Content/nds2015>
- Sexton, RL, Carlson, RG, Leukefeld, CG, & Booth, BM. (2009) An ethnographic exploration of self-reported violence among rural methamphetamine users. *Journal of Ethnicity in Substance Abuse*, 8(1), 35-53.
- Sommers, I. & Baskin-Sommers, A. (2006) Methamphetamine use and violence among young adults. *Journal of Criminal Justice*, 34(6), 661-674.



<http://www.aipol.org/index.php/membership>

DIPLOMA IN LAW

Want to study law but full-time university study is not an option for you?

There is an alternative!

The NSW Legal Profession Admission Board's DIPLOMA-IN-LAW

Accessible – a wide range of entry criteria

Flexible – mid year entry, attend evening lectures and/or weekend schools on campus

Affordable – a lower cost legal qualification which meets the academic requirements for admission as a lawyer

Resources – full access to Sydney Law Library's resources

To commence in Summer 2015/16 semester apply by
1 September 2015

For more information visit www.lpab.justice.nsw.gov.au
or sydney.edu.au/law-extension-committee
or phone (02) 9338 3500



DSPACE

WEBSITE SOLUTIONS



website design | search | mobile
social | digital strategy

dspace.com.au



Crime, Justice and Social Democracy Conference 2015

Location: QUT Gardens Point,
2 George Street, Brisbane, Queensland

Date: 7-10 July 2015

The Inaugural National Policing Summit

Understanding the latest policy and legislation to
help govern our law enforcement.

Learn from Australia's leading commissioners.

4-5 August 2015 | Rendezvous Grand Hotel, Melbourne

Is Anyone Remotely Interested? The Rise of the Police Drone

Mike Coliandris and Geoff Coliandris

Abstract

Drone (known by other names) use is proliferating worldwide, driven by a commercial imperative. Police services are variously considering, trialling, routinely using or planning to expand use of such technology though the overall picture can be characterised as piecemeal, limited and variable. Drones face an image problem largely due to their warfare connotations. Beyond this image problem lie more substantive concerns about drone use generally linked to questions around public privacy, civil liberties, ethics, governance and accountability. Each of these concerns has relevance to the policing domain and holds potential to adversely impact police-public relations and police legitimacy.

The police-technology relation is already contested and controversial, particularly around issues of social control and the weaknesses of the empirical foundations underpinning related strategies and claims. For some, drones represent a further step towards a dystopian future. A balanced assessment of drones for policing purposes suggests both possibilities and advantages as well as challenges and threats, particularly from a democratic policing model perspective. However, the debate at present on this unfolding landscape of police use of drones is marked by a lack of information, transparency and rigour.

Police in democratic societies have multiple roles and responsibilities. This includes exploiting the most effective technologies to deliver safety and security. However, they are also required to engage with communities at each important stage in the development of policing. Finally, any future drone governance and accountability framework will need to take into account as far as is practicable a range of voices and be founded on the principles that police in democratic societies are charged to safeguard and adopt.

Introduction

In February 2015 the Australian Federal Police (AFP) submitted a case to a Senate committee inquiry for expanding its use of what is commonly referred to as 'drone' technology in domestic law enforcement operations. Citing the 'significant benefits' of unmanned platforms in mitigating the AFP's current vulnerabilities in intelligence, surveillance and reconnaissance (ISR) work, particularly in remoter areas such as the Torres Straits and northern Australia, the AFP (2015) also highlighted the potential for urban, tactical, and public safety applications. While emphasising the possibilities of drones, the AFP (2015) submission also drew attention to outstanding issues relating to privacy, legality, ethics and the 'community'.

The AFP is no stranger to drones: they are deployed in forensic work and have been trialled in search and rescue missions previously. Of particular interest in the AFP submission is the identified potential for greater drone-related collaboration with the Australian Defence Force in what is termed a 'whole-of-government' approach (AFP, 2015).

The picture suggested in the AFP example appears mirrored in key respects across policing. While variations exist (not least due to situated differences around regulation, history, finances and technology) universal issues emerge. First, there is strong evidence to indicate police services worldwide are keen to adopt or expand drone

technology. Two common claims underpin this interest: enhancing operational effectiveness; and achieving value for money (VFM). A second issue is that policing decisions about drone technology need to be understood in the context of wider transformations in societies often attributed to globalisation and technological advances (Kaldor, 1999). In recent decades (marked by significant events including the Cold War's end and 9/11) a re-ordering of a law enforcement-order maintenance-public protection-security nexus has been observed in late-modern societies.

The result is a reconfiguration and blurring of the relationships between the local, national and transnational dimensions of policing and security. Loader (2000) analyses these developments in terms of a pluralisation of security efforts performed by an assemblage of actors sharing common goals. Police drone approaches raise other issues that at best appear under-developed and at worst, being concealed from wider scrutiny. These include ethical, governance, accountability and what may be summed up as 'public interest' considerations. In its more extreme narrative forms, police use of drones represents for some yet further evidence of the 'surveillance society' (Marx, 1985). Here, surveillance society is often used as a synonym for dystopian or totalitarian visions of modern life (Murakami Wood, 2009). This and the potential for drone proliferation has led some including Statewatch (2014) to call for a more 'wide-ranging and meaningful' public debate on domestic drones.

This paper has several aims. First, it aims to explore the unfolding landscapes of drone use. Second, it seeks to identify what may be distinctive about drones. Third, it offers an assessment of such innovations from both a police and public perspective. Fourth, it explores and suggests a range of possible consequences (intended and otherwise) for purportedly democratic societies of the proliferation of drone technology into everyday policing. Fifth, it seeks to contribute to a public debate that is presently inchoate in form. Noting police-centric literature on the subject of drones is limited, and acknowledging some obvious differences between the two spheres of activity, the paper draws on the literature around military uses of drones for potential insights for policing. Finally, before moving on it may be worthwhile recalling a point made by Marx (2001) to the effect that democratic societies must ask the question of how efficient they want the police to be. Here, the question speaks directly to the constant tension within such societies between the desire for order and the desire for liberty. It is the view here that such a question holds strong consequences for the police use of drones.

Democratic policing

The idea of the police as an indispensable institution of democratic societies is well established (Marx, 2001; OSCE, 2008). Contrasted with dictatorial regime policing systems, the democratic model privileges an interconnected set of values, ideas and principles that include: responsiveness and accountability to law and publics; visibility; accessibility; reassurance; service; fairness; consent; community engagement; transparency; and the common good (Bartkowiak-Théron & Crehan, 2010; Commonwealth Human Rights Initiative, 2005; Independent Police Commission, 2013; Jones *et al*, 1994; Lloyd & Foster, 2009; OSCE, 2008).

These connect to the elusive but central concept of police legitimacy associated with the public's acceptance of the police's 'authority' or 'lawful right' to act as they do (Reiner, 2010). OSCE (2008, para. 2) note in this respect that progress towards democratic policing is made when there is a shift 'from a control-oriented approach to a more service-oriented approach'. Of particular importance is the role that democratic policing plays in providing a security that enables democratic life to thrive.

This view suggests the importance in such models of ensuring citizens are given opportunities to participate in the design and delivery of policing. Interestingly, Marx (2001), identifies a fundamental paradox within democratic societies where citizens need protection both by police and from police. Thus, while it may be possible, useful and desirable, from a police perspective, to utilise a particular technology, the public may pursue an alternative agenda.

Rogers (2014) explores the economic and political challenges presently facing democratic police services in Australia and the UK. He argues that such organisations are presently engaged in a process of rationalisation which represents a process intended to achieve greater effectiveness and efficiency through a host of innovations including new technologies. Drawing on the work of Weber (1957) and Ritzer (2013) Rogers suggests how rationalisation, while giving the illusion of progress, actually carries with it major potential to damage the vitally important police-public connection, not least because it opens up a gap between stakeholders that adversely impacts service delivery and police legitimacy.

DiMaggio and Powell's (1983) ideas on rationalisation, bureaucratisation and institutional isomorphism explain how organisations within a particular field increasingly demonstrate convergence in strategies, goals and cultures in pursuit of efficiencies. This leads to a paradox whereby organisations become increasingly similar despite ambitions to change them. Such views raise important questions for police organisations claiming to be accountable and attuned to local constituencies and conditions.

Remaining effective in the face of dynamic conditions, including the pressures wrought by austerity, requires police organisations to change. However, different changes will lead to different outcomes and these will hold different consequences in particular for the police-public relation in democratic societies.

A fundamental question yet to be effectively addressed is how, or the extent to which, drones will augment or replace existing police approaches. In the UK presently, evidence of the erosion of neighbourhood policing (NP) (widely seen as a bedrock of the national policing model) has been noted, with dedicated community-focused police personnel being allocated work usually reserved for reactive or investigative teams (Her Majesty's Inspectorate of Constabulary, 2013).

In one of the UK's largest police forces, West Midlands Police, the chief officer has recently unveiled his blueprint for a transformation of the organisation and specifically for NP (Police Professional, 2015; West Midlands Police, 2015). The blueprint will see the force exploiting new technologies and moving away from a geographically-based NP model to one which is smaller and 'mission-led'. Interestingly, the plan will see the 'doseage' of frontline policing being adjusted in line with specific needs. In such an environment, where police are under pressure to do more with less, it is not difficult to see how drones will appeal.

However, it would seem contradictory, if not perverse, in a policing landscape where NP is under threat, that a situation might arise

where 'traditional' community-oriented policing approaches have been abandoned and drones are deployed to monitor community life from a distance.

Image problems

Language, according to discourse and narrative theorists such as Foucault (1926-84) and Barthes (1915-80), matters. It is associated with systems of representation where representation is important because it involves the production of meaning. Discourse theory in particular suggests that language, when articulated with knowledge and power, plays a key role in shaping perceptions of reality. Systems of representation or discourses compete to capture public imaginations where the control of language becomes a worthwhile end. In this approach, individual words and the way they are assembled support the construction of more and less powerful discourses that delimit how people may think and talk about a subject and how they should respond at specific socio-historical moments (Foucault, 1972).

US deployment of drones particularly in war and counter-terrorism operations remains a highly controversial issue. While often associated with the world of science fiction drones are an established science fact and a daily reality for some. In one sense drones represent yet another dimension (alongside conventional and cyberspace variants) with which police have to engage. Yet their potential threats for democratic societies have been noted. Leading academic and former US national security adviser P.W. Singer (2012), for example, notes the 'short-cutting' of democratic processes around militarised drone decision-making. Consequently, given they inevitably carry the burden of past and present association with war applications, the word drone suffers an image problem that clearly has the potential to taint policing.

Noting the reluctance by industry players to use the word drone to describe their products, and the differences between a large long-range military drone and a small budget craft preferred by hobbyists, the American Civil Liberties Union concluded that if the word drone has 'horrible connotations' it is because it is associated with 'horrible things' (Stanley, 2013). Elsewhere, drone is rejected because of its pejorative connotations with 'mindless' worker bees (Bennett-Jones, 2014). Echoing concerns over negative imagery, Police Service of Northern Ireland (PSNI) Assistant Chief Constable Matt Findlay (cited in Statewatch, 2014) cautions against use of the word drone precisely because of the links with 'Middle Eastern conflicts'.

Drones have other names, including: Unmanned Aerial Vehicles (UAVs); Unmanned Aircraft Systems (UAS); Unmanned Aircraft (UA); and Remotely Piloted Aircraft Systems (RPAS) (The Parliament of the Commonwealth of Australia, 2014; The Parliamentary Office of Science and Technology, 2014; University of Birmingham, 2014). Cole and Wright (2010) state that UAVs 'also known as drones, are aircraft either controlled by "pilots" from the ground or increasingly, autonomously following a pre-programmed mission'. However, even this interpretation may appear inadequate. Chamayou (2015), in his theory of drones, charts the development of this technology, noting its diverse uses (such as surveillance) and varieties, including terrestrial, marine and aerial (the latter representing the focus of this paper).

Life under the drone

Writer Alex Pasternack (2013) used the term 'dronescape' to describe the picture of everyday life for people living under drones in Pakistan. His interview with Madiha Tahir who, in 2012, travelled to northwest Pakistan to document the lives of people affected by both the physical

realities of military drone-strikes and their less tangible but still traumatic psychological consequences. Tahir's account is of interest at different levels. In particular, she explores what makes drone technology different (its 'droneness') from, for example, more conventional aircraft. For her, droneness involves: 'gross power differentials' between operators and publics; the idea that they 'cannot function without a particular, problematic view of marginalized, racialized others'; and a reconfiguration of 'traditional ideas about 'war, heroism, sacrifice, and honour'. This capacity to disrupt existing relations, concepts and values clearly holds implications for police uses of drones – both internally (such as between drone operators and community patrols and for occupational cultures) and externally, between police and communities and police and other agencies.

The dronescape unfolding in Australia and the UK clearly differs in key respects from Pasternack's (2013) version. Nevertheless, such 'Westernised' dronescapes still offer a picture of significant complexity where a mix of civil and commercial interests already occupy (and sometimes compete for) space. Drones already serve multiple users and uses including: border patrols; cargo transport; surveying; search and rescue; fire monitoring; powerline inspections; infrastructure assessments; and crop spraying (House of Lords, 2015; The Parliament of the Commonwealth of Australia, 2014).

Global retail giant Amazon and Australia's text-book rental company, Zookal, have both announced plans to incorporate the technology into their operations (BBC, 2013). This drone proliferation is clearly being driven by commercial imperatives. Murakami Wood (2009), in highlighting such imperatives, notes the links between present commercial drives to seek out new lucrative (non-military) markets and shifts in military spending since around the end of the Cold War. Recognising the importance of supporting and stimulating this commercial market, the UK House of Lords (2015) acknowledged the important role of the European Commission in establishing a workable framework and environment to enable such developments. They also recommend support for domestic police services which enables them to accept a greater role in enforcing breaches of relevant legislation.

The rise of the police drone

Currently, police drone use is best described as being in its incipient phase. Understandably, developments in different locations will vary due to a complex mix of factors including: social, historical, cultural, political, regulatory, institutional, economic and technological. This means that there can be no 'standard narrative' (Murakami Wood, 2009) as far as the future police dronescape is concerned. In the UK, for example, several forces have been or are trialling drones. Nevertheless, an ad hoc and limited picture emerges, with police drones being linked to 'positive' outputs (arrests and security operations) as well as 'negatives' including a report of police on Merseyside (early adopters) losing a drone through a catastrophic loss of power that managed to avoid causing harm or damage (Kay, 2015.) Assistant Chief Constable Steve Barry, Association of Chief Police Officers (ACPO) lead on drones, acknowledging the cautious and piecemeal UK policing approach to-date explained that further trials and evaluations are awaited.

