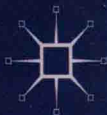


# EFFECTIVE POLICING?

Implementation in Theory and Practice

STUART KIRBY

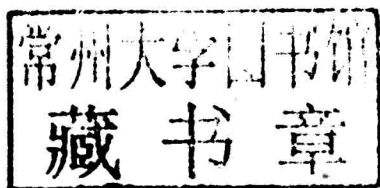


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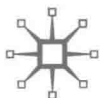
## Implementation in Theory and Practice

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*For my girls – Ann, Hannah and Kate*

# Preface

During 2010, I was present at a police HQ in the south-east of England when Sir Ronnie Flanagan (in his role as Chief HMIC) visited to present commendations. Addressing the group, he opened with a quote from Theodore Roosevelt:

It is not the critic who counts: not the man who points out how the strong man stumbles or where the doer of deeds could have done better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood, who strives valiantly, who errs and comes up short again and again, because there is no effort without error or shortcoming, but who knows the great enthusiasms, the great devotions, who spends himself for a worthy cause; who, at the best, knows, in the end, the triumph of high achievement, and who, at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who knew neither victory nor defeat.

The quote serves as a useful reminder that policing is a *hands-on* profession, and suffers the vagaries of any task that involves human interaction. However, it had special resonance for the police officers in the audience, who understood how challenging their work could be. They knew how spontaneous decisions, made in ambiguous circumstances, were later open to criticism by those who had the benefit of hindsight and who were unaware of the rapidly changing environment police officers operated within. This is not to suggest accountability should be avoided. As an institution the police is an extensive, powerful and costly institution to operate, and mismanagement can have significant ramifications. As Sir Ronnie Flanagan (2008: 4) said himself, 'policing is far too important to be left to the police alone'.

What the police officers listening to Sir Ronnie Flanagan would argue is that the layperson often only observes the final outcome of police activity, devoid of any explanation as to why it occurred. This book attempts to fill this gap and to provide a more thorough explanation of why some police activity is effective and some ineffective, at both organizational and operational levels. Two themes will emerge; the first is that the policing environment is complex. The second highlights the

gulf between theories and practice in operational policing, highlighting the importance of implementation. Unfortunately, implementation is a relatively neglected area in both police practice and the academic literature although the concept is not new. The term 'praxis' (derived from the Greek word *Praxeis*) can be traced back to philosophers as influential as Aristotle, Kant and Marx, who used it to explore how theory is transformed into practice within a rapidly changing world (Seng, 1998). As individuals, we know from personal experience the effort and skill invested in bridging the gap between what we want to achieve and actually achieving it, and history is littered with individuals who were more accomplished at theory rather than practice. For example, Jean-Jacques Rousseau's (1712–78) writings on politics, nature and the value of marriage influenced many societies. Yet in reality, he lived unmarried with his servant in crowded Paris for 23 years and gave his children up for adoption (Garner et al., 2012).

Of course as citizens we may feel we already know a lot about the police. Kleinig (1996: 11) reminds us that 'As long as human societies have existed, the police function has been needed. Social co-ordination and harmony have never flourished without some form of executive authority'. It is also true that now, more than ever, the public are bombarded with information concerning the police via fictional television drama, 'fly on the wall' documentaries, select committees and news reports. The police are therefore quickly identified in generic terms as wearing a uniform with some level of insignia, carrying some means of personal protection, driving around in highly visible vehicles to provide 24-hour protection and dealing authoritatively with incidents. However, as Bittner (1974: 17) cleverly observed, 'the police are the best known but least understood of public institutions'. Indeed when this superficial level of analysis is stripped back, there is a general lack of understanding as to what they actually do and why they do it in a particular way.

Why would this book, sitting alongside so many other books on the subject of policing, add fresh insight? It is at this point I need to break cover and reveal my methodology. For 30 years I was a UK police officer, dividing my service between uniform and detective work and retiring at the rank of Detective Chief Superintendent. During my policing service I sat on national committees, worked with many police officers from other UK forces and also met (and sometimes worked alongside) officers from Europe, North America, Australia, United Arab Emirates and China. Since becoming a university lecturer in 2007 I have continued to concentrate on the subject of the police, having been able to research

the subject extensively and communicate with 'policing' academics from all over the world. To ensure my views remained current when writing this book, I also conducted numerous formal interviews with senior police officers, community safety leaders and academics from the UK, USA, Australia and the Netherlands (see Acknowledgements). All examples and quotes in the book are authentic and have been chosen because they are representative of general situations and opinions of a much wider group of police officers.

