European national police systems and metropolitan realities
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Chapter 2

European National Police Systems and Metropolitan Realities

Elke Devroe, Paul Ponsaers

> "*They* [the police] *symbolize as well the continuity and integrity of the society by their visibility and attachment to traditional values [...]. Their actions underscore and implement the intentions of the state - they are Leviathan enacted. The modern police as a rational, bureaucratic force stand ready to enforce the law with the ultimate sanction, violence*". Furthermore: "*The police role conveys a sense of sacredness or awesome power that lies at the root of political order, and authority, the claims a state makes upon its people for deference to rules, laws and norms*".
> (Manning, 1997: 20-21)

Introduction

By including this chapter in the volume we want to avoid that each of the contributors has to explain the broad national policing context and the standing conditions in their chapters, while it is precisely the intention to focus on differences in metropolitan policing. In other words, the ambition of this publication is *cross*-national, even *trans*-national, comparison[1]. But the endeavour is also *intra*-national. It was the merit of Wesley Skogan to suggest[2] to compare in each country two or more major cities in one and the same country, trying to discover to what extent policing in these cities differ from each other. The underlying assumption is that differences in policing in metropolises in the same nation-state reflects the elbowroom of metropolitan areas to develop their own policing policy, in spite of one and the same national context. We assume that the reverse is also probable, more precisely that the absence of prominent metropolitan differences in one and the same country mirrors largely the dominance of a national security policy. Therefore it is necessary to include this chapter in the volume.

Politics in European metropolises is largely characterized by the competition of power between the nation-state and metropolitan governance[3]. In the majority of European countries the state police are still considered as the formal guardian (or the relic of a vanished age) of sovereignty on the national territory and the visible expression of state power.

It seems that European nation-states consider police matters still as *their* property and that national governments conceive *their* police system as one of the national symbols of their existence. Police is considered as the visible presence of the state in public space.

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[1] The authors are grateful for the very useful information and suggestions of Adam Edwards, Rossella Selmini, Jacques de Maillard, Christian Mouhanna and other authors in this volume.

[2] At het occassion of the panel on the Policing European Metropolises Project, during the 14th Annual conference of the European Society of Criminology in September 2014 in Prague.

[3] Notwithstanding the shrinking political weight of European nation-states, Europe doesn't have an operational police force, despite the existence of Europol.

In this chapter we present a typology of different national police systems, useful for the interpretation of a metropolitan reading of policing realities within different national contexts. Given this general framework, we tried to build this typology on the question of (historical) national dominance or regional autonomy in policing.

1. An analytical tool for the Policing European Metropolises Project

In this article, we develop a comprehensive framework, based on working definitions of essential characteristics of different national police systems. The analysis is developed at the level of police systems, *not* at the level of police forces. Underneath we develop and define the central notions used.

1.1. Police versus Policing

In this paper we are dealing with the public *police apparatus*. Etymologically the word *police* comes from Latin *politia*, which is the Latinisation of the Greek *politeia*, "citizenship, administration, civil polity". This is derived from *polis*, "city". A police force is a constituted body of persons empowered by the state to enforce the law. The term is commonly associated with police services of a sovereign state that are authorized to exercise the police power of that state within a defined legal or territorial area of responsibility. In other words, the notion police refers to an organisational principle.

A *police function* is a generic term for a domain of activity of the police, e.g. maintenance of public order, law enforcement, criminal investigation, surveillance, beat policing, law enforcement, prevention of crime, etc. As mentioned in the introduction, the notion "*policing*" is often used to refer to the activity of a complex network of formal and informal public and private partners, mostly identified with the notion of plural policing (Terpstra, Stokkom & Spreeuwers, 2013; Loader, 2000; Loader & Walker, 2001; Jones & Newburn, 2006b), contributing to certain police functions (*assemblages* of police forces with city guards, special investigation officers, parking controllers, environmental functionaries, social inspectors, ...; intelligence agencies; private commercial agencies; citizens initiatives, neighbourhood watch programmes, ...) (Bayley & Shearing, 1996, 2001; Crawford, et al. 2005, Jones & Newburn, 2006a; Loader, 2000).