Further issues around police training, UK Civil Aviation Authority regulations and national procurement were also highlighted. It should be noted that drone developments are taking place within an ever-tightening financial climate for UK policing where police are under major political pressure to 'do more with less' amid a seemingly endless programme of reforms. Yet despite this mixed and uncertain picture, ACC Barry predicts that within five years there will not be

a police force that does not have a number of drones available for deployment (Kay, 2015).

In Australia, in addition to the AFP, state police departments have entered the dronescape. South Australia Police have announced plans to incorporate drones into their operations from late 2014. Their miniature commercial quadcopters can be used to surveil bikie fortresses, find drug crops, locate missing persons and to gather intelligence without putting officers at risk (Crouch & Hunt, 2013). Elsewhere, police in New South Wales have recently been reported as trialling UAVs which if successful could be used in search and rescue and emergencies (Ralston, 2014).

Queensland Police Service are reported to operate two RPAS as an enhanced response to 'high risk and significant operations' (The Parliament of the Commonwealth of Australia, 2014, para. 2.10). Concerns about drone use by Australian police have been raised by Salter (2013) who observes that while the use of drones by military has attracted 'international controversy' police use of such innovations has gone 'largely unremarked' despite their implications for 'privacy and civil liberties'. Additionally, in his view, it remains 'unclear' exactly how drones will improve policing efforts. Raising situated concerns, Fitzgerald (2015) questions how drones might be introduced in line with 'Australian values'.

Proactive plans to expand drone use notwithstanding, police are already having to respond to and prepare for the problematic use of drones by others. In Paris, unidentified drones have recently been panicking citizens and authorities following sightings over sensitive sites (Samuel, 2015). This has contributed to an already febrile security climate to have emerged in the wake of the *Charlie Hebdo* massacres. In the UK police have intervened and prosecuted in cases of alleged drone offences committed over sensitive sites (ITV News, 2015).

In the UK Parliament, highlighting wider concerns over security threats, Admiral Lord West of Spithead, former Under-Secretary of State responsible for security, moved an amendment to the Counter-Terrorism Bill to create a specific offence of using a drone for the purposes of terrorism (Thomas, 2015). In December 2014, Melbourne police responding to a siege at a house had to contend with the consequences of a non-police drone being flown into a power line (Woodward, 2015).

Drones: possibilities and challenges

Drones, as with any innovation, have been associated with a range of possibilities and challenges and these will depend on the perspective adopted. Based on a review of the literature (see, for example, Brooke-Holland, 2013; Chambayou, 2015; Finn *et al*, 2014; Haddal & Gertler, 2010; Hayes *et al*, 2014; Kay, 2015; Salter, 2013; Statewatch, 2014; The Parliament of the Commonwealth of Australia, 2014; University of Birmingham, 2014; Welch, 2014). it is possible to offer an assessment of possibilities (based on strengths and opportunities from a police perspective) and challenges (based on weaknesses and threats from a public perspective). Table 1 applies.

Clearly, some of the listed positives can also be seen as negatives and vice versa. This suggests the complexity and uncertainty of the debate around drones. Having now offered an assessment of drones, the paper will turn to a more detailed discussion of some of the challenges with an emphasis on human and social costs and wider questions around police legitimacy.



Australian
National
University



INTERNATIONAL SECURITY LAW

**Solve complex problems to address
security challenges**

As nations around the world grapple with complex security challenges, the need for better understanding and critical evaluation of the legal issues in addressing them becomes essential.

Delivered by experts, our programs include courses for those with and without existing qualifications in law, and provide the ideal foundation for career specialisation and advancement.

Part-time and intensive delivery (over 3-5 days) options are available, allowing you to balance study with employment, family and other commitments.

- > International Law & UN Peacekeeping
- > International Humanitarian Law
- > International Criminal Law
- > National & International Security Law
- > International Law & Use of Force
- > Cyber Warfare Law
- > Maritime Security Law

Information

ANU College of Law

E pgadmin.law@anu.edu.au
T 02 6125 0510

law.anu.edu.au

Table 1 Drones: An Assessment

Possibilities	Challenges
Dull, dangerous or dirty work	Public privacy, data protection & civil liberties
ISR functions	Public safety
More effective coverage of remote or vulnerable locations	Public acceptance
Persistence	Image
Manoeuvrability	Social control
Unobtrusiveness	Accountability and governance
Police integrity monitoring	Moral, legal, ethical issues
Exploitation of a new dimension of civil space	Drone supplier reputational issues
Achieving force presence without risking personnel	Financial costs(related to planned obsolescence and proliferation)
Keeping pace with dynamic harm, threat and risk landscapes	Psychological costs for populations
Multi-functional (in terms of uses and customisation potential)	Lack of policy, strategy, and Codes of Practice
Communication with public	Blowback or unintended consequences
Crime scene/forensic/structural investigation & evidence gathering work	Quick-fix (tactic rather than strategy)
Improving situational awareness ('perch and stare' operations)	Evaluation weaknesses
Crisis response and management	Vulnerability to cyber and communications link attack
Live-streaming in support of command-and-control functions	Misappropriation for harmful uses
VFM as compared to manned aircraft outlay	Public trust and confidence in police
Crime detection	Undermining police discretion
Crime prevention (functioning as a 'capable guardian', a key 'chemistry of crime' element in Routine Activity Theory-based opportunity and situational crime prevention approaches; see Felson and Clarke, 1998)	Effects on operators
	Inciting the public
	Immature technology
	Procurement
	Project failures including meeting budgets, deadlines and user requirements
	Pilot issues (training, selection, licensing)
	Accident/loss rates, avoidance capabilities and integration into national airspace
	Operational/weather limitations facing (particularly) smaller craft
	The militarisation of policing

Police and technology

Postman's (1998) 'five ideas' about technological change merit a re-visit. First, technological change always involves a 'trade-off' between advantages and disadvantages. Even where there are economic advantages for example, these may be outweighed by human and social costs. Second, such advantages and disadvantages are never evenly distributed across societies. Different people and groups experience technological change in different ways. Third, hidden within every technology is a prevailing idea, agenda or prejudice. In the case of drones, this may be taken to mean that given the nature of the technology, certain forms of police operation will come to be accorded a privileged place (for example, unmanned drones over traditional 'face-to-face' policing tactics) Fourth, 'technological change is not additive; it is ecological' (p.4) which means that once introduced, it changes everything, often in uncertain and unpredictable ways. Fifth, technology tends to become 'mythic' and so quickly comes to be seen as part of the natural order of things, with mixed and uncertain consequences for humanity.

The worldwide technological transformation of policing is marked by access to a formidable array of innovations that Byrne and Marx (2011) divide into 'hard' and 'soft' technologies where the former

include computer software and the latter material devices. However, despite claims made for such technologies, the police-technology relation remains contested and controversial. Chan (2007) notes that technology affects policing in 'visible and invisible ways' while offering the potential for enhancing police status and legitimacy. She shares with others (notably Harris, 2007; Hummer, 2007) concerns about the claims made by police around technology-related performance improvements. Such commentators challenge the strength of the empirical foundation for such claims. Elsewhere, Hudson *et al* (2011) consider the unintended consequences of technology, referred to as its 'blowback'.

Byrne and Marx's (2011) review of technology in policing also highlights the limitations of the present debate on police drones as well as the 'fascination' and claims made for 'technology-led policing'. First, the 'techno-fallacy' suggests how organisations such as the police in industrial societies rely on the assumption that new technology is invariably better than old technology. This is known as the 'fallacy of novelty'. The 'vanguard fallacy' explains how individuals and organisations (for personal and collective reasons such as reputation) are keen to be seen as early adopters of new technology as a sign of their flexible, modern and leadership credentials. Second, Byrne and Marx (2011) share concerns over police claims for improved

performance resulting from new technology. Here, the authors reject any uncritical acceptance of such claims and call for more robust research, evidence and discussion on where such technologies may lead and who controls them. In particular, they highlight the dangers of the specific application of technology for narrow ends centred on coercive social control. Such views chime with a major policing paradigm referred to as the 'evidence-based policing' (EBP) (see Sherman, 1998) movement. EBP, while still struggling to insinuate itself into policing demands progress on the basis of systematic development of knowledge about practice. It also stands as the antithesis to a technology-led policing based on weak evidence, fad, fashion, personal ambition or political expediency. Given these criticisms and the present state of the police drone project (with its numerous unanswered questions) it would seem both reasonable and necessary to question the legitimacy of claims for improving operational effectiveness and achieving VFM.

Social control

Though a contested concept, social control is generally taken to refer to the formal (symbolised by the police) and informal (including the family and peers) institutions, mechanisms and means that act upon an individual with a view to producing conformity (Wilson, 2007). Such means also function as an 'organised response to deviant acts' (Innes, 2003, p.25). Social control theorising has particular implications for, and resonances with, drone technology and policing. Drones (as stand-alone assets and in conjunction with other technologies) seem to have a unique potential to send out 'control signals' (Innes, 2014) and disrupt everyday life in ways that other technologies cannot. Innes (2014) argued that while police presence (as intended control signals) in communities can generate public reassurance, it can also induce negative and unintended effects on community cohesion, trust and confidence in public institutions. According to Innes (2014), various factors mediate these effects including the situated histories around police-community relations, public predilections and the 'doseage' and nature of the police presence (recall, above, the discussion on West Midlands Police's plans to alter the doseage of local policing). Interestingly, Innes (2014) highlights how, from a community perspective, police may be visible (for example, in cars) but effectively not present, leading to negative perceptions among the public. In the case of drones, this could be re-stated as 'visible but not accessible'.

Drones are associated with the negative images of 'big data' and have a manoeuvrability, gaze and persistence that set them apart. A particular concern across different social control theorizing centres on the disproportionate and specific effects of the convergence and proliferation of surveillance technologies on minority ethnic and marginalised communities. For Lyon (2003, pp.265-66) rather than promoting a 'democratic gaze', such technologies serve only to intensify the surveillance and official stigmatisation of those already marginalised. Byrne and Marx (2011) also address such issues, raising the problem of the police's engagement in ever-expanding strategies of 'coercive control'. In their view, this is problematic because:

- The longer-term negative impacts (such as increased public distrust and erosion of personal privacy) on communities, particularly on already isolated, vulnerable or marginalised groups.
- Coercive strategies divert efforts, resources, funding and attention away from alternative and proven non-coercive strategies focused on underlying socio-economic problems.
- Each emerging technology effectively 'widens the net' of coercive control without accompanying research evidence pertaining to impacts, necessity and performance.

In concluding this section, some further and relevant points need to be made. First, the technologies being introduced to enhance social

control can have the unintended consequence of contributing to new forms of deviance that have to be policed (Innes, 2003); second, while state social control efforts can be seen as 'coercive and oppressive', in specific cases, where, for example, informal controls are weak in localities, formal social control may be perceived as a positive development (Innes, 2003); third, drones allow authorities to project their presence while minimising exposure to risk to their personnel (Chamayou, 2015).

The 'chilling and panoptic effect' of drones

A European Commission study on the ethical, data protection and privacy risks related to RPAS considers their 'chilling and panoptic effect' (Finn *et al*, 2014). This is explained in terms of:

a decrease in the legitimate exercise of civil liberties and rights, such as freedom of assembly or freedom of expression, because individuals are discouraged from participating in social movements or public dissent activities for fear of being surveilled. This "chilling effect" is often observed in situations where people are under generalised covert surveillance...

(Finn *et al*, 2014, p.31).

Panoptic effects derives from the work of leading philosophers Jeremy Bentham (1748-1832) and Michel Foucault (1926-1984) (both cited in Finn *et al*, 2014) whose collective efforts supported the rise of panoptic theories of surveillance. Foucault in particular advanced the idea of the panopticon as a metaphor to describe how people monitor and even correct their behaviour when they know (or believe) they are being observed. The panopticon approach suggests how authorities can build surveillance into the architecture of everyday life to the extent it becomes normalised and even expected (see Ferrante, 2011). From such perspectives, the 'hidden' capabilities of drones increase their powers of their operators over those being observed. When traditional surveillance capabilities are upgraded to even 'smarter' technologies (for example, where systems are based on algorithms capable of identifying 'abnormal' behaviours) the situation and possibilities change again.

For Ferrante (2011, p. 159) the 'extensive and pervasive surveillance that has become part of people's everyday lives forces them to censor and police themselves'. 'Voyeurism' can be seen as a related problem of drones. This suggests the possibility of irresponsible drone operators, with access to advanced imaging equipment, using the technology for personal or non-authorised purposes that have the immediate effect of compromising an individual's right to privacy and longer-term potential to adversely affect police legitimacy (see Finn *et al*, 2014; Stanley & Crump, 2011). Recognising the unique challenges presented by new technologies to wider populations, Singer (2010, p.427) suggests that to ensure the 'tough legal, social and ethical questions' are asked 'early on', 'human impact assessments' should be conducted before they enter production analogous to the environmental impact assessments required in construction projects.

Meshing, creeping and controlling technologies

A number of apocalyptic terms have emerged to describe the processes and consequences of the proliferation of different surveillance technologies across what have been called late-modern societies. Such terms connect to the social control issue. In her objection to the expansion of drone use in US policing, Wolf (2015) refers to the 'meshing' of surveillance technologies.

Here, meshing can be taken either to mean the overlapping of civil, commercial and other interests or a process whereby technologies converge and integrate in their coverage and capacities.

Innes (2003) refers to the 'control net' and 'control creep' as well as the 'arc of social control' (2014) to describe a similar phenomenon while Marx's (1988) idea of 'surveillance creep' describes this incremental expansion and intensification of purposive monitoring. A common outcome here is normalisation where surveillance becomes an 'expected feature' (Murakami Wood, 2009) of everyday life. Murakami Wood's (2009) point that authorities pursue 'left over' public space in furtherance of their surveillance ambitions resonates with the expansion of airborne drones alongside (street-level) CCTV.

The idea of 'function creep' also connects to the social control issue. Scholars Joseph Nevins, Roger Clarke and Erin Courtland (cited in Finn *et al*, 2014) share concerns about the phenomenon and use the term to describe what occurs when an item, process, or procedure designed for a specific purpose ends up serving another. In the drone context, 'this occurs when the purposes of RPAS usage expand, either to additional operations or to additional activities within the originally envisaged operation' (Finn *et al*, 2014, p. 194). Finn *et al* (2014) illustrate the problem whereby police use drones to photograph a road traffic collision scene and then proceed to use the imagery to prosecute other road users for unrelated motoring offences.