Hopefully, the book can be read and interpreted at a number of levels. For students of policing it provides an overview of many theories and arguments surrounding contemporary policing, with a special focus on 'implementation'. For practitioners it shows how a more careful adherence to an evidence-based approach could improve the effectiveness and efficiency of any police agency. The six chapters (and conclusion) provide a wide base for these discussions. Chapter 1 deconstructs the police operational environment to show what a complex arena this can be. Chapter 2 focuses on the fundamental building blocks for any effective law enforcement agency: leadership, resource and performance management, operational policing models and the relationship with the public. Chapters 3 to 6 deal with 'the business of policing' covering such subjects as the reduction and investigation of crime, critical incidents (criminal use of firearms and serious public disorder), organized crime and terrorism. The conclusion considers the question of police effectiveness before going on to consider the significance of implementation failure. It argues this area of policing deserves a much higher profile from academics and practitioners, as increased performance in this area would deliver significant improvements to the effectiveness and efficiency of the police service.

# Acknowledgements

There were many people who assisted with this book. Unfortunately space (and my memory) will not allow me to thank everyone. My particular thanks to Ian McPherson, Michael Barton and Nick Tilley who, as well as assisting me with this book, have helped develop my views on policing over many years. More generally my gratitude goes to the police officers, academics and practitioners associated with the POP Center, USA, and to Louise Porter and Jeanine Nas who enthusiastically arranged interviews for me. Finally, a thank you to all those listed below who gave up their valuable time to provide interviews (listed in alphabetical order).

Chief Constable Mike Barton (Durham, UK)  
Deputy Superintendent Nora Baston (Boston, USA)  
Mr Alan Beckley (Charles Sturt University, Manly, AUS)  
Commissaris Jan Biemolt (National Programme Board, Chiefs of Police, NL)  
Commissaris Rick de Boer (Twente, NL)  
Commander Bob Broadhurst (Metropolitan Police, UK)  
Professor Simon Bronnett (Griffith University, Brisbane, AUS)  
Chief Constable Mike Cunningham (Staffordshire, UK)  
Ms Janet Evans (Australian Crime Commission, AUS)  
Commissaris Ann Marie Feije (District Commander, Haarlem, NL)  
Chief Constable Steve Finnigan (Lancashire, UK)  
Detective Chief Superintendent Graham Gardner (Serious Organised Crime Agency, UK)  
Assistant Chief Constable Jerry Graham (Cumbria, UK)  
Police Sergeant Neil Henson (Metropolitan Police Service, UK)  
Dr Victoria Herrington (Australian Institute for Police Management, AUS)  
Chief Constable Bernard Lawson (Cumbria, UK)  
Mr David Mallaby (University of Central Lancashire, UK)  
Mr Adrian McAllister (CEO Police Ombudsman, Police Service of Northern Ireland (PSNI))  
Ms Karen McCluskey (Co-director, Scottish Violence Reduction Unit)  
Mr Ian McPherson (partner at KPMG, former Assistant Commissioner, Metropolitan Police Service)  
Mr Jan ter Mors (National Intelligence Model Programme Manager, NL)



Dr Jan Nap (Consultant for the Police Academy, NL)

Ms Jeanine Nas (Senior Advisor, Police Business Improvement, NL)

Sir Denis O'Connor (Former Chief, HMIC)

Commissaris Peter van Os (Deputy Director of knowledge and research, National Police Academy, NL)

Dr Louise Porter (Griffith University, Brisbane, AUS)

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Assistant Chief Constable Andy Rhodes (Lancashire, UK)

Chief Superintendent Mark Roberts (Greater Manchester Police, UK)

Inspector Jason Saunders (Queensland Police, AUS)

Commissaris Ab Spaan (National Programme for Business Improvement, NL)

Chief Constable Sara Thornton (Thames Valley, UK)

Professor Nick Tilley (University College London, UK)

Mr Michael Tonge (Cumbria University, former Chief Constable, Gwent Police, UK)

Ms Julie Wartell (Consultant crime analyst, USA)

Deputy Chief Constable Chris Weigh (Lancashire, UK)

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# 1

## 'There Are Police and There Are Police': Exploring the Complexity of the Police Operating Framework

### Introduction

In moving between police forces in England and Wales, it is most striking that whilst they are all essentially engaged in the provision of the same service, they all feel very different in terms of their attitude and culture. That difference is not just between the large urban forces and smaller rural forces, each force has its own distinct cultural identity. This culture and attitude not only affects the way staff in each force relate to each other, it also affects the way in which they deal with the public they serve.