In this article we limit ourselves, for reasons of feasibility, to public police forces, not including the *assemblages* made with external agencies, but to the core apparatus of the public ("dark blue") police itself. It is clear that this limitation is only for the sake of this paper. In other words, we are dealing here with the 'predicates' of public policy formulation in this field. These predicates, which can be distinguished in terms of the 'standing conditions'.

1.2. National Police System: Hierarchically Integrated?

As a working definition we use the notion "*national police system*", referring to the complex of different constituted bodies, which are considered as public police in a particular country, empowered by a specific nation-state. As a consequence of this definition, we focus upon those agencies which competences are legally defined by a national legislator, more precisely those competences which are linked to the use of the monopoly of legal and legitimate violence. Notwithstanding the reality of international and European agencies directed towards police cooperation (e.g. Interpol, Europol, Frontex, etc.), the operational police work is still

largely defined within national boundaries. This is precisely the reason why we use the notion "*national police system*"[4]. Within one police system, hierarchical lines between different forces can be *integrated*, or can function *autonomously*.

We consider *police systems* as empirical realities, apart from the notion "*police models*" (Ponsaers, 2001). Police models are underlying police philosophies, ways to think about police, often used for strategic reasons. Police models (e.g. "military-bureaucratic policing", "crime fighting policing", "community policing", "problem oriented/solving policing", "restorative policing", etc.) express different prescriptive points of view on the way the police *should act*. In other words, police models give a normative direction to the police, while the study of police systems refers to the empirical substrate in which police forces *are* acting.

Research on police models deals with *cultural* aspects, while studying police systems deals with *structural* aspects. Within a certain police system, often different police models compete, while one is mostly dominant in a specific timeframe and specific territory. A combined interpretation of both aspects seems the most productive to us for a exhaustive and useful analysis.

1.3. Police Forces: Functionally or Geographically Integrated?

A police force executes mostly different *police functions* at the same time. A force that executes a broad range of these police functions has integrated competences, or better is *generic* of nature. Nevertheless, a force can also have *specialized* competences in one (or a few) specific functions, e.g. a criminal police force, or a gendarmerie, which is mostly a military unit specialised in maintenance of public order.

In complex police systems, police forces reflect often differences in geographical scope. Some forces are considered as national or federal forces, others are limited to provincial or regional level, or even to metropolitan or municipal level. From this point of view, police forces within one police system can have different geographical competences. Some forces have *national* competences, others have *limited* territorial competences. Often a police system is characterized by a tension between central and local decision making authorities.

Figure 2.1. : *Essential characteristics of police systems*

*** HERE FIGURE 2.1. ***

			Hierarchy	
			Integrated	Autonomous
Competences	**Functional**	Generic		
		Specialized		
	Geographical	National		
		Limited		

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[4] Italy e.g. has different police forces. Some are functioning at national level (Polizia di Stato, Carabinieri, Guardia di Finanza, etc.), while others are present at (supra-)local level (Polizia Provinciale, Polizia Municipale, etc.). All these different components together are considered to constitute the national Italian police system.

1.4. One/different force(s), one/different types of force(s)?

Different *police forces* within one police system can have different training and educational programmes, salary scales and grades, they can have different controlling bodies, or different data bases, different regulations, different labour unions, etc. In other words: different police forces can represent different *types of police*. In most cases, this patch-work format of a police system is the result of long historical developments. Therefore we call these "*Historical Diverse Police Systems*". Sometimes this kind of police systems contain autonomous "functional police" forces.

In spite of the fact that one police system includes different forces, it is possible that all these forces have the same design and format. Mostly this is the case in police systems that are based on territorial (local or supra-local) division of labour in Europe. In this kind of police systems, each force is constituted with the same type of police. In other words, all police officers of the different forces have the same training, date-bases, control agencies, etc., but have different leadership. Therefore we call these "*Territorial Divided Police Systems*".