Function creep can also be linked to another criticised and relevant phenomenon, namely 'automated law enforcement' (ALE). This term refers to 'a trend toward automated law enforcement, in which cameras and other technologies are used to mete out justice with little or no human intervention' (Stanley & Crump, 2011, p. 12). ALE touches on the 'dehumanizing effects' of drones identified by Finn *et al* (2014). Together, such concepts raise serious questions for democratic policing models premised on community-oriented principles and approaches. Of particular concern, the American Civil Liberties Union (n.d.) has highlighted the spectre suggested by the customising of police drones for Taser and other force applications, touching on Chamayou's (2015, p.11) depiction of drone development as an 'eye turned into a weapon'.

Re-visiting the droneness of drones

In a rigorous polemic against proliferation, Chamayou (2015) explores the distinguishing features of drones and their threat dimensions. Here, 'data fusion' suggests the multiple capabilities of drones to use 'eyes and ears' and 'other organs' for ISR purposes; 'persistence' and 'totalisation' where drones can maintain a constant and all-encompassing gaze; and the ability to distinguish anomalies using 'pattern-of-life' analysis as a basis for subsequent target selection and pre-emptive action. Further, he notes that drones are 'totally unsuited' to winning over 'hearts and minds' and that they can lead to psychological harm in operators. Arguing that their costs outweigh any advantages, Kilcullen and Exum, (2009) have called for a moratorium on US military drone strikes across the Middle East. Major points underpinning their argument which, though applied to military applications, clearly resonate with the discussion on police use of drones, including:

- The appeal of drones to policy-makers and professionals is evident. Aspects of their effects are measurable and they contribute to a sense of control.
- While they impose a 'sense of insecurity' on the enemy due largely to their control by remote means they constrain communication between authorities and those who may have vital information to share.
- Drones induce a 'siege mentality' in civilian populations and contribute to significant psychological harms.
- Drones represent a short-term technological fix and a tactic rather than a more nuanced and necessary strategy focused on the unique and dynamic features of local populations and conditions.

- The claims for 'precision' often cited by powers in support of drones are flawed and this term diverts attention away from their wider (negative) impacts and the importance of the moral judgements that need to be made behind the scenes.

The militarisation of policing

The militarisation of policing describes a 'process whereby civilian police draw on and pattern themselves around the tenets of militarism and the military model' (Kraska, 2007, p.503). According to Kraska (2007) this process emphasises 'the exercise of military power, hardware, organization, operations, and technology as its primary problem-solving tools' (p. 503). Numerous examples may be deployed to illustrate the militarisation thesis in policing, ranging from recent events in the US town of Ferguson, Missouri (Grossman, 2014) to concerns expressed over the nature and scale of the hardware and firepower now available to domestic law enforcement in Australia (Green, 2014) and the UK (Reiner, 2010).

The subsequent threats to democratic policing models (and to citizens, specific groups and wider communities) from this militarisation drift in policing have been widely noted (American Civil Liberties Union, 2014; Bowling *et al*, 2007). Balko's (2014) study of the militarisation of US policing argues that such a tendency can be understood as a political response in the form of relentless declarations of war on vague enemies like drugs, crime and terror. This recourse to military-based problem-solving tools is also clearly at odds with community-based, co-productive and problem-solving (see Goldstein, 1990) approaches at the heart of many democratic and community-oriented policing models. In the US, where police face their own set of challenges over drone use, senior officers, doubtless focused on shaping the emerging narrative, are keen to promote such craft as a 'community' rather than a 'military-style' asset (Police Foundation, 2014).

In their report on the security challenges facing the UK in relation to drones, the University of Birmingham (2014) considers public fears about the future possibilities of the emergence of Lethal Autonomous Weapons Systems (LAWS). (LAWS make their own targeting and weapon release decisions, obviating the need for a ground-based pilot's intervention.) While the Birmingham report supports work on developing the automation of many drone sub-systems, its authors are not 'persuaded that it will ever be possible to programme the laws of war into a "killer robot"' (p.7). While the report welcomes the UK and US governments' decisions not to develop LAWS, it sounds a cautionary note that will do little to reassure those concerned about police use of force-enabled drones:

However, we fear not all actors will be as prudent, and we would like therefore to see the UK government take a leading role in discussions to build an international consensus around a set of norms to regulate, if not ban, LAWS.

(University of Birmingham, 2014, p.7)

This shading of drone technology from the military sphere into the policing sphere (and the technological capabilities with which it is associated) thus raises concerns. Such developments can also be interpreted as further evidence of the militarisation of policing with its connotations of (further) retreat from the community-engagement and citizen-focused approaches that, in principle, are so valued within democratic policing models. This chimes with Byrne and Marx's (2011) view that over-investment by police in a particular technology risks diverting attention away from alternative solutions that avoid the more negative side effects (such as erosion of personal freedom and public trust). These alternatives may include more community-oriented interventions focused on underlying socio-economic problems including those linked to education, job creation or neighbourhood development.

When will you save \$1.2 Million* over the next 20 years?



*Know how you can retire in financial freedom.
Call today to secure your Free Personal Wealth Building Report.*

1300 949 947

Building future wealth by design.

(ABS 2011. Average household income \$80,000, you need 75% in retirement for at least 20 yrs)



JBW

JUST BUILDING WEALTH

Master of Criminal Justice and Criminology

Advance your career in law
enforcement and associated fields

With the convenience of online study and outstanding support from our experienced academic staff, you can gain valuable knowledge in areas such as:

- policing, security and risk management
- police reform
- criminal behaviours and enterprises
- leadership and management
- individually tailored research projects

Contact FedUni today to take the next step.

Learn to succeed



1800 333 864 | federation.edu.au | info@federation.edu.au

CRICOS Provider No. 00102D | National RTO Code 4009 | CRICOS ID

Federation 
UNIVERSITY • AUSTRALIA

Accountability and governance issues

Accountability and governance represent key elements in democratic policing models (Jones, 2007). Simply stated, accountability involves notions of openness, responsiveness and obedience to law. Governance, suggests the different arrangements in place that 'frame' and 'direct' police policies (Jones, 2007, p.605). As the OSCE (2008, para. 80) notes,

while citizens voluntarily provide the police with their consent for applying the monopoly of force to maintain social control and enforce their civil, political and economic freedoms, democratic police services have the obligation to have their powers checked and controlled by the public through accountability processes.

Accountability and governance issues persist as major concerns over military uses of drones (Singer, 2012). Such issues are taken up by Finn *et al* (2014) in the policing context. Key questions remain to be answered here, including: how might an aggrieved citizen identify a drone operator; how might they discover the authorisation and objectives behind a drone deployment; who is responsible for storing and processing any data collected; what options are available to seek formal redress for alleged drone infractions. Noting the special challenges in such respects posed by drones, David Smith of the UK Information Commissioner's Office observes:

With most CCTV cameras, even if it is not immediately obvious, you should fairly easily be able to track down the operator. With a camera phone, someone is holding it. If you see a RPAS buzzing around, who is controlling it? Where are they? Who is responsible?

(House of Lords, 2015, para. 245)

While the present picture of civil drone accountability, regulation and governance might be described as uncertain or unformed, it becomes arguably even more challenging in the context of the 'pluralised policing' landscape. Such landscapes are characterised by a mixed economy of actors that includes sworn and non-sworn police personnel, private sector staff, other regulatory bodies and community elements (Newburn, 2007). The pluralisation process clearly articulates with the discussion on police use of drones. In particular, it is not yet clear who will be responsible for piloting, maintaining and accessing/processing data collected by police drones. There is clearly scope for such functions to be contracted out, clearly adding a further layer of complexity to the accountability and governance question.

Research evidence, consisting of Freedom of Information (FOI) responses from UK police forces collected by the All-Party Parliamentary Group on Drones (APPG, 2013) and Statewatch (2014) support accountability and governance concerns. Some forces responding to Statewatch (2014) declined to provide information on national security (for example, MPS) or cost (PSNI) grounds while others (North Wales) appeared prepared to look to the National Police Air Service for a lead. The APPG (2013) found a 'policy gap' in two key respects: a lack of information provided on drone policy; and absence of evidence that forces took human rights considerations into account.

In particular the FOI responses raise issues about a centralising tendency that seems to be operating behind the scenes in terms of police drone developments. This tendency seems at odds with the local accountability models so valued, in principle at least, by the UK Government and police leaders (notably in the form of local directly-elected police and crime commissioners and other established community engagement mechanisms). In Australia concerns which have been aired over existing Civil Aviation Authority regulations' abilities to limit drone flight (see Creedy, 2015) suggest from a different perspective how drone technology has the capacity to challenge established frameworks and relations of governance and accountability.

A University of Birmingham (2014) report notes that in addition to resolving important technological, legal and regulatory questions, it will be vital for official agencies (including the police) in the UK to remain 'ahead of the curve' as far as planning for and operationalising drone technology are concerned. This will require public consultation, codes of practice and mechanisms to be formulated whereby drone operators can be held accountable. However, the Birmingham report (2014, p. 77) concludes that at present, there is a 'dearth of centrally available information on even the extent and nature of police use of RPA'. This raises, as a minimum, two important questions: how can the public access and influence the nascent police drone debate; and on the basis of limited information, how realistic is it for police organisations to either make claims about the benefits of drones or to reassure the public that their use will be consistent with democratic principles.

Finally, police already face significant accountability issues, notably in the area of public order and covert policing. However, where (for example) a citizen objects to being 'kettled' by police at a demonstration, there is a reasonable chance of close (though likely unwanted) personal interaction with a police officer with possibilities for personal identification through force numbers or other distinguishing and traceable features. Compare and contrast this scenario with a small drone hovering several hundred feet above street level in low visibility conditions.

Conclusion

Byrne and Marx (2011) contend it is in societies' interests for their police services to make effective use of technology, if only because criminals will. However, as suggested, democratic societies involve a paradox whereby citizens may be inclined to sacrifice a degree of order for increased liberty. Drones, driven by a commercial imperative, are only likely to proliferate. Police services globally are already adopting or planning to adopt or expand the use of such technology.

Additionally, non-police drone use is already presenting problems for which police need to be prepared. The word drone carries negative connotations which domestic police organisations should be mindful of. Beyond this, there are more substantive issues connected to the general concept of the public interest. Here, questions of social control, public privacy, ethics, governance and accountability dominate and carry particular consequences in, and for, purportedly democratic societies.

A balanced assessment of drones suggests a number of possibilities but also challenges. Claims made for the possibilities of drones are, however, based on weak empirical foundations and a lack of information-sharing and scrutiny. Reports of drone deployments will play differently with different publics in different settings.

A drone contributing to the safe return of a missing child is likely to generate a different set of meanings and responses from a scenario where an unmanned platform is observed hovering over a minority ethnic community which perceives itself as already stigmatised and 'suspected' (Pantazis and Pemberton, 2009) in the context of official 'war on terror' discourses. Police and societies are already familiar with advanced technology where drones (at one level) represent just another stage in the technological transformation of both. However, drones embody a distinctiveness that raises a unique set of concerns. In their work on the UK security impact of drones, the University of Birmingham (2014) identify the year 2035 as a critical date for government vision and policy focus. Why this year has been selected remains unclear though, given the clear potential for drone proliferation, it appears distant and arbitrary.

Recalling former UK Information Commissioner, Richard Thomas' remarks, that Britain was 'sleepwalking into a surveillance society' (Ford, 2004), one concludes that the time is overdue for a more meaningful, open and informed debate about the future of police drone use in democratic societies. This should involve public voices alongside scientific, commercial, political and professional ones. Democratic police services now have an opportunity – and a responsibility – to contribute to the shaping of an accountability and governance framework that conforms to the highest principles consistent with what they claim to value and safeguard. How they plan to respond to this opportunity and responsibility remains uncertain but still open.

