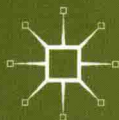


CRIME PREVENTION AND SECURITY MANAGEMENT

# CITIZENS, COMMUNITY AND CRIME CONTROL

KAREN BULLOCK

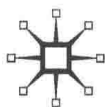


# Citizens, Community and Crime Control

Karen Bullock

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palgrave  
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*To my mother and father  
Who dedicated much of their lives to pursuing  
a democratic ideal*

# Series Editor's Preface

Those who have always thought of community engagement in criminal justice generally, and policing specifically, as an unqualified good will have that view challenged in this book. Karen Bullock critically appraises the roles of different forms of citizen and community participation together with volunteer activities. She starts by discussing different types of democracy (direct and indirect) and the implications of different types of citizen participation in the affairs of the state. Of particular interest is the role of the active citizen, which has been described as 'one who mobilises resources, influences decision makers and makes things happen at the local level', and in so doing helps provide security while 'promoting democratic practice', all of which she recognises is contested territory.

You will be taken on a journey that includes a review of contemporary forms of police accountability including their aspirations and shortcomings. You will read about the work of influential philosophers and how they have shaped thinking on modes of voluntary participation today. And you will read about the development and implications of different modes of voluntary action within contemporary police practice. These include indirectly through voting in elections, and directly through forms of consultation; via engagement in Neighbourhood Watch; by becoming a Special Constable or Police Support Volunteer; and by taking part in citizen patrols.

Overall, volunteers have been seen as providing a 'bridge' between service providers and the public; creating more diversity amongst those involved in service delivery; and providing an option for maintaining some services when fiscal contraction and constraint might have necessitated the dumbing down or termination of what is offered. Yet there are counter concerns, including that participation will lead to or reinforce inequality. Indeed, Karen's own analysis fuels these concerns in that she finds that public meetings provide a limited notion of democratic practice with limited impact on police decision making; that many community policing schemes have failed to persuade on the ultimate aim of reducing crime; that the impact of Neighbourhood Watch has been 'shaky'; while citizen patrols are relatively new and are unproven. In short you will learn that it is far from clear that citizen

participation in policing leads to improvements in police practice or changes in police attitudes and priorities, nor that community policing more generally has enabled the public to better hold police officers to account. From this then there is much that must be learned, not only for studies of policing but also for policy and practice.

*Martin Gill*



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Thanks to colleagues, past and present, at the University of Surrey for support and friendship. Thanks especially to Jo Moran-Ellis who, when Head of Department, backed the project and facilitated its execution through granting a period of research leave. In turn, a big thank you to all colleagues who took on extra teaching and administration as a result of my absence. Thanks to Paul Johnson for endless encouragement, for understanding the benefits of writing at 4am and agreeing that are few things that can't be solved with one large and one small. Thanks also to Nick Tilley. Whilst not burdened by involvement in this particular project, without his collaboration, friendship and inspiration over many years I am unlikely to have had the opportunity or wherewithal to have embarked on this adventure in the first place.

This book was mostly written in the year before my daughter turned 1. For those of you who suspected that trying to juggle new motherhood and writing a book might be a bad idea, thanks for not saying so! However, it does mean that I am perhaps unusually indebted to the help and support provided and forbearance shown by my family. Thanks to my mum and dad for their enthusiasm for childcare duties. Whilst Esme adores you as you adore her, it would all have been so much easier if she would have taken a bottle! Thanks to Mike for his understanding, extensive knowledge of British politics past and present and ability to roll endless 'sausages'. And thanks to Esme who, even if she may have missed me, tolerated the absences of her mother with much spirit. Look Esme – it's a book!

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# 1

## Introduction

This book is about citizen participation in political institutions, focusing on the police service of England and Wales. The police service may not be 'popularly' understood as a political institution. Political institutions are perhaps more normally understood in terms of the structures, organisations and arrangements of central government such as legislative bodies, political parties and electoral systems. However, the protection of liberty, the promotion of social and economic opportunities and the ability of individuals to determine and develop their lives are, as Jones et al. (1994: 1) argued, crucially affected by public services. Indeed, in this late modern era, the ways that public services impinge on the lives of citizens may be more important as the embodiment or negation of the democratic ideal, than parliament or central government (Jones et al., 1994: 1). Contemporary government discourse places great emphasis on citizen participation in political decision making. Whilst participation in political institutions certainly can be viewed narrowly, in terms of voting or standing as a candidate for political office – and indeed 'lay' understanding of participation in politics may well be limited to such activities – incorporating activities as diverse as signing petitions, contacting officials (elected or otherwise), organising protests, attending consultation events and discussion forums, responding to questionnaires and volunteering, the notion of participation in democratic structures is today deemed to be much wider than the periodic vote.

Understood in a variety of ways, citizen participation in political processes has been held to be important for millennia. For political thinkers as diverse as Jean-Jacques Rousseau, Alexis de Tocqueville and John Stuart Mill, all of whom we will meet again in Chapter 2, citizen participation has been viewed to legitimise decision making, to develop the minds and souls of citizens and to foster a healthy democracy.