Chief Officer, UK police

Addressing delegates at a recent conference on policing, Professor Herman Goldstein (2012) used the phrase 'there are police, and there are police'. This cryptic phrase highlights the diversity found within policing, whether across different countries, different police agencies or even within a single agency. How can this level of diversity exist? Mawby (1999) argues police agencies can be differentiated at an international level on the grounds of legitimacy, function and structure. The British police, for example, obtain their legitimacy on the basis of public consent, which separates them from other agencies that rely on the support of a government dictatorship. Secondly, in Britain the services (or function) provided by the police are operationally independent of the government, and range in scope from tackling organized crime to advising on neighbourhood disputes. This may differ from other countries that either restrict the service they offer or expand on them

to include such matters as border control or the collection of taxes. Finally, the British police adhere to a local structure, whereas other countries (such as Japan) favour a national structure. Of course there are many variations; for example, although the USA has implemented a local approach, it in fact has 12,766 local police agencies, 3,067 sheriff's departments and 1,481 special jurisdiction agencies, creating greater co-ordination problems than that of the UK (Mastrofski & Willis, 2010).

Unfortunately, Mawby's useful analysis only takes us so far and does not explain why some police agencies may differ within the same country. For example, some are shown to be more susceptible to allegations of corruption or the unlawful use of Force, whilst others appear more effective in reducing crime and improving public confidence. This variation can even be seen within individual police agencies, with some departments or units favouring a specific strategy, utilizing specialist squads more frequently, or using technology and specialist equipment more effectively. This chapter seeks to explore the reasons behind this diversity and to explain how it impacts upon effectiveness. To do so it constructs a simple framework showing how a variety of external and internal factors can affect policing, dependent on the context. Furthermore, because numerous permutations can be generated within this framework, it is able to explain why diversity in purpose, style and effectiveness can be observed across and within police agencies. It also explains why the implementation of policing initiatives can be driven off course. The reader will notice that themes highlighted in this chapter will be constantly repeated throughout this book, as different facets of policing are discussed.

### **Section 1: External factors that influence the effectiveness of the police**

The police as an institution reflect society; whilst external influences have always affected the police, this section will show how these changes are now occurring more rapidly and with greater intensity. In specific terms, this section will list five external factors that combine to make contemporary society an increasingly challenging environment to police.

#### **(a) Late modernity and the contemporary policing environment – keeping pace with change**

At a macro level, political, economic, social, technological, environmental and legal changes are constantly occurring in society. These

influences affect how the police are perceived, how they are organized and how they operate. However, it is only when perceived from a distance that the full impact of this evolution can be understood. Commentators such as Garland (2001), Lea (2002) and Young (2007) argue that following a relatively stable period between the 18th century and the 1970s, society started to alter with increased speed. This latter period, variably referred to as *post*, *late* or *liquid modernity*, *late capitalism* or the *risk society* became synonymous with globalization, privatization, capitalism and the improved mobility of people, goods and information across international borders (Young, 2007). Whereas the accumulation of wealth was able to support continuity and social cohesion in the 19th century, this was unfortunately no longer the case in the latter part of the 20th century (Lea, 2002). Instead, developments such as individualism, consumerism, mobility and the move from manufacturing to a service/information-based economy all conspired to fragment society.

These high-level changes have affected society in many ways, including the way society perceives and delivers crime control. Garner (2001) argues that the period of late modernity has been characterized by a continued sense of crisis, coupled with a view that the public can and should be protected at all times. This has led to rational and systematic responses to quantify and counteract risk, which have ultimately served to reduce individual discretion and increase the level of control on the population (Moss, 2009). Garner (2001) describes the emergence of a 'new punitiveness', as populist demands for more retribution and less rehabilitation are answered. Indeed, in recent years, prison levels have increased throughout much of the world (whilst crime has been reducing), and this is particularly true of the USA, where, at its height, 1 in 34 of the US population were, at any one time, either in prison, on probation or parole (Young, 1997), a situation that has now started to ease as the financial cost becomes prohibitive in times of increased austerity.