References

- American Civil Liberties Union (n.d.) *Blog of Rights: Domestic Drones*. Retrieved March 10, 2015, from <https://www.aclu.org/blog/tag/domestic-drones>
- American Civil Liberties Union (2014) *War Comes Home: The Excessive Militarization of American Policing*. Retrieved March 10, 2015, from <https://www.aclu.org/sites/default/files/assets/jus14-warcomeshome-report-web-rel1.pdf>
- All Party Parliamentary Group on Drones (2013) *Background Note on the Civil Use of Drones in the UK*. Retrieved March 25, 2015 from <http://appgdrones.org.uk/wp-content/uploads/2014/10/appg-background-note-civil-drone-use-in-the-uk.pdf>
- Australian Federal Police (2015) *Senate Foreign Affairs, Defence and Trade References Committee Inquiry into the potential use by the ADF of unmanned air, maritime and land platforms*, February. Retrieved February 5, 2015, from www.afp.gov.au/DocumentStore.ashx?id=fa39b25e-dd37-444a
- Balko, R. (2013) *Rise of the Warrior Cop*. New York, NY: Public Affairs.
- Bartkowiak-Théron, T. & Crehan, A.C. (2010) 'A new movement in community policing? From community policing to vulnerable people policing'. In J. Putt (Ed) *Community policing in Australia*, Australian Institute of Criminology, Retrieved March 7, 2015, from http://www.aic.gov.au/documents/0/4/F/%7B04F19D1A-19B1-4C6F-9ECO-A38F1B3DDF38%7Drpp111_002.pdf
- BBC (2013) 'Amazon testing drones for deliveries'. *BBC News*, 2 December. Retrieved March 8, 2015, from <http://www.bbc.co.uk/news/technology-25180906>
- Bennett-Jones, O. (2014) 'Drones or UAV? The search for a more positive name'. *BBC News Magazine*, 2 February. Retrieved March 2, 2015 from <http://www.bbc.co.uk/news/magazine-25979068>
- Bowling, B., Phillips, C. & Shah, A. (2007) 'Policing ethnic minority communities'. In T. Newburn (Ed.) *The Handbook of Policing*. Cullompton: Willan, pp. 528-555.
- Brooke-Holland, L. (2013) *Unmanned Aerial Vehicles (drones): an introduction – Commons Library Standard Note*, 15 February. Retrieved March 21, 2015 from <http://www.parliament.uk/business/publications/research/briefing-papers/SN06493/unmanned-aerial-vehicles-drones-an-introduction>
- Byrne, J. & Marx, G. (2011) 'Technological Innovations in Crime Prevention and Policing. A Review of the Research on Implementation and Impact'. *Journal of Police Studies Volume: 3 Issue: 20: 17-40*.
- Chamayou, G. (2015) *Drone Theory*. Tr. By J. Lloyd. St. Ives: Penguin.
- Chan, J. L. (2007) 'Police and new technologies'. In T. Newburn (Ed.) *Handbook of Policing*. Cullompton: Willan, pp.655-679.
- Cole, C. & Wright, J. (2010) *What are drones? Drone Wars UK*. January. Retrieved March 8, 2015, from <http://dronewars.net/aboutdrone/>
- Commonwealth Human Rights Initiative (2005) *Too Important To Neglect, Too Urgent To Delay*. New Delhi, India: CHRI.
- Creedy, S. (2015) 'Expert questions CASA regulatory powers over drones'. *The Australian Business Review*, 16 January. Retrieved March 8, 2015, from <http://www.theaustralian.com.au/business/aviation/expert-questions-casa-regulatory-powers-over-drones/story-e6frg95x-1227186252581>
- Crouch, B. & Hunt, N. (2013) 'SA police to use unmanned drones to spy on criminals'. *The Advertiser*, June 29th, Retrieved 7 February, 2015, from <http://www.adelaidenow.com.au/technology/news/sa-police-to-use-unmanned-drones-to-spy-on-criminals/story-fni0bzob-1226671865697>
- DiMaggio, P., & Powell, W. W. (1983) 'The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizations Fields'. *American Sociological Review* 48: 147-160.
- Felson, M. & Clarke, R.V. (1998) *Opportunity Makes the Thief: Practical theory for crime prevention*. Police Research Series Paper 98. London: Home Office.
- Ferrante, J. (2011) *Sociology: A Global Perspective*. Andover: Wadsworth Cengage Learning
- Finn, R.L., Wright, D., Jacques, L., & De Hert, P. (2014) *Study on privacy, data protection and ethical risks in civil Remotely Piloted Aircraft Systems operations: Final report*. Retrieved February 27, 2015, from <http://ec.europa.eu/enterprise/sectors/aerospace/uas/>
- Fitzgerald, B. (2015) 'Applying Australian values to drone warfare'. *The Interpreter*, 3 March. Retrieved February, 2015, from <http://www.lowyinterpreter.org/post/2015/03/03/Applying-Australian-values-to-drone-warfare.aspx?COLLCC=108286256&COLLCC=3244696061&>
- Ford, R. (2004) 'Beware rise of Big Brother state, warns data watchdog'. *The Times*, Aug. 16. Retrieved March 2, 2015, from <http://www.thetimes.co.uk/tto/news/uk/article1927810.ece>
- Foucault, M. (1972) *The Archaeology of Knowledge*. London: Tavistock/Routledge.
- Goldstein, H. (1990) *Problem-Oriented Policing*. New York, NY: McGraw-Hill.
- Grossman, A. (2014) 'Senators Criticize Growing Militarization of Local Police Departments'. *The Wall Street Journal*, September 9. Retrieved March 4, 2015, from <http://www.wsj.com/articles/senators-criticize-militarization-of-local-police-departments-1410287125>
- Haddad, C.C. & Gertler, J. (2010) 'Homeland Security: Unmanned Aerial Vehicles and Border Surveillance'. July 8. *Congressional Research Service*. Retrieved January 30, 2015, from <http://fas.org/spp/crs/homesecc/RS21698.pdf>
- Harris, C. (2007) 'Police and Soft Technology: How Information Technology Contributes to Police Decision Making'. In: J. Byrne and D. and D. Rebovich (Eds.), *The New technology of Crime, Law and Social Control*. Monsey, NY: Criminal Justice Press, pp. 153-183.
- Hayes, B., Jones, C. & Töpffer, E. (2014) *Eurodrones Inc*. Amsterdam, NL: Statewatch.
- Her Majesty's Inspectorate of Constabulary (2013) *Policing in Austerity: Rising to the Challenge*, July. Retrieved March 6, 2015, from <https://www.justiceinspectors.gov.uk/hmic/media/policing-in-austerity-rising-to-the-challenge.pdf>
- House of Lords (2015) *Civilian Use of Drones in the EU*. 5 March. Retrieved March 8, 2015, from <http://www.publications.parliament.uk/pa/ld201415/ldselect/lddeucom/122/122.pdf>
- Hudson, L., Owens, C.S. & Flannes, M. (2011) 'Drone Warfare: Blowback from the New American Warfare'. *Middle East Policy Council*. Retrieved March 14, 2015, from <http://www.mepc.org/journal/middle-east-policy-archives/drone-warfare-blowback-new-american-way-war>
- Hummer, D. (2007). 'Policing and "Hard" Technology'. In J. Byrne and D. and D. Rebovich (Eds.), *The New technology of Crime, Law and Social Control*. Monsey, NY: Criminal Justice Press, pp. 133-52.
- Independent Police Commission (2013) *Policing for a Better Britain*. Retrieved March 7, 2015, from <http://independentpolicecommission.org.uk/uploads/37d80308-be23-9684-054d-e4958bb9d518.pdf>.
- Innes, M. (2003) *Understanding social control: Deviance, crime and social order*. Maidenhead: Open University Press.
- Innes, M. (2014) *Signal Crimes: Social Reactions to Crime, Disorder and Control*. Oxford: Oxford University Press.
- ITV News (2015) *Man faces court over drone at Buckingham Palace*. 18 March. Retrieved March 18, 2015 from <http://www.itv.com/news/update/2015-03-18/man-faces-court-over-stadium-drone/>
- Jones, T., Newburn, T. & Smith, D.J. (1994) *Democracy and Policing*. London: Policy Studies Institute.
- Jones, T. (2007) 'The governance and accountability of policing'. In T. Newburn (Ed) *Handbook of Policing*, Cullompton: Willan. pp. 603-627.
- Kaldor, M. (1999) *New and Old Wars. Organized Violence in a Global Era*. Cambridge: Polity.
- Kay, L. (2015) 'Watching over the future'. *Police Professional*, Issue 444, 24-5.
- Kilcullen, D. & Exum, A.M. (2009) 'Death from Above, Outrage from Below'. *The New York Times*, May, 16. Retrieved March 10, 2015, from <http://www.nytimes.com/2009/05/17/opinion/17exum.html?pagewanted=all&r=0>
- Kraska, P.B. (2007) 'Militarization and Policing—Its Relevance to 21st Century Police'. *Policing, Volume 1*, Number 4, 501-513
- Loader, I. (2000) Plural Policing and Democratic Governance. *Social and Legal Studies*, 9(3), 323-345.
- Lloyd, K. & Foster, J. (2009) *Citizen Focus and Community Engagement: A Review of the Literature*. Retrieved March 12, 2015, from http://www.police-foundation.org.uk/uploads/catalogerfiles/citizen-focus-and-community-engagement-a-review-of-the-literature/citizen_focus.pdf
- Lyon, D. (2003) *Surveillance as Social Sorting: Privacy, Risk, and Digital Discrimination*. London: Routledge publishing
- Marx, G. T. (1985) 'The Surveillance Society: The Threat of 1984-style Techniques'. *The Futurist*, 6, 21-6.
- Marx, G.T. (1988) *Undercover*. Berkeley, CA: University of California.
- Marx, G.T. (2001) 'Police and Democracy'. In A. Menachem and S. Einstein (Eds.) *Policing, Security and Democracy: Theory and Practice*. Huntsville, TX: NCJ, pp. 35-45.
- Murakami Wood, D. (2009) 'The "Surveillance Society": Questions of History, Place and Culture'. *European Journal of Criminology March*, 6: 179-194.
- Newburn, T. (2007) *Handbook of Policing*. Cullompton: Willan Publishing.
- OSCE (2008) *Guidebook on Democratic Policing*. Retrieved March 8, 2015, from <http://www.osce.org/spmu/23804>
- Pantazis, C. & Pemberton, S. (2009) 'From the "Old" to the "New" Suspect Community: Examining the Impacts of Recent UK Counter-Terrorist Legislation'. *British Journal of Criminology* 49 (5), 646-666.
- Pasternack, A. (2013) 'Life in the Dronescape'. *Vice Motherboard*, October 29th. Retrieved March 8, 2015, from <http://motherboard.vice.com/blog/life-in-the-dronescape-an-interview-with-madha-tahir>
- Police Foundation (2014) *Top policy experts gather for advisory panel on developing community trust for police use of unmanned aerial systems*. Retrieved March 19, 2015 from <http://www.policefoundation.org/content/top-policy-experts-gather-advisory-panel-developing-community-trust-police-use-unmanned>
- Police Professional (2015) Channelling Information. *Police Professional*, Issue 447:16-18.
- Postman, N. (1998) *Five Things We Need to Know About Technological Change*. Talk delivered in Denver, Colorado. March 28. Retrieved March 21, 2015 from <http://web.cs.ucdavis.edu/~rogaway/classes/188/materials/postman.pdf>
- Ralston, N. (2014) 'NSW Police to trial unmanned drones'. *The Sydney Morning Herald*. December 6. Retrieved February 7, 2015, from <http://www.smh.com.au/technology/>

technology-news/nsw-police-to-trial-unmanned-drones-20141205-121bal.html

Reiner, R. (2010) *The Politics of the Police*. 4th edn. Oxford: Oxford University Press.

Ritzer, G., (2013), *The Macdonaldisation of Society*. London: Sage.

Rogers, C. (2014) 'Maintaining democratic policing: the challenge for police leaders'. *The Australian Institute of Police Management (AIPM), Public Safety Leadership Research Focus*, June, 2(2), 1-7.

Samuel, H. (2015) 'Drone spotted near Charlie Hebdo as 10 more fly over Paris'. *The Telegraph*. 4 March. Retrieved March 5, 2015, from <http://www.telegraph.co.uk/news/worldnews/europe/france/11449981/Drone-spotted-near-Charlie-Hebdo-as-10-more-fly-over-Paris.html>

Salter, M. (2013) 'Are police drones just toys for the boys?'. *The Conversation*, 26 September. Retrieved March 8, 2015, from <http://theconversation.com/are-police-drones-just-toys-for-the-boys-18542>

Sherman, L. (1998) 'Evidence-Based Policing'. *Ideas in American Policing*. July. Washington, DC: Police Foundation.

Singer, P.W. (2010) *Wired for War: The Robotics Revolution and Conflict in the 21st Century*. New York: Penguin.

Singer, P.W. (2012) 'Do Drones Undermine Democracy?' *The New York Times*, Jan. 21. Retrieved March 12, 2015, from http://www.nytimes.com/2012/01/22/opinion/sunday/do-drones-undermine-democracy.html?_r=0

Stanley, J. (2013) "'Drones" vs "UAVs" – What's Behind A Name?'. American Civil Liberties Union. Retrieved February 7, 2015, from <https://www.aclu.org/blog/technology-and-liberty-national-security/should-we-call-them-drones-or-uavs>

Stanley, J. & Crump, C. (2011) *Protecting Privacy From Aerial Surveillance: Recommendations for Government Use of Drone Aircraft*. Retrieved March 8, 2015, from <https://www.aclu.org/files/assets/protectingprivacyfromaerialsurveillance.pdf>

Statewatch (2014) *Back from the Battlefield: Domestic Drones in the UK*. Retrieved March 10, 2015 from <https://dronewarsuk.files.wordpress.com/2014/05/domestic-drones-in-the-uk-final.pdf>

The Parliament of the Commonwealth of Australia (2014) 'Eyes in the sky: Inquiry into drones and the regulation of air safety and privacy'. July. House of Representatives Standing Committee on Social Policy and Legal Affairs. Canberra, ACT.

The Parliamentary Office of Science and Technology (2014) *Civilian Drones*. Postnote 479. October. London: POST.

Thomas, A. (2015) *Drones and the Counter-Terrorism Bill*. Jan. 27. Retrieved March 25, 2015 from <http://appgdrone.org.uk/drones-and-the-counter-terrorism-bill/>

University of Birmingham (2014) *The Security Impact of Drones: Challenges and Opportunities for the UK*. October. Retrieved February 5, 2015, from <http://www.birmingham.ac.uk/Documents/research/policycommission/remote-warfare/final-report-october-2014.pdf>

Weber, M. (1957) *The Theory of Social and Economic Organisation*. New York, NY Free Press.

Welch, W.M. (2014) 'At nation's doorstep, police drones are flying'. *USA Today*, Jan. 28. Retrieved March 11, 2015, from <http://www.usatoday.com/story/news/world/2014/01/28/police-drones-tijuana-mexico/4951075/>

West Midlands Police (2015) *A new era of policing starts today across the West Midlands*. 17 March. Retrieved March 18, 2015 from <http://www.west-midlands.police.uk/latest-news/news.aspx?id=2674>

Wilson, D. (2007) 'Social Control'. In E. McLaughlin & J. Muncie (Eds.) *The SAGE Dictionary of Criminology*. London: Sage. pp. 391-3.

Wolf, N. (2015) 'The coming drone attack on America'. *The Guardian*, 21st December. Retrieved February 7, 2015 from <http://www.theguardian.com/commentisfree/2012/dec/21/coming-drone-attack-america>

Woodard, S. (2015) 'Australia grapples with its growing fleet of drones'. *BBC News Australia*, 1 February. Retrieved 6 February, 2015, from <http://www.bbc.co.uk/news/world-australia-30825520>

About the Authors

Mike Coliandris is currently a full-time postgraduate international security student at the University of Bristol, UK.

Geoff Coliandris is a former UK police officer and is currently a part-time lecturer in police science at the University of South Wales, UK.



Solution Focused
STRICTLY CONFIDENTIAL
Counselling is just a phone call away

The advantage of the telephone service is the ready access at a time to suit you without having to travel or get dressed up.

- Emotional & Physical Stress
- Grief & Loss
- Overcome addictions

\$60.00 consultation fee per hour.



BSW, B Soc. Sc, Member AASW
 e: solutionfocused@westnet.com.au
Phone 0402 675 833
www.solutionfocused.net.au



Immediate response – Total support



24 hour
 7 day a week
 Emergency Care in Adelaide

**WAKEFIELD
 EMERGENCY
 DEPARTMENT**



BELMORE
ESTATE

AT MT PLEASANT IN MACKAY ON THE CENTRAL COAST OF QUEENSLAND

LIVE CLOSER

Great value land, ideally located in **Mount Pleasant**



LAND FOR SALE IN MACKAY QLD

Newly fully serviced subdivision just off Pioneer Street in the ever popular Mt Pleasant. Plans and covenants are available. Blocks of land range from 525m², right up to large blocks which could be potential unit sites (subject to local authority approval). Most blocks are in the 600-700m² range. Be quick because these allotments won't last! This is the only land development in Mt Pleasant.

CLOSE BY

So close to schools you will be able to walk the kids!

- Northview State School
- Emmanuel Primary School
- Holy Spirit High School
- Glenella State School

Just a short drive into Mackay's CBD too!