In contemporary societies, characterised by complexity and diversity, citizen participation in political decision making is sometimes held to offer the prospect of attaining realistic and meaningful 'solutions' to social problems, to provide a base for engagement in politics and to facilitate the development of trust, empathy and social capital (Stoker, 2004, 2006). Citizen participation has, as Stoker (2006: 177) notes, been 'premised on the idea that involving people in the hard, rationing choices of politics in a shared sense of citizenship can deliver a more mature and sustainable democracy'. However, from Plato's infamous tale of intrigue aboard the 'Ship of State', which we will return to in Chapter 2, participation in political decision making has not always been seen as an unalloyed public good. It has been variously contended that the views of citizens – characterised by some as parochial, uninformed and open to manipulation – should not be used as the basis of decision making, that structuring decision making around the will of the majority risks 'tyranny' and that there are in any case wide-ranging practical problems involved in canvassing and representing the views of citizens in political decision making.

This preliminary chapter sets the scene for the detailed analysis of the role of the citizen and community in contemporary policing that follows. We first situate the citizen and community within historical patterns of crime control. In so doing, we start to reveal the social and political context that has shaped the configuration of the relationship between the citizen and modes of governance together with how this relationship has changed over time. We second consider the rationale for contemporary appeals to the citizen and community in the enactment of crime control. In so doing, we meet the ideological perspectives which have shaped the field. We third critically examine the central concepts – 'community', 'participation' and 'crime control' – that shape the analysis contained in the monograph. We fourth consider the links between policing, participation and democracy. We will see that citizen participation is but one facet of our understanding of democracy and democratic policing. However, it is one that is important and, as we are starting to see, inherently contested. Lastly, this chapter sets out the arrangements for the analysis explored in the forthcoming chapters.

### **Situating citizens within historical patterns of crime control**

#### **Historical patterns of crime control**

For much of our history crime control was situated in the realm of the communal and in the mutual obligations that bonded citizens,

communities and the state. Prior to the establishment of a professional police service in 1829 crime control was the outcome of the social structures and social relations embedded in communities, characterised by 'volunteer' citizen patrols and private policing (Reiner, 2000). Early medieval systems of crime control placed mutual obligations on communities to protect themselves and each other (see Critchley, 1978; Rawlings, 2002, 2008). Based on the so-called 'tithing' system (where families were clustered into groups which formed administrative units) mechanisms for enacting crime control were situated in the wider social structures of community governance. Such aspects of communal responsibility for crime control started to become institutionalised in the late medieval period. Critchley (1978: 7) describes how the Statute of Winchester (1285) recognised the responsibility of all citizens to maintain the King's Peace and in so doing reaffirmed the principle of communal responsibility for crime control and personal service to the community. In meeting these obligations, citizens were required to keep arms to follow the hue and cry (a call for help in the aftermath of a crime), victims of robbery could claim recompense from a tithing that failed to bring the delinquent to justice and the Statute required that two 'constables' 'in every hundred and franchise' were chosen to see that its provisions were enacted. The constable, an office that clearly survives to this day, was for much of its history in fact an unpaid or poorly paid volunteer. He was the primary official responsible for crime control in most communities in the medieval and early modern period and was responsible for wide-ranging administrative matters (Rawlings, 2008). The Statute of Winchester also required that towns established a Watch which was to be mobilised to guard the entrance to towns and to conduct patrols during the summer months. Again, members of the Watch were volunteers derived from the citizenry. The unpaid constable and Watch endured despite criticism (and some reform) throughout the 18th and early 19th centuries (see Critchley, 1978; Rawlings, 2008). We can reveal then that mutual obligation and the voluntary actions of citizens embedded in wider social structures and relationships characterised early forms of crime control. Despite the intrinsically convivial undertone to terms such as 'community', 'communal' and 'obligation' it would, as Crawford (1999: 18) states, be wrong to understand these obligations for crime control as consensual, conciliatory or egalitarian. Rather, they were discriminatory, brutal and reinforced hierarchy. However, the point is that the charge for early forms of crime control was embedded in informal, community and often face-to-face relations (Crawford, 1999: 18).

## **The 'New Police'**

Sir Robert Peel's 1829 Metropolitan Police Act saw the birth of a professional, paid police service and the start of the process of the development of the police service that we would recognise today. The establishment of the 'New Police' was to fundamentally transform the relationship between citizens and crime control. However, it was not the case that the 'new' police simply expurgated the 'old' (Emsley, 2011). The link between the citizen, community and crime control endured within the new arrangements, on the face of it at least. First, conventional histories of the development of the New Police place the citizen centre stage in the model devised by Peel. The oft-quoted 'Peelian' – and we use the term advisably as they were unlikely to have been articulated by either Peel or his early Commissioners (see for example Emsley, 2013) – principles of policing sought to sustain the aforesaid historic tradition of collective responsibility for crime control. Police officers, 'Peels' principles affirm, were merely uniformed citizens paid to perform duties that could have been accomplished by any citizen, should they have been minded to do so. Second, a link between the local and the organisation of policing lingered within the new arrangements, at least nominally. Jefferson and Grimshaw (1984: 36) describe how, through the retention of oversight by democratically elected local representatives and the consequent development of bureaucratic and/or democratic forms of direct supervision, the notion of local and communal responsibility for crime control endured (albeit attenuated) in the system that evolved following the establishment of the New Police. The weakening of the role of local and communal structures of policing governance, to which the statement from Jefferson and Grimshaw (1984) alludes, is something repeatedly returned to throughout this monograph. As we will come to see, whilst the aforementioned 'Peelian' principles are much invoked in contemporary discussions of policing, the centrality of a relationship between the citizenry and the police was not to last.