Other changes, such as increased mobility, have also led to new policing demands. Whereas in 1950, Britons travelled an average of five miles a day, this figure has now increased to 30 miles, with the next generation expected to travel 60 miles per day (Moynah & Worsley, 2000). Urry (2007: 4) reveals that in 1950 there were 25 million arrivals at international airports, whilst in 2010, that figure is in the range of 1 billion. This movement has created an increasingly congested, urbanized, multi-cultural population that has led to numerous policing demands. One of these has been increased community polarization on grounds of affluence and race, leading in turn to increased community tension and protest. Furthermore, the advent of low-cost air travel has

transformed the pattern of drug trafficking, people trafficking and counterfeiting, whilst virtual networks have increased the level of e-crime, such as pornography and fraud. Other commentators have illustrated the impact of increased consumerism. At a general level, personal choice has become increasingly important, leading to more sophisticated consumers who expect the police to provide tailored responses akin to those observed in the private sector (i.e. improved response times and enhanced customer service). At an operational level, the regeneration of towns and cities has led to a 24-hour society where consumers benefit from increased retail opportunities and a vibrant night-time economy, which again has increased and fragmented the demand profile for policing.

As society evolves, policing must adapt to its challenges. Adherence to local models of policing in Britain (and other parts of the world) means that individual police forces respond in different ways, with different levels of professionalism and different degrees of responsiveness. However, as the next element illustrates, it is no longer just the police who respond to these challenges.

#### **(b) Partnership and plural policing**

When evaluating the effectiveness of the police we should remind ourselves that the police as an institution are only one element of policing. In fact, 'policing' refers to the general process of preventing and detecting crime, and maintaining order, which many agencies or individuals engage in. This resonates with one of Peel's principles, upon which the Metropolitan Police was formed in 1829:

The police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent upon every citizen in the interests of community welfare and existence.

(Lentz & Chaires, 2007)

Partnership working is described as a 'co-operative relationship between two or more organizations (that are otherwise independent) to achieve a common goal or outcome' (Berry et al., 2011:13). Community safety problems are often complex, and responsibilities for such issues often lie with a number of different organizations. Indeed Goldstein (1990) argued that the police cannot ultimately be effective in reducing crime and disorder, as they lack the tools with which to solve the underlying



causes of the problems that confront them. For example, persistent offenders may require assistance from health services to control their drug or alcohol problem, or they may require employment/housing services to help establish some stability in their lifestyle. This means the police can play a more effective role in sustainable crime and disorder reduction when they act in partnership with other statutory, business or voluntary partners. However, the process of working in partnership with others is not simple. The Audit Commission (1998) set out the following key ingredients of good partnership working:

- Clear shared objectives
- Realistic plans and timetable for reaching objectives
- Commitment from partners to acknowledge the community safety partnership work when undertaking mainstream activities
- Deciding a framework of responsibility and accountability
- High levels of trust between partners
- Realistic ways of measuring partnership achievements

The police as an institution have a long history of working in partnership with other individuals and agencies, and this approach has had mixed success. As studies show, multi-agency partnership increases implementation challenges. For example, even in Britain where the Crime & Disorder Act 1998 sets out the statutory requirements for public sector agencies to work together, numerous multi-agency inspections have shown that partners may inadvertently work towards different objectives, whilst leadership becomes ambiguous, and information sharing can be limited (Audit Commission, 1998; Home Office, 2007).

Notwithstanding these challenges, the importance of partnership has been promoted as an effective means of doing business. This is especially true as more commercial agencies have become associated with policing, often referred to as the 'mixed economy' or 'pluralization' of policing. Garland (2001) argues that this change has occurred through 'responsibilization', whereby the state continues to play an important regulatory role (steering) but transfers the responsibility for personal security onto the citizen (rowing). Within this context four issues are pertinent. First, there has been an increased sense of public insecurity causing citizens to supplement public policing with private services. Second, the increase of consumerism has meant that there are now large areas of private space and property to be protected (e.g. shopping malls). Third, the public police are often viewed as overpriced and are only used for a minority of the tasks they are trained to deliver, whilst