SHOPPING

Mt Pleasant is the home to a large array of shopping. The main centre is Mt Pleasant Greenfields which includes Woolworths, Coles, Kmart, Best & Less and a great range of specialty stores. Less than a 2 minute drive! You'll also love the Greenfields outdoor complex with Bunnings, Spotlight, Sam's Warehouse, Clark Rubber, pet store, fast food and the Birch Carroll & Coyle movie cinema. Drive a little further, maybe 5 minutes and you'll be at the new Masters Hardware store.



sales@blacksrealestate.com.au

07 4963 2500

www.blacksrealestate.com.au



mail@eandr.com.au

07 4957 2951

www.eastmentandrichards.com.au



sales@guardian.com.au

07 4957 7424

www.guardianrealestate.com.au

www.belmoreestate.com.au

Taser! Taser! Problems Underlying the Police Mis-Use of Electronic Stun Guns

Professor Colin Rogers, International Centre for Policing and Security, University of South Wales, UK

Abstract

The use of Tasers, or electronic stun guns, in many western democratic style countries such as the UK and Australia, appears to be on the rise and often involves contentious circumstances that are reported in the media. In conjunction with other forms of state sanctioned force available to the police, the use of such devices rests within what is termed a continuum of force. Here an escalation of police force depends upon the resistance offered towards the police, or perceived levels of danger to other individuals. Notwithstanding the general right of the police to use coercive force, the misuse of such devices can have a detrimental impact upon police/community relations. This article explores the relationship between police and community with regard to the misuse of Taser, utilising examples from England and Wales and Australia, and suggests this misuse or 'over-use' of devices can have a damaging effect upon police legitimacy.

Introduction

The recent call by the Police Federation of England and Wales to have all frontline uniformed officers in that country to be offered a Taser to provide protection from terrorists (Police Federation 2015) has once again put pressure on senior police officers and politicians in that country. The Federation argument is that by doing so, it will provide greater public reassurance. Police officers would be offered the option of carrying a Taser and receiving training in their use if they are deemed to be at risk because they work on the front line and in uniform. Tasers or stun guns are in fact utilised by many countries, including the USA and Australia. However, both those countries, and many others where these devices are employed, have routinely armed police officers patrolling the streets, and therefore perhaps a different cultural context for the introduction and use of such weapons as Tasers.

This article will consider the implications of an introduction and use of such weapons into the delicately balanced model of democratic policing in England and Wales and will critically examine the possible implications of routinely using such weapons. It will consider the use and apparent misuse of such weapons not only in England and

Wales but also in countries such as Australia and will consider the possible implications upon police/community relationships as a result. However, one of the first areas that need examination is the actual role of police in society.

The role of the police

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 use of coercive force may be needed to resolve that something from happening. In short, the police are required in society to deal with all those problems in which coercive force may have to be used.

Fuelled by mass media, it would appear that public perception regarding the role of the police in society revolves around what the police do rather than what they are. Therefore, to many the police are defined by what they do, such as arresting burglars, breaking up fights, etc. This is a 'normative' definition of policing (Klockers 1985), and is not a suitable starting point to examine 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 police 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)

Several commentators have historically studied the police to establish just who they are and what they do. Banton (1964) and Cain (1973) famously 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 as a major weapon in their armoury was brought to light, highlighting the social interactive

nature of their day to day work when dealing with members of the public. For Banton in particular, there was a reinforcement that the police relied upon other informal measures of social control, such as education and parental input that enabled them to work as peace officers. Cain suggested that this was more so in rural policing areas where the police needed cooperation of the local community to maintain order, a 'quite 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.

Holdaway (1984) in his seminal small scale ethnographic study of policing in a major city, reminds us that the external appearance of policing is rather different from the internal reality with a concern about so called 'crime fighting' being the most prevalent aspect of the occupational sub cultures definition of what policing should be all about. At street level interaction with the public, the police have great power and also discretion in the use of that power. Muir (1979) reinforces the way in which police utilise discretion and their powerful position which enables them to negotiate situations between public and police 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 using street learned skills and behaviour. Whilst this apparent pragmatic approach to dealing with incidents appears appealing it is not without its possible 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.

The academic study of police has tended to revolve around the function of policing, with particular emphasis upon the occupational police subculture (Reiner 2010, Chan, 1997), so that the philosophy that underpins policing, in this case the democratic model of policing, has not received the attention it deserves. This has tended to become more and more the case in England and Wales since the introduction of the new managerialist approach into public services in general and the police in particular with the emphasis upon outputs as a key performance measure of success.

In many respects, despite its rise in popularity over the past two or three decades as an academic and general study area, it could be argued that the police function is still not fully understood as a philosophy in its own right, nor is the democratic model of policing which underpins policing in England and Wales.

Although policing has some core features globally, 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, for example, with its omnibus role which includes such activities as crime prevention, peace keeping, public order maintenance etc., 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, especially in terms of the use of force, are hallmarks of the source of legitimacy for the police in England and Wales (Bowling and Foster 2002), and is a major feature when discussing any democratic policing model.

Police use of force

As Punch (2011) rightly points out, in a democracy the states use of violence by its agents (the police for example) against citizens is embedded in checks and balances to ensure both legality and accountability. For example, when an officer aims their Taser at a fellow citizen, and has to decide whether or not to discharge the weapon, that moment is influenced by a number of factors such as training, social and other factors. Most importantly it reflects the very idea of the relationship between the police and the community they serve. In the UK this is reflected in the idea that the police 'police by consent' (Waddington 1991). This constantly changing 'contract' between police, state and citizens is an influential litmus test in the application of force (Punch 2011:5).

Alderson, (1984) when discussing the use of force by the police stated that this authority which is given to the police on behalf of the people has both legal and moral dimensions. It is in fact a power 'on loan', and the reason why excessive or overwhelming force should only be used as a last resort rests upon three main reasons. Firstly, the use of force is within the law only if it is done to avert the apprehended killing of another person. The doctrine of 'minimal force' exists here, as the force used should be commensurate with the object it is used to achieve. Secondly, the use of excessive force is a judicial act, as the officer is an agent of the law. If the act is committed within the law, it is judicial since

the officer is an agent of it, but outside the law it is a criminal offence and he/she may be charged accordingly. Thirdly, the act is irrevocable; nothing can restore the status quo.

Therefore the use of excessive or overwhelming force, which have resulted in deadly effect against apparently non-deadly force, mean the police have to be totally accountable. One of the most important concepts for police to remember is that the law is lacking in power if it does not have the general backing of the public or to put it another way, the police in using their law enforcing powers will generally be effective with public support and generally less effective without it. Succinctly put by Sir Robert Mark in the early 1970s 'the real art of policing a free society or a democracy is to win by appearing to lose' (Reiner 1998), highlighting that public sympathy and support is a more powerful weapon than water cannon, tear gas or plastic bullet, especially in everyday policing.

However, the reality is that there are no non fatal weapons, as any instrument can kill in the right circumstances and by use on certain people.

Writing some time ago, Jefferson (1990), when discussing what was seen as a drift to para-militarisation of policing at that time, suggested that the more resources were allocated to increasing the effectiveness of repressive technology, the more resources have to be placed into community relations to re-establish the public image of the force. The more technologically sophisticated, and hence impersonal, the systems of surveillance and technology, the more beat and community officers are needed on the ground, to restore balance between law and order.

The reason for this argument lies in understanding that the police are faced with an impossible choice of enforcing law or order. If the police merely enforce the law then their acceptance by the public will be minimal. Therefore there remains a contradictory choice of law OR order for the police. The order in this case is that of negotiated order, which the police refer to as discretion. The police organisational solution has been to institutionalise this contradiction in the form of an internal division of labour. Within this idea some officers, like community beat officers (in England and Wales neighbourhood policing teams), have the task of maintaining negotiated order, whilst others, such as specific crime investigation teams or response only police are charged with restoring 'statutory' order without any perceived constraints regarding the operations of policing at the local level.

Police use of Tasers in England and Wales

A Taser is a less-lethal single shot weapon designed to temporarily incapacitate a suspect through the use of an electrical current. It is a hand-held weapon similar in shape and size to a pistol, but is bright yellow in colour. The X26 Taser, used by the Metropolitan police in London, uses an electrical current which interferes with the body's neuromuscular system. It allows officers to deal with violent or potentially violent people at a distance. A Taser is usually held in a holster on an officer's belt (but can be carried in other positions if a firearms officer) along with other officer safety equipment. It is clearly visible, being yellow and black, designed to stand out and be identified as a Taser. The use of Tasers has also generated its own 'technical' police language which is important to understand when one considers its use. The following are common terms used:

- **Red dot** – The Taser has a laser sighting system which allows the officer to mark the suspect with a red dot. This has the advantage of letting the officer know they are on target and also letting the suspect know that they have been targeted.
- **'Arcing'** - This is a 'show of strength' aimed at deterring a suspect. This is achieved when the officer squeezes the trigger without the cartridge attached and the electric current flows between the two contacts at the end of the Taser. An audible and visual display of electricity crackling across the two contacts can be seen and heard.
- **Cartridges** – These contain a pair of wires with barbs attached that carry the electric current to the subject's body. The cartridge is clipped on to the front of the Taser. The Taser works by delivering an electrical charge to the body.

The use of Tasers works on two distinct levels. Firstly at the Psychological level. The Taser stands out, because it is yellow and black in colour. It also allows for the laser sight so that an officer can accurately aim the Taser as well as giving a clear shouted warning to the subject that they have been targeted.

According to the Metropolitan police, (Met. Police 2014), publicity through the press and on social media has meant that most suspects are aware of the effects of Taser and tend to surrender without the need to discharge the weapon. In the vast majority of cases it alleges, its presence alone was enough to bring the situation to a swift conclusion without the need for force to be used.

The second level of operation is that of Physiological. When fired Taser delivers a sequence of very short high voltage pulses that result in the loss of voluntary muscle control causing the person targeted to fall to the ground or freeze. In the X26 the voltage peaks at 50,000 volts and when it reaches the body it is substantially less. The volts are responsible for delivering the amps. Taser runs off 0.0021 amps at average performance. To explain this in different terms, volts deliver the amps to where they need to go. Amps can vary in size; to put this into context no more than 13 amps are needed to power a kettle. 32 amps are usually found running around a typical house. Two to three amps are enough to cause a person some harm. Taser runs on considerably less at 0.0021 amps

Whilst the Taser is designed to be used at a distance between the police officer and the suspect, it can also be used in an angled drive stun mode. It is said that sometimes distance cannot be achieved due to the suspect being too close to the police officer, and on some of these occasions it will be necessary for an officer to incapacitate the subject by carrying out an angled drive stun. This involves activating the loaded Taser close to the subject's body and then placing the Taser against another part of their body to incapacitate them. This use is problematic as some Police officers have been accused of using Tasers to inflict pain to gain compliance, a report by the police watchdog says. Concerns are also raised about the use of Tasers on suspects already in custody, in the findings by the Independent Police Complaints Commission (IPCC 2014c)

In addition the IPCC has major concerns about the use of Tasers in 'drive-stun' mode, where the Taser is applied directly to the body without a cartridge rather than fired from a distance. It suggests that there is a risk, given the increase in Taser use, that police officers could become increasingly reliant on using force to gain compliance. This appears particularly apparent in drive-stun mode.

The IPCC has called for reforms in guidance and training, and notes use of "drive-stun" by officers can occur when they are grappling with suspects and thus are too close to fire a Taser's barbs.

The fear is that when used in this way as purely a means of pain compliance, in several of the cases reviewed, it had the opposite effect, stimulating further resistance. The use of Tasers has trebled since 2009, increasing from 3,128 to 10,380 uses. The report further says the IPCC has particular concern about the use of Tasers on those already in custody and that this use is only justifiable

in exceptional circumstances, taking into consideration the controlled nature of the custody environment.

Problematic incidents

Given that the police are defined as a body that can use coercive force on the part of the state, how does this manifest itself in reality? Of course not all incidents involving police use of force are problematic, but there are some difficult problems for the police to account for when it comes to the use of stun guns and Tasers. It is these incidents that receive much media attention and there seems to be some commonalities when one examines cases from different countries utilising similar equipment. The following incidents are just some example from across the world that are utilised for discussion purposes.

Australian examples

- a. Two Western Australian police officers convicted of assaulting an Aboriginal man by repeatedly shooting him with a stun gun in a lock-up have been given suspended jail terms and fined. While the defence had argued the policemen's actions were justifiable because 'the man' was uncontrollable, the court heard from an expert witness that police were instructed not to use the devices for the purposes of ensuring compliance. (Guardian on line 2014a)
- b. A police officer who assaulted Brazilian student Roberto Curtis during his fatal arrest in Sydney's CBD has escaped a conviction. Curtis died in the early hours of 18 March 2012 after a chase and violent struggle with police in which he was shot with a stun gun, handcuffed, hit with pepper spray and knelt on. Following an inquest into his death and a lengthy local court hearing into the matter, A Senior Constable was the only one of three police officers to be found guilty of his assault on Tuesday. (Guardian on line 2014b)

English and Welsh examples

- a. Following a report that a man was seen waving a sword, a description was circulated that showed the person to be white, mid twenties wearing grey clothing and wither bald or with a skin head hair cut. In all, a total of six separate descriptions of the individual concerned were circulated to officers. A police constable who was single crewed assisted other officers in looking for the individual. He drove past a street and saw a man walking with something in his hand. The constable challenged

the man from behind but he did not stop. Subsequently, the police officer tasered this individual causing him to fall to the ground. He then handcuffed the individual and went to pick up the 'sword' to find it was in fact a white walking stick. The individual was an elderly man, did not fit any of the descriptions circulated and had been using the white stick to walk with. The officer was subsequently dealt with under the police code of conduct for not carrying out the necessary checks regarding identification and for not exploring other tactical options before using his Taser. (IPCC report 2014a)

- b. At the scene of a public disorder incident involving youths, a passerby intervened to prevent a serious assault taking place and provide assistance to an injured girl. Having assisted in apprehending an assailant as well he remained at the scene until police arrived. Two police officers arrived and tried to push this person away and for some reason focused their attention upon him. An altercation took place, the upshot of which was the use of a Taser by a third police officer on the man who had been of assistance. Once on the ground and whilst police officers were handcuffing him, he was tasered again. The police officer who tasered this individual apparently left the police force before the investigation was concluded. (IPCC 2014b)

What these examples illustrate is how quickly incidents can develop and escalate. Of course, public disorder incidents are rarely simplistic and police officers have to make split second decisions which are life or death on many occasions. Notwithstanding the individual issues within each case highlighted above, one of the 'fallouts' of these incidents, either individually or when contextualised with other incidents, is the problem they cause for the very important concept of police legitimacy.

Police legitimacy

In any democratic policing model the acceptance of police legitimacy is paramount for the police and community to work together (Tyler and Huo, 2002). Police legitimacy has been described as the right to rule and the recognition by the ruled of that right. Therefore despite the fact that police organisations are given the right to rule by the state or government, legitimacy only exists when it is perceived by the public. Research suggests that legitimacy traditionally captures the degree to which citizens have trust and confidence in authorities and importantly are willing to obey the directives of authorities such as the police (Hough et al 2010).