In certain police systems, we observe only one police force. Mostly these kind of police systems are the result of reform and therefore we call these "*Unified Police Systems*". Often the system is identical to the force and called "National Police" or "Federal Police".

From a conceptual point of view it is impossible that one force includes different types of police.

Figure 2.2. : *Typology of police systems, according to the number of forces and types of police*

*** HERE FIGURE 2.2. ***

	One Force	Different Forces
One type of Police	Unified Police System	Territorial Divided Police System
Different types of Police		Historical Diverse Police System

1.5. (De-)centralised, (De-)concentrated?

Concentration refers to the geographical centre where police capacity is operating from. *De-concentration* is the opposite, and expresses the geographical distribution of capacity in different places on a specific territory. In other words, concentration/de-concentration is linked to the territorial allocation and distribution of capacity, and consequently varies according to the number of police stations on a territory.

To the contrary, a *centralised* force is a force, where steering power is assembled within one central top. *Decentralisation* refers to the delegation of power to underlying levels, within one force. In other words, centralisation/decentralisation has to do with hierarchical lines. Decentralisation can be of geographical nature, but can also be of functional nature. In other

words: a centrally steered force can be de-concentrated, and a decentralised force can be concentrated.

2. Historical Diverse Police Systems

Under this heading this paper discusses those police systems in Europe, which are to a large extent influenced by French tradition. More precisely, this part deals with those countries which still have a military gendarmerie within their police system. A gendarmerie is a military force charged with police duties among civilian populations. In essence this comes down to the following countries: France (Gendarmerie Nationale), Italy (Carabinieri)[5], Portugal (Guarda Nacional Republicana) and Spain (Guardia Civil)[6].

The paper does not include Austria, which also reformed its police system in 2005, with the result that the Bundesgendarmerie disappeared in the actual police framework. The same evolution can be observed in Luxembourg. In the Netherlands, there still exists a Koninklijke Marechaussee (Royal Marechaussee of the Netherlands), which is a gendarmerie force. Because this country knew a recent dramatic police reform, this force will be discussed in the third part. Greece had a gendarmerie in the past, but this was incorporated within the Greek Police Force in 1984. Because we focus on Europe, the paper doesn't include other gendarmerie forces outside the EU.

2.1. The French Police System

France has two national police forces, more precisely the National Police and the Gendarmerie. The National Police is the largest of both forces. This force is responsible for policing the larger towns and cities. The Gendarmerie is responsible for the rest of the country. In addition to these two large and hierarchical forces, there are also around five thousand six hundred more or less small municipal forces, employed, paid for and managed by the municipalities themselves (Malochet, 2008; Horton, 1995).

It was the French Revolution that changed the French police system dramatically. Emperor Napoleon Bonaparte knew the value of a strong military presence within France, while he was abroad expanding the empire. He extended the role of the Gendarmerie, and meanwhile he reinforces the role of the ministry of police, famously headed by Fouché, with mainly a political surveillance mandate[7].

Police reform initiated by Napoleon Bonaparte was extended by Louis Napoleon III during his reign in the middle of the nineteenth century. Napoleon III came in power at a time when France was experiencing internal unrest and many citizens supported the establishment of a socialist republic. Napoleon III used the police to oppress the socialist movement. The French police were viewed as a limb of the government in a police state (Jones & Johnstone, 2011). At the same time, the anglophile Napoléon III introduced in Paris a uniformed police in 1854,

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[5] This paper makes abstraction of the gendarmerie of San Mario, an enclaved microstate surrounded by Italy and of the Corps of Gendarmerie of Vatican City.
[6] In the French-speaking Cantons of Switzerland the "gendarmeries" are in fact the uniformed civil police and therefore not considered in this paper.
[7] The first creation of a National Police force was done by the king Louis XIV, who created the first national police of Paris to maintain public order. Napoleaon created the first judiciary force, but he is well known for his spies (police officers without uniforms).

inspired by the English bobby, with the "*sergents de ville*" (who will become "gardiens de la paix" in the 1880) strongly anchored in neighbourhoods (Deluermoz, 2012).