## **Professionalism, community and control**

Social and political pressures combined with the processes of professionalisation and specialisation, structural constraints and the development of new technologies served to transform police work, its organisation and systems of oversight following the establishment of the New Police. As policing transformed, barriers between the police service and citizens started to be constructed (Crawford, 1999; Emsley, 2011). The construction of these barriers gathered pace in the period following the Second World War underpinned by the development of claims to professional

expertise, the dominance of a so-called Professional Model of policing and the notion that the police service should be 'operationally independent' in its decision making, themes we will briefly unpack and return to throughout this monograph.

First, claims to professional expertise formed the foundations of the barrier between citizens and the police service. Professional expertise – be it in policing or public policy more generally – was a bedrock of the welfare state which developed in post-Second World War Britain. Informed by a social democratic perspective the British state sought to provide a (minimum) level of social security for all citizens (Crosland, 1956; Marshall, 1963; Titmuss, 1968). Through providing uniform, state-led and professionally administered responses to social problems the state could, it was asserted, protect citizen rights, ensure adequate provision and promote social justice. In the post-Second World War atmosphere there was great optimism about the capacity of the state to achieve these ends. As Garland (1996: 447) put it in respect to crime control:

There was no doubt about the state's capacity to deal with the problem. On the contrary, the implied promise of the statement was that the state would win the war against crime, just as the warfare state had vanquished its foreign enemies and the welfare state was now attacking the social problems of peacetime.

By virtue of their professional knowledge and experience, the judgement of the police officer was heralded as the most appropriate for influencing the nature of police policy and practice.

Second, the barrier was grounded in the so-called Professional Model of policing. We will look at other features of the Professional Model in the forthcoming chapters. For the time being it will suffice to say this model rejected political or citizen participation in police decision making. Instead, it demanded an impartial, neutral and distant relationship between the police and citizens (Kelling and Moore, 1988; Crawford, 1999). Enforcement of the criminal law and professionalism, as Kelling and Moore (1988: 5) noted, were established as the principal bases of police legitimacy. Within this model the primary function of the police service was viewed to be the enforcement of the criminal law with, as Goldstein (1963: 144) put it, 'total objectivity – of impartiality – and of enforcement without fear nor favor'.

Third, the barrier was fortified by the notion of operational independence. Described by Loveday and Reid (2003: 17) as an 'ancient and somewhat mysterious convention', a prevailing view within British



policing has been that Chief Constables should have independence over operational decision making to mitigate the risks posed by political interference in policing. Despite its importance within the discourse and imagery of the British police service, operational independence has never been formally defined and has attained something of a mythical status. Reiner (2000) describes how the principle has evolved over time from legislation, Royal Commissions on the police and from legal judgements. In respect to the former the Police Acts of 1964 and 1996 accorded Chief Constables the statutory duty to maintain the direction and control of their police service but did not make specific reference to operational independence. The 1962 Royal Commission on the Police stated that officers should be free to determine when to enforce the criminal law *and* should be free to make wider policy decisions about, for example, which crime problems should be prioritised by officers and how and where resources should be deployed. The view that the police service should be autonomous in both of these ways was reinforced by the widely cited legal judgement of Lord Denning in the case of *Blackburn* in 1968 which affirmed that:

No Minister of the Crown can tell him that he must, or must not, keep observation on this place or that; or that he must, or must not, prosecute this man or that one. Nor can any police authority tell him so. The responsibility for law enforcement lies on him. He is answerable to the law and to the law alone.

The Denning judgement strengthened the view – dominant in the Professional Model – that the officer should be held accountable to the law rather than citizens, political representatives or any other kind of external body (Jones et al., 1994). Laws, which have to be interpreted and applied by actors in the criminal justice system, are at best guidelines and cannot influence or regulate the pattern of policing (Jones et al., 1994). The impact of Denning's judgement, note Jones et al. (1994), was accordingly to distance the police from any oversight at all. The principle of operational independence has been much invoked – by police officers, politicians and other commentators – as a safeguard against excessive political interference in decisions about law enforcement. However, it has been seen by some as a useful linguistic device through which the police have sought to resist control and oversight by democratic structures.

To summarise the above points, in post-Second World War Britain the emphasis of public policy was on service provided by professionals