INCARCERATE OR REHABILITATE?



When you choose Law at Murdoch University, you choose a dynamic legal education that encourages critical and open thinking, to help you find real world solutions to issues challenging our legal system today.

With strong ties to the West Australian business and legal community forged over 25 years, our Law School offers programs designed to give you the knowledge and tools to advance your career.

We provide a world-class learning environment with programs offered in Migration Law, Criminology and

Chinese Law. You can also tailor your qualification to suit your interests by combining complimentary fields, such as Forensic Science and Business.

With an existing undergraduate degree, you can complete a Bachelor of Laws in three years, instead of four. Or expand upon your Law qualification and conduct research at an advanced level with our Master of Laws by Research.

Applications for mid-year are now open.

Visit murdoch.edu.au

**DISCOVER
LAW AT
MURDOCH**



CRCOS Provider Code 001231 | MDSCH-00_04_15

NEW RELEASE NOW SELLING



LAND LOTS
from **\$209,000***

2 BED HOUSE & LAND
from **\$307,900***

3 BED HOUSE & LAND
from **\$382,000***

4 BED HOUSE & LAND
from **\$440,100***

Fitzgibbon Chase residential estate offers everything now, located just 13km from Brisbane CBD and minutes from public transport, shopping, schools, entertainment, health and fitness, cafés and local clubs.

**Visit our Sales Centre
and 17 home Display Village
on Roghan Road, Fitzgibbon**



1800 105 344
fitzgibbonchase.com.au

**TASMAN
RESERVE**



*Prices correct at time of printing. See website for further details.

Additionally, whether the police and the public are morally aligned, by sharing similar values for example, has been seen to be an additional and important element of police legitimacy. Further research also suggests that there are two key elements that support legitimacy (Tyler 2003). The first is the way people perceive police performance. This means how well the police do their job, as police will not achieve the legitimacy they need if they lack the ability to be successful in carrying out their core functions, which is tackling control crime and disorder. The second is what has been termed 'procedural justice', which is broadly speaking the quality of police treatment and the quality of police decision making.

There are several key elements of procedural justice, they being dignity and respect, trustworthy motives, neutrality and voice. When police treat people with respect, demonstrate trustworthiness, are neutral in their decision making and provide people with an opportunity to participate in the process and air concerns before decisions are made, people are more likely to believe police are being procedurally just. It is the widespread use of procedural justice that is one of the most effective ways to promote police legitimacy. Procedural justice is important therefore for fundamental reasons, but there are some other important reasons why it should matter. The first is that people tend to comply with the law when the police are not around. Compliance with the law is not purely explained solely by the threat of punishment or the use of coercive power. Additionally, utilising this approach will make the police more effective in their work of controlling crime and disorder as they will be able to ensure valuable assistance from the general public, including those considered as the most vulnerable in society. Communities can help the police become more efficient in their day to day activities in their crime control and prevention work.

Technological developments in intermediate force may also have encouraged excess. Most police forces adopt a 'continuum of force' (Kleining 2014) that matches situations of proportionality (appropriate levels of force); although officers it would appear can increase their use of force to ensure control over a situation. As these types of technologies have improved, the temptation to use more force than necessary has grown.

Rather than engaging in the harder work of persuading citizens to accede to police demands and thereby acquiring control over a situation, using or threatening to use Tasers to ensure conformity has become common. This is in fact acknowledged by an ACPO (UK) question and answer blog dated July 2013, whereby it states;

In the majority of cases involving Taser, the mere threat of its use has been enough to deter assailants and ensure a peaceful resolution of the incident.

(ACPO 2013)

Clearly the development of non injurious control technologies is to be welcomed. The development of Tasers provides police officers with the opportunity to use less force than a situation might otherwise demand. However, the problem lies when the Tasers have come to replace less invasive and more humane ways in which police can assert their social and legal authority

Conclusion

Policing is and always has been a difficult job. Manning (2008) has referred to it as an impossible mandate, with its duality in terms of enforcing law and engaging in community relations with the public. Policing takes away our rights on occasions and defends them on other occasions. In times of economic austerity or national threats such as terrorism, the role of the police becomes even more difficult. There is the perhaps naturalistic tendency to look to technology for an answer to difficult questions posed by such threats. In terms of personal protection, and a non lethal use of force alternative, the Taser appears to fit into that category. It enables the police to protect themselves and the public.

However, there are concerns regarding its use, or rather misuse, in different parts of the globe. The role of the police in a democratic society is to 'protect and preserve life' and 'protect and serve'. In order to achieve that they are charged with special powers, the ability to use coercive force under the minimal use legalistic framework. The apparent misuse of Taser/stun guns and the apparent rise in the incidents that appear to highlight this misuse, not only leads to prosecution cases against individual police officers and forces, but can actually undermine the very legitimacy that allows the police to use force on our behalf in the first place.

Rather than using the Taser/stun gun as the first option, they should be considered as weapon of 'nearly last resort' and then only to be accompanied by a rigorous accountability and investigative process into its use. Only by adopting such an approach can the public be confident and supportive of their police, whilst the misuse of Tasers will ultimately be reduced.

References

- ACPO, (2013), Taser Blog, available at <http://www.acpo.police.uk/ThePoliceChiefsBlog/201302TaserBlog.aspx>, accessed 11/03/15
- Alderson, J. (1979), *Policing Freedom*, Plymouth, Macdonald and Evans.
- Alderson, J., (1984), *Law and Disorder*, Hamish Hamilton, London.
- Banton, M., (1964), *The Policeman in the Community*, London, Tavistock.
- Bittner, E. (1980), *The Functions of the Police in Modern Society*, Oelgeschlager, Gunn and Hain Publishers, Cambridge, Mass., USA.
- Bowling, B and Foster, J. (2002), Policing and the Police, in *The Oxford Handbook of Criminology*, (3rd edition) pp980-1033, Oxford, Oxford University Press.
- 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.
- Guardian on-line (2014a) <http://www.theguardian.com/world/2014/jan/22/wa-police-officers-given-suspended-sentences-for-assault-on-aboriginal-man> accessed 25/03/15
- Guardian On line (2014b), <http://www.theguardian.com/australia-news/2014/dec/16/police-officer-roberto-curtis-fatal-arrest-escapes-conviction-assault> accessed 25/03/15
- Holdaway, S., (1983), *Inside the British Police-A Force at Work*, Oxford, Blackwell.
- Hough, M., Jackson, J., Bradford, B., Myhill, A., and Quinton, P., (2010), *Procedural Justice, Trust and Institutional Legitimacy*, Oxford Journal of Policing, Vol 4, Issue 3, pp 203-210.
- Jefferson, T., (1990), *The Case against Paramilitary Policing*, Buckingham, O.U. Press.
- IPCC (2014a), Case of mistaken identity, available at http://www.ipcc.gov.uk/sites/default/files/Documents/learning-the-lessons/21/Bulletin_21_Case3.pdf
- IPCC (2014b), Taser mistakenly used on Good Samaritan, available at http://www.ipcc.gov.uk/sites/default/files/Documents/learning-the-lessons/21/Bulletin_21_Case9.pdf
- IPCC (2014c), IPCC review of Taser complaints and incidents, available as a download at http://www.ipcc.gov.uk/sites/default/files/Documents/guidelines_reports/Taser_report_final_2014.pdf.
- Kleining, J. (2014), *Legitimate and Illegitimate Uses of Police Force*, Criminal Justice Ethics, 33:2, 83-103.
- Klockers, C., (1985), *Idea of Police*, California, Sage.
- Met Police (2014) <http://content.met.police.uk/Article/What-is-Taser/1400015952958/1400015952958> accessed 12/03/15
- Manning, P.K., (2008), *The Technology of the Police*, New York University Press, New York, USA.
- Police Federation, (2015), **Federation vote for policy change on Taser, available at** <http://www.polfed.org/newsroom/2537.aspx>
- Muir, W.K. (1979), *Police- Street Corner Politicians*, Chicago, University of Chicago press.
- Punch, M, (2007), *Zero Tolerance Policing*, Bristol, Policy Press.
- Punch, M, (2011), *Shoot to Kill: Police Accountability, Firearms and Fatal Force*, Policy Press, Bristol.
- Reiner, R. (1998), Policing, Protest and Disorder in Britain, in Della Porta, D. and Reiter, H. (eds), *Policing Protest, The Control of Mass Demonstrations in Western Democracies*, University of Minnesota, Minneapolis, USA.
- Reiner, R., (2010) *The Politics of the Police*, 4th Edition, London, Oxford University Press
- Tyler, T. R. And Huo, Y. J., (2002), *Trust in the Law: Encouraging Public Cooperation with the Police and Courts*, Russell Sage Foundation, New York.
- Tyler, T. R., (2003), "Procedural Justice, Legitimacy and the Effective Rule of Law" in Tonry, M. (ed.) *Crime and Justice-A Review of Research*, 30, University of Chicago Press, Chicago, USA.
- Waddington, P.A.J., (1991), *The Strong Arm of the Law: Armed and Public Order Policing*, Oxford University Press, Oxford.

Incident Command Decision-Making: Perception vs Reality

Dr Amanda Davies, CSU

“Management is doing things right; leadership is doing the right things.” ~ Druker

As the world turns to building resilience to the increasing threats to global and local peace and order research initiatives which inform on the training endeavours designed to advance decision-making skill development for incident commanders becomes a compelling imperative. In the often chaotic fast paced business of policing it is understandable that officers have little opportunity to pause and take stock of how the reality of decision-making experience transforms from perception to reality. This paper discusses a research project which traced the learning experience for a cohort of senior officers as they transitioned through an Incident Command and Control simulation based learning exercise to application on the frontline of policing. The key focus of the research was to identify the factors and their relative importance which are perceived to influence decision-making during management of a high risk high stakes policing response and whether in the reality of application the influential factors and their ranking change. A pre and post simulation survey was conducted followed by a field based interview four months post simulation participation. The findings suggest a clear shift in the factors and their level of influence identified prior to the simulation exercise and a further shift when decisions are made in the field of operation. The findings have implications for the strategic positioning of simulation based training and its content within police education and training for operational policing. More widely the findings offer guidance for education and training initiatives for practitioners in professions with responsibilities for emergency management.

Key words: Police, Emergency Management, Decision-making, Simulation-based learning

Introduction

The study of decision-making generally and specifically as it relates to policing is well documented (Alison & Crego, 2008; Flin & Arbutnot, 2002; Klein, 2008; Phillips & Sobol, 2012; Useem, Cook & Sutton, 2005; Takada, 2004; Zsambok & Klein, 2014). In the main the discussion is centred on decision-making that has contributed to positive outcomes, that which has inhibited the realization of preferred outcomes and how organisations can learn from both situations in developing best practice models for decision-making in the future. This focus resonates with the goals articulated by Klein (2008, p. 456) in stating:

The NDM focus on field settings and its interest in complex conditions provide insights for human factors practitioners about ways to improve performance.

The study reported here draws the focus to understanding how experienced field based officers' perception of the factors which influence decision-making in high risk high stakes situations are influenced by simulated and real world policing application. Developing an understanding of the difference between perception and reality for those in the 'hot seat' contributes to the broader research imperatives and discourse for developing education and training initiatives in this domain.

Case Study

The case study followed the journey of 29 senior ranked operational police officers with an average length of service of 26.5 years as they participated in an Incident Command and Control (ICC) Training program. The subsequent application of the training in a public order simulated learning exercise followed by application in their real world field of operation. Whilst the wider study in which the officers participated involved exploration of a number of researchable issues, it is the data which provides insight into factors which influence police officers in their decision-making which has been drawn from the wider study for discussion as the center of interest in this paper. The study involved identifying the factors which influenced the officers' decision-making at three points in time on their learning continuum i.e. pre simulation, post simulation and in operational policing. The key purpose of the research was to (1) develop an understanding of the factors senior police officers identify as influencing their decision-making and (2) how these may change in level of importance in the reality of application to a simulated and real policing incident. To contextualise the data and discussion presented in this paper it is valuable to offer a brief explanation of the simulation environment and scenario involved in the case study. The Hydra/Minerva simulation environment designed by Professor Jonathan Crego (Crego, 1996) in which the ICC simulation is conducted consists of:

- a plenary/lecture room which acts as both a briefing and debriefing room
- three or four syndicate rooms containing a computer, video screen, telephone, each of which is networked to the control room, conference table and whiteboards; the rooms are outfitted with the equipment the participants would need in a real life event
- a fixed command support/control room from which each syndicate room is monitored via closed-circuit television and boundary microphones. The technology network enables the feed of information to the participants; it may consist of intelligence briefings, police radio traffic, newscasts, or telephone calls. Officials control the exercise and feed of information to the trainees. The control room houses the subject matter experts, program training staff, and replicated police radio communications.



Figure 1 – Graphic depiction of Hydra/Minerva simulation environment (Davies, 2013)

Table I – Participant level of decision-making confidence and competence (n = 29) (Davies, 2013, p. 164)

Question No.	Very Strongly Agree	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree	Very Strongly Disagree	N/A
Q.7: "As a police officer I feel confident in my decision-making skills".	4	13	12					
Q.8: "I consider I am perceived by my peers as competent and reliable in my decision-making".	2	15	11	1				
Q.9: "I consider I am perceived by my supervisors as competent and confident in my decision-making".	3	14	11	1				

In this study a simulated policing scenario depicting an emerging public order incident is rolled out in real time (e.g. if it takes 1 hour for a resource to arrive in a real world incident, similarly, it takes 1 hour in the simulated environment). Information is relayed into the team 'pods' via telephone, police radio and computer similarly the teams are able to communicate via these tools as would be employed in a field based incident. Participation in the ICC simulation is undertaken on the 5th and final day of an Incident Command and Control course a goal of which is to prepare officers to apply the ICCS decision-making model in their field based operations.

The paper is not intended to provide a discussion centred on the psychological influences on decision-making. There is a plethora of work conducted in this area reaching back through the centuries. A comprehensive collation of the foundation literature published in relation to human factors influencing decision-making and particularly as it relates to the military field is offered in the work of Jacobs and Gaver (1998). The following discussion of the way in which the reality of applying learned knowledge and skills for decision-making is influenced by the reality of application has the potential to resonate across the many and varied professions similarly accountable for managing emerging or existing high risk situations e.g. medical, military, fire and rescue.