To understand the functioning of the National Police and the Gendarmerie, it is important to make a basic distinction between administrative and judicial competences (Monjardet, 1996)[8]. Administrative competences include the maintenance of public order, the gathering of political intelligence, traffic control and other administrative tasks. Judicial competences are dealing with investigation of crime. The responsibility for administrative competences is concentrated in the hands of the Minister of the Interior. The judicial competences are exercised by the Minister of Justice[9]. Apart from these ministries, the Ministry of Defence was also co-responsible for the Gendarmerie (Berlière, 1996) till 2009, and the full integration of the Gendarmerie in the ministry of the Interior (Berlière & Levy, 2011).

The *Gendarmerie* today is a military force, with a strongly centralised hierarchy, a powerful top and subsequent de-concentrated territorial layers of command. The Gendarmerie is divided into the "Gendarmerie Départementale" and the "Gendarmerie Mobile" (Stead, 1983). The Gendarmerie is from a functional point of view specialised in the maintenance of public order, but is also engaged in criminal investigation and traffic police[10]. In other words, the Gendarmerie should be able to perform all the policing services, the judicial as well as the administrative functions. The force is in other words functionally integrated. It is mostly active in smaller rural municipalities (mostly less than 20.000 inhabitants), while the force has competence on the whole national territory (Dieu, 2002).

Before 1941, the Gendarmerie was counterbalanced by autonomous municipal police forces, active in municipalities with more than 10.000 inhabitants, exept for a dozen of cities where the police forces were nationalized. In 1941, during the Vichy regime, these municipal police forces were brought together in the centralised *Police Nationale*, with important de-concentrated presence all over the country. The National Police operates under the control of the Director-General of the Police Nationale. He gives instructions to the National Police. The immediate staff of the Director-General includes a colonel of the Gendarmerie as liaison officer (Stead, 1983). With regard to the operational aspects, nine directorates coordinate the operational work of the National Police. The most important operational Directorates are the Central Direction of Judicial Police and the Central Direction of Public Security. The National Police has also some directions which can essentially be considered as intelligence agencies.
In consequence, from 1941 on France had two national police forces, both with broad integrated functional competences, but autonomous leadership. A certain geographical division of labour between both forces can be observed.

Since 1800 Paris has its unique "*Préfecture de Police de Paris*", integrated in the National Police (Mouhanna & Easton, 2014). This préfecture is concerned with the special needs of the metropolis, which is the seat of national government, the focal centre of administration, the site of numerous embassies and consulates and a magnet throughout the whole year for

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[8] Monjardet make the difference between three functions: administrative, judicial, but also security (= answer to the citizens' demands) to stress the fact that in France the Police Nationale force doesn't fulfill the last function.
[9] But the Minister of Justice has no power on the judicial police force, which is under the command of the Minister of Interior. This is a tremendous problem for the magistrates.
[10] Some observers stress the fact that the gendarmerie used to be a real community policing force. Mouhana (2011) stresses that Anglo saxon authors are often mistaking military force (nature) and military way of acting (function) in respect to the French gendarmerie.

tourists, students, artists, business people, … The *Préfecture de Police* functions rather autonomous with its own administrative and operational branches. The political-administrative context of Paris generated a Police Préfet, who can be considered as the almighty in the field of security in the capital (Renaudie, 2008).

From 1966 on, we observe the renaissance of new *municipal police forces* in the bigger cities of France (Le Goff, 2009; Malochet, 2008). These municipal forces function autonomously from the two national forces. Municipal police agents are 20,000 agents, in other words 7% of the global capacity of the French public police. The municipal forces function within the boundaries of the municipality (Vogel, 1993). Local police forces are considered to have a solid financial base, because they rely more on municipal resources. Some mayors are reluctant to have their own police force because of the greater responsibility and a certain philosophy of "the Nation".