Data Collection

To enable the capture of the participants' views from a range of sources a mixed method approach to data collection was employed which included surveys with Likert scaled and open ended questions and field based semi-structured interviews. A wealth of literature advocates for this triangulated approach to data collection as an avenue for eliciting a potential rich source of complementary data. The seminal work of Neumann (1994) followed by Erzberger and Kelle (2003) and Bergman (2008) suggests that combining both qualitative and quantitative data offers a conduit for in-depth understanding of case study participant experiences. As an objective of the research was to understand what changes, if any occur to the influences on decision-making in high risk, high stakes policing the data collection was conducted in three phases.

Firstly, the conduct of a pre-simulation survey with Likert-scaled and open ended questions the objective here to identify the factors which influence decision-making and those anticipated to influence decision-making in the simulated scenario. Secondly, completion of a post-simulation survey with Likert-scaled and open ended questions was designed to capture the participants' reflection on the factors which were realised as influential in the application of decision-

making skills in the simulated policing incident. Approximately four months post-simulation participation, the third data collection phase conducted consisted of semi-structured interviews with the case study participants in their field based environment. The primary focus of the semi-structured interview questions was to develop an understanding of the post training and current influential factors on the officers' field based decision-making.

Phase One – Perceived factors influencing decision-making

To contextualise the premise from which the participants' offered their insights into the factors which influence decision-making three sets of data were collected. This data is helpful to understanding how the participants viewed not only their own level of confidence and competence, it also offered their insight into personal attributes and workplace experience which influence the development of decision-making skills. The data in Table I presents the participants' perspective on their level of competence and capability in decision-making and is not unexpectedly consistent with the participants' length of service and operational experience.

Underpinning the classified levels of confidence presented in Table I are the factors these officers determined as being important personal attributes which provide the basis for building confidence, competence and capability for decision-making in the policing domain. There is a wealth of literature the focus of which is the role of personality traits on decision-making. Examples of such work is evidenced by de Bruin, Parker, & Fiscoff, (2007) which suggests that personal individual differences may contribute to influencing decision-making. T

he work of Bigley and Roberts (2001) and Rand and Epstein (2014) provide insight into the role of personal individual traits in decision-making for emergency and or high risk situations. In this study the participants' identification of such traits is valuable in the consideration of the factors which influence their decision-making at the point of application.

It is interesting to note the earlier work of Van Fleet and Yukl (1986) as discussed in the literature review by Jacobs & Graver (1998) which explored the personal traits and skills of military leaders identified key areas of influence on decision-making as a combination of (1) personal characteristics: ethical conduct, personal integrity; leadership effectiveness and achievement; willingness to assume responsibility; courage, daring; emotional balance and control; intellectual skills; social and interpersonal skills and (2) work based skills: maintaining coordination and team work and technical skills.

Crime Prevention Through Environmental Design



Landmark applies Crime Prevention Through Environmental Design (CPTED) principles to every restroom we produce:

- Visibility
- Natural internal lighting
- Surrounding external lighting
- Natural access control
- Anti-vandal materials
- External hand basins

Landmark appreciates the frontline defence provided to our communities by the Police Force across Australia.

Call 1300 768 230
landmarkpro.com.au



More of the World for Less
GATE 1
www.gate1travel.com.au

34 Years
34 Years
 In Business



See more of the world for less with Gate 1 Travel:

Gate 1 Travel is one of the world's most trusted tour operators and offers first class tours at affordable prices.

SAVE \$100 per person on your next holiday!

Mention promotion code AIPOL100A and you'll save \$100 per person* on any Gate 1 Travel escorted tour or river cruise.

1300 653 618 • gate1travel.com.au

Subscribe to WIN

Sign up for our free email newsletter to receive special travel deals and go into the draw to WIN a deluxe Danube River Cruise for two!

Enter at www.gate1travel.com.au

*Promo AIPOL100A valid until 30 June, 2015. Discount only applies to new bookings on escorted tours or river cruises and may only be used once per person. Discount cannot be combined with other offers. Normal booking conditions apply at www.gate1travel.com.au or call 1300 653 618. ABN 74 169 034 575. ATAS accreditation number A11423.

INTERNATIONAL WOMEN IN LAW ENFORCEMENT CONFERENCE

LEADERSHIP, COLLABORATION & SECURITY

6 - 8 OCTOBER 2015

The SVP National Police Academy, Hyderabad, India is delighted to host the International Women in Law Enforcement Conference – Leadership, Collaboration & Security 2015

This prestigious event intends to galvanize a powerful law enforcement constituency, contribute to the ongoing development of resilient and efficient organisations, strengthen skills and competencies of future women leaders and influence inter-regional networking.

This Conference is being organised by partner Institution, Charles Sturt University, Australia.

For further information and to book your place, please register at:
<http://www.csu.edu.au/conference/policing/intl> or email intlconference@csu.edu.au

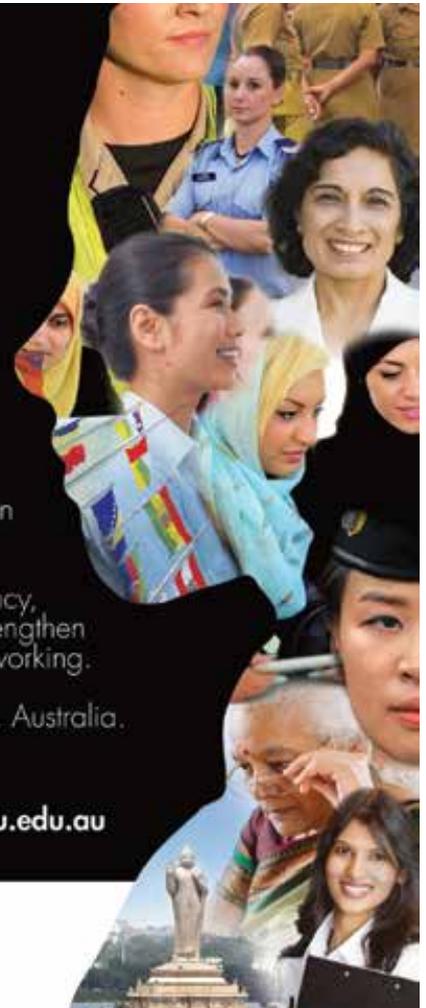


Table II – Personal attributes contributing to building decision-making capability (n = 29) (Davies, 2013, p.167)

Personal Attributes			
Category	Inclusion	No. of responses identifying attribute	Examples of participant responses
Personal characteristics	Decisive Confident Calm Fair/firm Ethical/honest Empathetic	20	“common sense, fair and firm”, “decisive”, “ability to remain calm”, “not getting too excited –wound up, clouds judgment”, “integrity, belief in own ability”, “calm, caring, honest”
Strength of character	Courage of convictions to follow through on decision Leadership Ability to make unpopular decisions Ability to direct	19	“strength of character”, “courage to make difficult and at times unpopular decisions”, “ability to make decision and stick to it facing the consequences of decisions right or wrong”
Humility	Acceptance of errors and capacity to learn from failures Ability to not blame others Ability to accept advice/ reassess Adaptable/flexible	17	“ability to consider alternatives”, “ability to seek advice”, “being able to admit mistakes and learn from them”, “ability to reassess when other information is made available”
Analytical skills	Problem-solving ability Logical Ability to remain impartial Patience Focused	14	“ability to quickly digest complex situations and make decisions”, “ability to digest information”, “analytical, logical”, “analytical thinker, problem solver”
Trust in others	Trust in the ability of others	8	“ability to seek advice”, “trust in others”, “know your people”, “take in different views”, “willingness to listen to others”, “ability to comprehend others and understand their capabilities”

These traits align with the responses presented in Table II which were collected from participants in 2010, indicating a potential enduring core set of characteristics for decision-making in unpredictable, high risk situations.

The value of presenting the background perspectives on the contributing factors to good decision-making as provided in the participant pre-simulation survey responses is two-fold. Firstly it provides an additional lens through which to view the following insights into the factors the participants identify as influential in their decision-making both in the simulation and their operational application; and secondly it builds a participant pre-simulation decision-making profile.

To complete the pre-simulation decision-making profile participants were asked to identify the work and experience based factors contributing to the development of decision-making competence. This was an important data collection inclusion as there is much work that points to the influence of past experience on decision-making and this

is a central tenant – what factors influence at the point of application – of the study discussed in this paper. As Crego (2004); Flin & Arbutnot (2005); Juliusson, Karlsson, and Garling (2005); Rand & Epstein (2014) and Sagi, & Friedland, (2007) discuss past experiences influence in varying ways future decision-making application. Table III summarises the responses received to this question. The responses have been collated into category themes with key indicators of the contributing experiences followed by the number of responses which were collected under the category.

Completing the pre-simulation decision-making profile of the participants is their response to the factors they consider contribute to poor decision-making. Figure II offers a graphical representation of the proportional influence of factors which the participants proffered as contributors to poor decision-making. It is interesting to note the factors identified in Figure II and their alignment with those presented in the following Table IV as there are mirror images.

Table III – Work/Experience based factors contributing to development of decision-making competence (n = 29) (Davies, 2013, p.166)

Contributing factors to development of decision-making competence		
Category	Inclusion	No. of responses identifying these factors
Operational police experience	Practice making decisions Application of decision-making skills Trial and error Decision-making in critical situations (life and death) Observation of effect of decisions made	29
Education	On-the-job training Internal NSW PF courses External education (for example university)	14
Observing other officers (senior and junior)	Observing good decision-making in practice Observing how senior. officers make decisions Observing the success and failure of decisions made by both senior & junior officers	14
Mentoring from senior officers	Receiving feedback from senior officers on decisions made on the job Shadowing others in senior roles	7

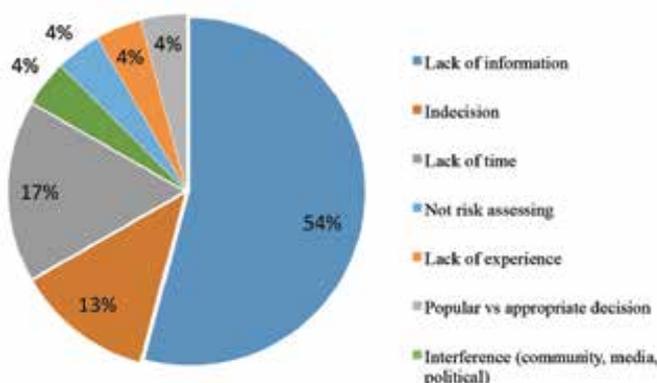


Figure II – Factors identified and ranked as contributors to poor decision-making (Davies, 2013, p.174)

Pivotal to understanding the impact of experience in application of decision-making is to identify the commencing (Phase One) set of factors which the participants distinguished as key considerations for decision-making and align those to the factors identified at each application stage i.e. simulation and field based. Table IV presents the influencing factors at Phase One of the study and is represented during the discussion of Phase Two and Phase Three populated with the factors and their ranking at these further two points in time during the study. Of note is the emergence of a common set of criteria through Tables II, III and IV, whilst expressed in a variety of language and viewed through from differing perspectives the resultant responses are complementary across and within the categories. Similarly, the participants’ responses to the factors which influence the development and application of good decision-making practices validated those identified as contributing to demonstration of good decision-making skills.

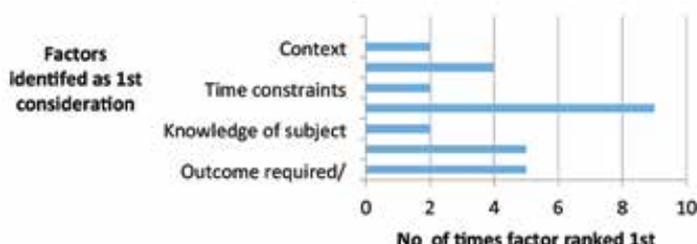


Figure III – Factors ranked as 1st consideration for decision-making pre-simulation (Davies, 2013, p.170)

The analysed data presented in Table IV and represented in Figure III is drawn from the ranking participants placed on the influencing factors for their decision-making. Reviewing the factors participants indicated contribute to poor decision-making (Figure II) i.e. lack of time, not risk assessing, lack of information in light of the factors presented in Table IV as being key considerations for decision-making illuminates the significance of these factors in the decision-making process.

Table IV – Identification and ranking of Phase One factors influencing decision-making

Factor	Pre-simulation	Post-simulation	Field based
NSWPF policy	1		
Risk (safety to officers & others)	2		
Outcome required	2		
Impact of decision	3		
Time constraints	4		
Context	4		
Knowledge of subject	4		
Knowing your people			
Community perception/media/political			
Consultation			

Phase Two – Factors which affect decision-making in the simulation environment

Central to the consideration of the participants’ reflections on the factors which contributed to their decision-making during the Hydra/Minerva simulation exercises is establishing their view of the realism of the simulated environment. This is an important aspect in training initiatives in the process of underpinning learning outcomes by establishing authentic situated learning environments. Establishing simulation exercises and environments which participants consider is reflective of the real world contributes to the credibility of findings emanating from the study of learning experiences in the simulated environment. To capture the sense of realism, engagement and immersion experienced by the participants in the ICC simulation exercise data was collected through exploring their view on a number of different aspects of the experience. The response to the post-simulation question: I consider the scenario depicted in the simulation was reflective of real situations, the 21 respondents agreed with this statement. Participants were asked in the post-simulation survey to comment on the sense of realism they experienced in the simulation exercise. Table VI presents the collation of the responses by category and provides an example of the response and provides a rich insight into the participant experience and observation in relation to the realism of the simulated environment. The factors indicated by the participants offers a valuable contribution to the design of simulation environments, particularly those aspects related to the category of elements presented in Table VI features within the simulated environment.