The last edition of the European Sourcebook of Crime and Criminal Justice Statistics (Aebi et al., 2014) does not mention a ratio of police officers per 100.000 inhabitants in 2011 in France. Only the previous edition (Aebi et al., 2011) mentions a ratio of 345 police officers (excluding civilians) per 100.000 inhabitants in 2006 in France. That year, the ratio varied between the minimum of 154 (in Finland) and the maximum of 693 (in Ukraine). The mean of this ratio for all the participating countries in this work was 371 in 2006. In short: France has a police capacity which is situated under this mean ratio, but the fact that these numbers are not included in the last (5th) edition of the European Sourcebook should be a warning concerning the reliability of these figures. Eurostat mentions a global number of 203,982 police officers in France in 2012[11].

In France we are dealing with a particular historical determined police system, with a strong central and national emphasis, hardly balanced by the relatively new local police forces (Mouhanna, 2013). All types of police forces function autonomously from each other[12]. The French system stands out as the most developed example of centralisation and the State's wish to control its citizens.

Figure 2.3. : *The French police system*

*** HERE FIGURE 2.3. ***
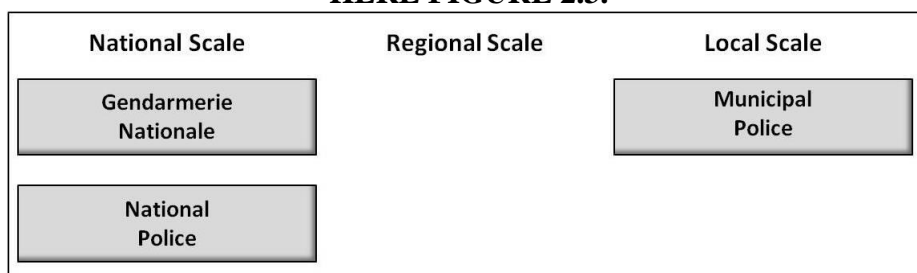
2.2. The Italian Police System

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[11] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en
[12] We should note that there are various attempts of coordination: the GN is now part of the Ministry of Interior, there are conventions between municipal and national police forces. The Préfet, at the level of the department, is in charge of coordination (and there are weekly meetings between GN, PN, Prosecutor and préfet). And there are ways (rather informal) the mayors can influence the national police.

Italy has a great variety of police forces. There are currently five different national police forces in Italy[13]. There is a wide area of overlap between these police forces, while there are also some areas of exclusive competence. In the nineteenth century, the model of inspiration was the centralist French state, although there were also some Prussian influences. Two national forces are the most prominent, more precisely the *Polizia di Stato* (State Police) and the *Carabinieri* (a gendarmerie force). Small villages will normally only have Carabinieri on their territory, but both national forces are present in larger cities, which causes real competition to solve crimes involving substantial public interest or publicity (Collin, 1985). Since the late 1790s, beginning with Napoleon Bonaparte's military conquest until 1814, most of Italy was under French domination. After the Napoleonic conquest of Italy, the king of Piedmont created a version of the French gendarmerie and reorganised pre-existing local police forces into the corps of the *Carabinieri* (Collin, 1985). From 1815, when the French hegemony ended, to 1848, Italy was strongly marked by disunity and fragmentation. It was in 1861 that the unification of Italy was politically completed. Italy adopted the French system of centralized administration to cope with social unrest and political instability (Canosa, 1976).

In this highly divisive atmosphere arose the need for a strong and centralized government, which called consequently for a centralized and strong police force. The Carabinieri had to act as a cohesive instrument of the political power to hold the country together (Collins, 1985). Its mission includes the protection of public order within the state, more precisely in the countryside. After having changed a few times since its inception, the force is under the dual responsibility of the Ministry of Interior (when it concerns public order and security tasks) and the Ministry of Defence (when it concerns military tasks). It is one of the components of the armed forces (which in Italy are the Army, the Navy, the Air Force and the Carabinieri) (Collin, 1999).

The origins of the *Polizia di Stato* go back to 1848, when the Guardia Nazionale (the national guard) was created, which was also based on the French model and created to counterbalance the Carabinieri. After its creation, this corps was transformed in 1852 into the Corpo delle Guardie di Pubblica Sicurezza (Corps of the Public Security Guards). In accordance to the French police system, the Officers of the Pubblica Sicurezza were placed under the authority of the Ministry of Interior in 1890, but in 1919 this force was integrated in the armed forces (Dunnage, 1997). In 1925 Mussolini renamed the Officers of the Pubblica Sicurezza the Corpo degli Agenti di Pubblica Sicurezza. The name Polizia di Stato was only introduced with the reform bill of 1981 (Roodenburg, 2004; Den Boer, 1993). This reform focused to a large extent on the abolition of authoritarianism and the application of civil servant rules and norms to police officers. Consequently the reform brought the demilitarisation of the national police and syndicalisation, which are fundamental reference points for the democratic evolution of the Italian police (Lopez-Pintor & Morlina, 2003; Nolte, 2003).

Besides the Carabinieri and the National Police, there are three other state police forces. First of all the *Guardia di Finanza* (Finance Guard), which assists the Ministry of Finance in enforcing tax, excise customs and tariff legislation (Umberto, 2010). Second, the *Corpo*

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[13] They are actually six, if we include the Provincial Police, a local police in charge of environmental control at the province level, under the general coordination of the Regional governments. However, since Provinces have been abolished and transformed during 2014 in "Metropolitan District, this police force will be – probably – absorbed by the Municipal police.

Forestale dello Stato (National Forest Corps), which is a law enforcement agency for the Ministry of Agriculture and Forests controlling Italian National Parks and Forests. Lastly, the prison guards of the *Polizia Penitenziaria* (Correctional police corps) are also considered as policemen and are subordinated to the Ministry of Justice (Palidda, 1992).

Besides this massive presence of state police agencies, each community has still its own local police (*polizia municipale*) who direct traffic and issue parking fines in the cities. The latter has historically been troubled by inefficiency and corruption and has been marginal in law enforcement (Roach & Thomaneck, 1985).

The Italian police system makes a functional distinction between the *polizia sicurezza* (security police) or administrative policing and the *polizia giudiziaria* (judicial police) or judicial policing, in line with the French system. The function of the security police is to maintain the public order and to prevent crimes. The function of the judicial police, on the other hand, is repression of crime. This functional distinction runs through all of Italy's police forces. In that sense all forces are functionally integrated to a certain extent, while within the forces there exist specialised entities that are consequently not integrated (Perrodet, 2002; Bruggeman, 2014).

The municipal police can exercise all the competences in "polizia di sicurezza", "polizia giudiziaria" and "polizia amministrativa", therefore this is a force with a general competence. However, "polizia amministrativa" is its core competence and the exercise of the other functions (as "polizia di sicurezza" and "giudiziaria") depends on the Prefect's decision at the local level, or on the Prosecutor. We can state that the municipal police plays auxiliary functions in security police, occasionally it is called to play the role of judicial police, and mostly exercise administrative police functions: traffic, control of licenses and of all Municipal regulations of urban life, but also crime prevention at the local level, community policing, incivilities and urban disorder, etc. One important difference of Municipal Police is that its competence is limited to the borders of the Municipality.