Table VI – Elements influencing realism of ICC simulation (n=12) (Davies, 2013, p.132)

Element	Comments
Pressure	"I felt under pressure, was very realistic in the sense of calls coming in just like they do in the real world. For example when I was trying to get a bus, I couldn't get a bus" (P.8)
	"It is difficult to create an atmosphere that produces the pressure of a reactionary incidence policing event that is taking place through the simulation exercise it did provide an environment that the expectations of participants to perform at a high level are real" (P.18)
Timing	"Time just disappeared [during the exercise] because it was a continuing exercise and felt real" (P.23)
	"The real time based incident gives you a sense of realism" (P.21)
Accuracy of information	"Making decisions on what you have been told ... and that is not always straight forward, some of the information was conflicting ... it is reflective of real time you don't often know for certain what is actually right" (P.4)
Environment (incident details)	"As the real time based exercise progressed it gives you that sense of realism and you find yourself quickly immersed in the incident whatever role it is you are playing" (P.21)
	"As soon as we started the radio started blaring as we started working on the map, time logs, listening making decisions it felt like we were there" (P.16)
Environment (noise)	"The noise, the participation of everyone else and that is just like a real situation" (P.1)
Resources	"For example when I was trying to get a bus I couldn't get a bus just as happens in reality" (P.8)
	"Just like in the field, we were trying to find units, there was a highway patrol we couldn't find, we were waiting for Intel to come in and resources to arrive" (P.24)
Expectations	"Very close to real life jobs that go on, the detail and expectation are very similar to what happens in the field" (P.15)
Stressful	"Hectic and stressful at times, you lose the thought process that it is just a simulation exercise" (P.21)
Real time incident detail	"I appreciated the use of an actual past incident for the exercise as I have been involved in other exercises which in my view would not be reflective of real situations" (P.21)

The responses as presented in Table VI indicate the participants experienced a sense of realism and engagement in the ICC simulation environment. Extending an understanding of level of realism and engagement experienced is assisted through capturing the sense of immersion and presence experienced by the participants. There is a plethora of literature developed over the past 40 years devoted to the concepts of immersion and presence (see Dede, 2009; Sadowski & Stanney, 2002; Santos et al., 2005; Slater, 2004; Slater et al., 1996). The general acknowledgement is that immersion is experienced when the environment elicits a suspension of feeling that it is a simulated environment and the participant is able to interact/action in the environment as they would in the real world. The explanation offered by Dede (2009, p.66) reflects this general acknowledgment and is reflected in the comments offered by participants in relation to their experience and as presented in Table VI:

Immersion is the subjective impression that one is participating in a comprehensive, realistic experience ... immersion ... involves the willing suspension of disbelief, and the design of immersive learning experiences that induce this disbelief draws on sensory, actional and symbolic factors.

The importance of identifying that the participants considered the simulated environment to be reflective of the real world and for them to act and react as they would in a real world policing incident contributes to the validity of the data in relation to factors which influence decision-making in the simulated environment.

Table VII presents the participants identification of the factors which influenced their decision-making in the ICC simulation exercise. It is at this point that there is an emergence of the influence application of decision-making skills has on the factors which participants identified as the key contributors to their decision-making (as presented in Section 2.2).

Table VII – Factors and their ranking influencing decision-making in the ICC simulation

Factor	Pre-simulation	Post-simulation	Field based
NSWPF policy	1		
Risk (safety to officers & others)	2		
Outcome required	2		
Impact of decision	3		
Time constraints	4	2	
Context	4		
Knowledge of subject	4		
Time as it relates to leadership and resilience to retain strategic direction	4	2	
Knowing your people & your team		1	
Consultation		3	
Community perception/media/political			

It is valuable to provide the background explanation to the factors identified by the participants as having the major influence on their decision-making in the simulation. It is interesting that the factor identified as knowing your people and your team was not one of prominence prior to the application of decision-making skills in the ICC simulation exercise. An indication of the prominence of this factor is realised in 11 of the 13 participants identifying this element as their immediate response when discussing the decision-making process they undertook in the simulated environment. Whilst this element was not evident pre-simulation the recognition that this element is influential in the decision-making process for commanders of high risk high stakes incidents may have gained further prominence due to the commanders in the simulated environment being required to work with others whose capabilities of whom they did not have prior

knowledge. An example (Davies 2013, p. 188-189) of this reflection and articulation is evidenced in the voice of Participant 4:

... personal knowledge of the commanders on the ground is critical, gives you an element of confidence you know that if you get advice from them then if you know their capability and skill level you can say that is a good thing or not.

Similarly Participant 13 commented:

.. one of the biggest things about making decisions is the team you are working with if the team is switched on then ability to make decisions is amplified.

In referring to the valuable learning aspects experienced from participation in the ICC simulation, collegiality and team work were identified by the participants as a key learning outcome. Here providing additional support to the importance of this factor in the decision-making process. In light of the team work required in managing a response to high risk and high stakes situations across a multitude of professions, this insight offers guidance to the planning and preparation of both education initiatives and real world application. Irrevocably connected to the element of team work is consultation. It is interesting to note that this element was separately identified, giving it a level of prominence which could not be ignored. Here also embedded in this element is the notion of consultation also impacting on knowledge of subject and risk. These two factors were not identified specifically as influencing the decision-making process in the simulation, however, it is reasonable to acknowledge that consultation brings with it the potential for advancing information in the area of risk and knowledge of subject.

A further element identified at this junction was the notion of time as it relates to strategic decision making. There would be little argument from those responsible for managing high risk situations that time is a critical factor and generally there is not enough time. Here the participants identified the importance of making time to be able to step back from the detail and continue to monitor the strategic approach to the application of decision-making often difficult to maintain in the 'heat of the moment'. Whilst identified as challenging to find the time and maintain the sense of detachment to view the management from a strategic perspective, it was nonetheless identified as an essential key factor influencing the decision-making process.

The shift in prominence of the factors influencing decision-making in the field of application when considered in the light of those identified pre simulation and post simulation has valuable insight to offer to police and command training more generally.

Phase Three – Factors influencing field based decision-making

As the participants indicated the ICC simulation environment was representative of the policing incidents in the real world of operational policing. It is therefore reasonable to expect that the factors which influence decision making in the field would have an alignment with those identified in the simulated environment. For those practitioners with responsibility for making decisions in their field of operation which contribute to managing responses to emerging or existing high risk and high stakes situations the data in Table VIII has the potential to find ready recognition.

The factors which influence decision-making in the field of operation do not readily identify as individualistic elements. Whilst the data indicated the level of priority of influencing factors the participant responses indicated the interdependent influence of the factors on each other. The risk factor (safety to officers and others) whilst identify by the participants and the number one priority in their decision making, the

participants were at length to explain the interdependency and that safety did not stand alone. For example Participant 21 suggested that officer safety as “paramount and is foremost in my mind when making decisions” and it is in parallel to consideration of “making sure we have the resources, but at the same time what kind of risks am I exposing my people to” (Davies, 2013, p. 201).

Similarly, the participants explanation of the factors which influence their field based decision-making acknowledge that the elements intertwine, for example the time available to make decisions is dependent of the critical (level of risk) nature of the incident. Underpinning the identification of the factors which influence field based decision-making is, until this phase an unspoken element. The level of experience of the person making the decisions. Participant 13 made the following observation which was tied into their identification of time available as an influential factor:

... sometimes you don't get the opportunity [to take the time to sit back and work through a process] you have to go on a gut feeling and go quickly and there is a lot more to that gut feeling ... **all the things that are stored in your head at the time.** (Davies, 2013, p. 200).

The suggestion that experience is a factor influencing decision making as an underpinning element emerges also from the words of Participant 21 in commenting:

... depending on the amount of time available either relying on skills and experience in snap decisions or taking more time to make a strategic decision, sometimes we just need to do it [make decisions] intuitively, and get it done on the run, that is the nature of the job.

Table VIII – Factors influencing decision making Phase One to Three

Factor	Pre-simulation	Post-simulation	Field based
NSWPF policy	1		3
Risk (safety to officers & others)	2		1
Outcome required	2		1 (critical nature of incident)
Impact of decision	3		
Time constraints	4	2	2
Context	4		
Knowledge of subject	4		
Time as it relates to leadership and resilience to retain strategic direction	4		
Knowing your people & your team		1	
Consultation		3	
Community perception/media/political considerations			3

Of note here is the emergence of the factor labelled ‘Community perception/media/political considerations’. In the context that the participants were providing their recall and observation of the factors influencing their current field based decision-making the reality of being in the public domain comes to the fore. The ever present knowledge, whilst not always articulated, that police decisions are open to public and organisational scrutiny and accountability offers a level of influence which permeates through operational police work.

The data presented in Table VIII for the field based identified factors has been drawn from the field based interviews conducted approximately four months post-simulation participation by the officers.

Conclusion

The current political and social climate combined with the vast array of social media and digital technology mediums has brought an increased intensity on the accountability of decision making by

those tasked with incident management. The corresponding rush to build the capacity and preparedness of decision-makers in the incident management domain of necessity requires a cautious approach founded on evidence based research initiatives which seek to contribute to the body of knowledge in this domain. Whilst this paper reports on a preliminary research endeavour focussed on the impact of decision-making skill application be it in the virtual and /or in the real world the findings offer valuable insight for future education and training programs for organisations responsible for developing capacity to manage often chaotic, unpredictable and potentially destructive events.

References

Association of Police Chief Officers, (2012). National Decision Model. Accessed at: <http://www.acpo.police.uk/documents/president/201201PBANDM.pdf> on 12 March 2015.

Alison, L & Crego, J. (2008). (Eds). Policing Critical Incidents. Leadership and critical incident management. Willan Publishers: UK

Bergman, M.M. (Ed.). (2008). *Advances in mixed methods research*. London: Sage.

Bigley, G.A., & Roberts, K.H. (2001). The incident command system: High reliability organizations for complex and volatile task environments. *Academy of Management Journal*, 44(6), 1281-1299.

Crego, J. (2004). Wisdom's Way. *Police Review*, 103 (5328), 24-25.

Crego, J. (1996). Critical Incident Management: engendering experience through simulation (Unpublished doctoral Dissertation). Technology Information, Management and Economics Institute, Graduate School, University of Salford, Manchester, England.

Davies, A. (2013). The impact of simulation-based learning exercises on the development of decision-making skills and professional identity in operational policing. (Unpublished thesis), Charles Sturt University, Wagga Wagga, Australia.

De Bruin, W.B., Parker, A.M., & Fischhoff, B. (2007) Individual differences in adult decision-making competence. *Journal of Personality and Social Psychology*, 92(5), 938-956. DOI: 10.1037/0022-351.492.5.938

Dede, C. (1996). The evolution of constructivist learning environments: Immersion in distributed, virtual worlds. *Educational Technology*, 32(2), 27-34.

Dede, C. (2009). Immersive interfaces for engagement and learning. *Science Magazine*, 323(5910), 66-69. doi:10.1126/science.1167311

Erzberger, C., & Kelle, U. (2003). Making inferences in mixed methods: The rules of integration. In a. Tashakkori & c. Teddlie (Eds.), *Handbook of missed methods in social and behavioural research* (pp. 457-488). Thousand Oaks, CA: Sage.

Flin, R., & Arbutnot, K. (Eds.). (2002). *Incident command: Tales from the hot seat*. Ashgate: United Kingdom.

Jacobs, P.A. & Gaver, D.P. (1998) Human factors influencing decision making. *Naval Postgraduate School*, California.

Klein, G. (2008). Naturalistic Decision Making. *Human Factors: The Journal of the Human Factors and Ergonomics Society* 50(3), 456-460. DOI: 10.1518/001872008X288385

Koehler D.J. & Harvcey, N. (Eds) (2004). *Blackall Handbook of Judgement and Decision Making*. Blackall Publishers: UK

Neuman, W.L. (1994). *Social research methods*. London, England: Allyn & Bacon.

Phillips, S.W. & Sobol, J.J. (2012). Police decision making: an examination of conflicting theories. *Policing: An International Journal of Police Strategies & Management*, Vol. 35 (3), pp.551 – 565

Rand, D.G. & Epstein, Z.G. (2014) Risking Your Life without a Second Thought: Intuitive Decision Making and Extreme Altruism. *PLoS ONE* 9 (10). DOI: 10.1371/journal.pone.019687

Sadowski, W., & Stanney, K. M. (2002). Presence in virtual environments. In K. M. Stanney (Ed.), *Handbook of virtual environments: Design, implementation and applications* (pp. 791-806). Mahwah, NJ: IEA.

Santos, J., Merat, N., Mouta, S., Brookhuis, K., & de Waard, D. (2005). The interaction between driving and in-vehicle information systems: Comparison of results from laboratory, simulator and real-world studies. *Transportation Research Part F: Traffic Psychology and Behaviour*, 8(2), 135-146. doi:10.1016/j.trf.2005.04.001

Slater, M. (2004). How colorful was your day? Why questionnaires cannot assess presence in virtual environments. *Presence*, 13(4), 484-493.

Slater, M., Linakis, V., Usoh, M., & Kooper, R. (1996). Immersion, presence, and performance in virtual environments: An experiment with tri-dimensional chess. In M. Green (Ed.), *ACM virtual reality software and technology* (pp. 163-172). New York, NY: Association for Computing Machinery

Takada, A. (2004). The role of team efficacy in crisis management. *International Journal of Emergency Management*, 2, 35-46.

Useem, M., Cook, J.R., & Sutton, L. (2005). Developing leaders for decision making under stress: Wildland firefighters in the South canyon Fire and its aftermath. *Academy of Management Learning & Education*, 4(4), 461-485.

Van Fleet, D. D. and Yukl, G.A. *Military Leadership: An Organizational Behavior Perspective*. JAI Press Inc., London, England, 1986.

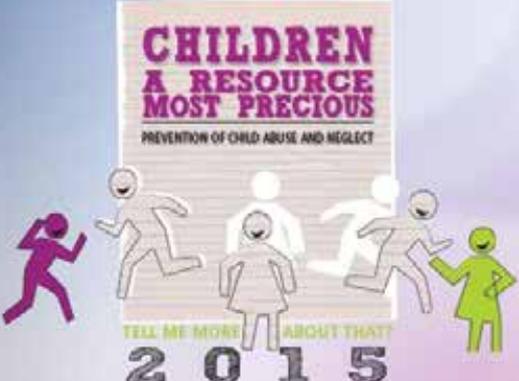
Zsombok, C & Klein, G. (Eds) (2014). *Naturalistic Decision Making*. Psychology Press: New York.

Instructions for Authors

1. Your paper should be submitted via e-mail in Word format to **colin.rogers@southwales.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

colin.rogers@southwales.ac.uk



**CHILDREN
A RESOURCE
MOST PRECIOUS**
PREVENTION OF CHILD ABUSE AND NEGLECT

TELL ME MORE ABOUT THAT
2015

2015 Conference
24-26 June 2015, Perth, Western Australia
Edith Cowan University to host:
Children: Collaboration - Communities, Government and
Non-Government Organisations Working together
Conference 2015
www.childrenwa.org.au



Australasian Council of Women and Policing
Making History, Shaping the Future
Luna Park, Sydney 31 Aug - 3 Sept 2015



<http://www.conferenceco.com.au/acwap/>

28th ANNUAL ANZSOC CONFERENCE | 25-27 NOVEMBER 2015
SECURITY & RULE OF LAW:
The changing face of criminal justice
Hosted by Flinders Law School and the Centre for Crime Policy & Research




Wednesday 25 - Friday 27 November 2015 in Adelaide, Australia







Safe Cities Conference **8 July 2015**

The Safe Cities Conference is being held on Wednesday, 8 July 2015 at Pullman Melbourne on the Park • www.safecities.net.au/



2015
AUSTRALASIAN
ROAD SAFETY
CONFERENCE

Wednesday 14 – Friday 16 October 2015
Gold Coast - Australia



www.australasianroadsafetyconference.com.au

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.