After the 1990s, the municipal police has been strengthened and radically innovated, above all in some regions (North and centre Italy). Regions have an exclusive competence - since 2001 - in coordination, organization and professional training of Municipal Police. Its reputation changed quite a lot in the last 20 years. Before, it was much more marginal and considered a low-level kind of police, but in the last 20 years its role in local governance of crime has been pivotal. In the Italian chapter of this volume, Rossella Selmini and Marco Calaresu describe some of these dynamics, that are part of the redistribution of responsibility in crime control and of the pluralisation of policing in Italy. There are about 60.000 Municipal police officers at the national level, this means that it is the third police force after the Carabinieri (it is about the same numbers of Guardia di Finanza, that however has not a general competence) and probably is the largest Municipal Force compared to France and Spain. Conflicts and overlappings with Carabinieri and Polizia di Stato are everyday routine.
The forces are coordinated on two levels, the national and the provincial. At the national level, one finds the *National Committee for Public Order and Security*, which seeks to promote mutual coordination and consultation between the police forces. At provincial level, there is the *Provincial Committee for Public Order and Security*, which functions as an auxiliary organ for consultation (Barbagli & Sartori, 2004).

The 5th edition of the European Sourcebook (Aebi et al., 2014) mentions a ratio of 535 police officers (excluding civilians) per 100.000 inhabitants in 2011 in Italy. The mean of this ratio for all the participating countries in this work was 386 in 2011. In short: Italy has a police capacity which is situated far above this mean ratio. Eurostat mentions a global number of 276,750 police officers in Italy in 2012[14].

Figure 2.4. : *The Italian Police System*

*** HERE FIGURE 2.4. ***
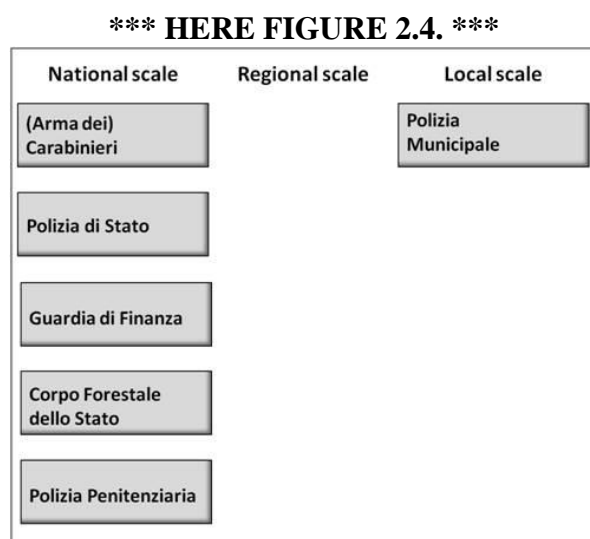
2.3. The Portuguese Police System

The Second Republic was the corporatist authoritarian regime installed in Portugal in 1933. This was greatly inspired by conservative and authoritarian ideologies, and developed by António de Oliveira Salazar, ruler of Portugal from 1932 to 1968, when he was replaced by Marcelo Caetano. The Second Republic was strongly opposed to communism, socialism, liberalism and anti-colonialism. Fiercely criticized by most of the international community after World War II and decolonization, the regime and its secret police repressed elementary civil liberties and political freedoms in order to remain in power, and to avoid communist influence and the dissolution of its empire. It was one of the longest-surviving right-wing dictatorships in Europe, outliving the fascist regimes in Germany and Italy by three decades. Only on 25 April 1974, the Carnation Revolution in Lisbon, a military *coup* organized by left-wing Portuguese military officers, overthrew the Second Republic and ended 48 years of dictatorship in Portugal. The dictatorial regime (1926-1974) marked profoundly the development of the country at all levels and more in particular those of security and the organisation of the police. For that reason the Polícia de Segurança Pública (PSP) and the Guarda Nacional Republicana (GNR) were considered as advocates of dictatorship during a long period (Agra et al., 2001).

Portugal today is a unitary state (Rodrigues, 1998). All the security forces and services are national and their cooperation is coordinated centrally by the Secretary of Internal Security. According to the Portuguese Constitutional Law the organisation of the security forces must be unique for the whole national territory. As a consequence, the internal Portuguese security

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[14] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en

is based on different forces and agencies organised on national level: the PSP, the Public Security Police, the GNR, the National Guard of the Republic, the Polícia Judiciária (PJ) (the Criminal Police) and the Serviço de Estrangeiros e Fronteiras (the Foreigners and Border Service). All these forces function according to a clear hierarchical and vertical structure (Sousa, 2003).

The responsibility for the internal security is shared with two departments : the ministries of Justice and that of the Interior. The PSP and the GNR are under the authority of the Ministry of Interior. The Ministry of Justice is responsible for the Polícia Judiciária. The Serviço de Estrangeiros e Fronteiras is organised in a vertical way under the Ministry of Interior.

The GNR is the direct descendant of the Royal Police Guard (Guarda Real da Polícia) created in 1801 in Lisbon. It took as a model the French Gendarmerie. A similar Royal Guard of the Police was created for Porto. In 1834 the King disbanded the Royal Police Guard in Lisbon and Porto, creating the Municipal Guards of Lisbon and Porto. In 1868 both of the Guards were put under a unified General Command, installed in barracks in Lisbon, which today still is the Headquarters of the GNR (Durão et al., 2005). After the revolution of 1910, which substituted the Constitutional Monarchy with the Republic, the new regime changed the name of the Municipal Guard to the Republican Guard (Guarda Republicana). In 1911, the name changed to National Republican Guard. In 1993 the National Republican Guard absorbed the independent Fiscal Guard (Guarda Fiscal) that became the Fiscal Brigade of the GNR.

Today the force has different local layers. The guard has competence on the whole Portuguese territory, but is primary present in rural areas. The guard is competent in the domain of maintenance of public order (especially traffic security), the maintenance of the security of citizens and properties, prevention of crime, the repression of fiscal infractions, the collaboration with judicial authorities, police and military missions (assistance to the national defence).

The PSP, civil of nature today, was in former days a para-military force. The mission of the PSP is to defend republican democracy, safeguarding internal security and the rights of its citizens. The PSP is mostly present in larger urban areas. Due to their high visibility, the PSP is recognized by the public as the "police" in Portugal. The PSP contains today 2 metropolitan commands (Lisbon and Porto), 18 districts at national level and 2 separate regional districts (Açores et Madeira). Furthermore, PSP has three specialised unities: a anti-confrontation unity (for football and manifestations), a group for special operations (anti-terrorism and ultra-violent missions) and a protection force. The PSP is responsible for prevention of crime, the identification and arrest of criminals and the maintenance of public order. Its mission is to a large extent identical to that of the guards. Three functions are the exclusive domain of the PSP: the control of the production, the trade, the use and the transport of firearms and explosives, the protection of special units and the security of civil airports.

There is no hierarchical relation between the GNR and the PSP, but the division of labour is organised on geographical basis.

The *Polícia Judiciária* is another autonomous police force. Once a criminal case starts, this force has to be warned. It is the task of the Polícia Judiciária to gather elements of proof. This force is strongly specialised in technical and scientific matters (Cluny, 1995).

The *Serviço de Estrangeiros e Fronteiras* is the last Portuguese force with police competences. It is its task to execute the Portuguese policy concerning immigration and asylum.

Recently, in 1997, the municipal police was created in Portugal. The municipal police is an administrative police operating under the direction of the Mayor. The functions of municipal police are in the domains of municipal regulations and the implementation of decisions of municipal authorities, public space and local urban transport surveillance, intervention in community policing programs, protection of buildings and municipal public facilities, and the regulation and supervision of road and pedestrian traffic.

The European Sourcebook (Aebi et al., 2010) mentions a ratio of 443 police officers (excluding civilians) per 100.000 inhabitants in 2011 in Portugal. The mean of this ratio for all the participating countries in this work was 386 in 2011. In short: Portugal has a police capacity which is situated above this mean ratio. Eurostat mentions a global number of 46,083 police officers in Portugal in 2012[15].

Figure 2.5. : *The Portuguese Police System*

*** HERE FIGURE 2.5. ***
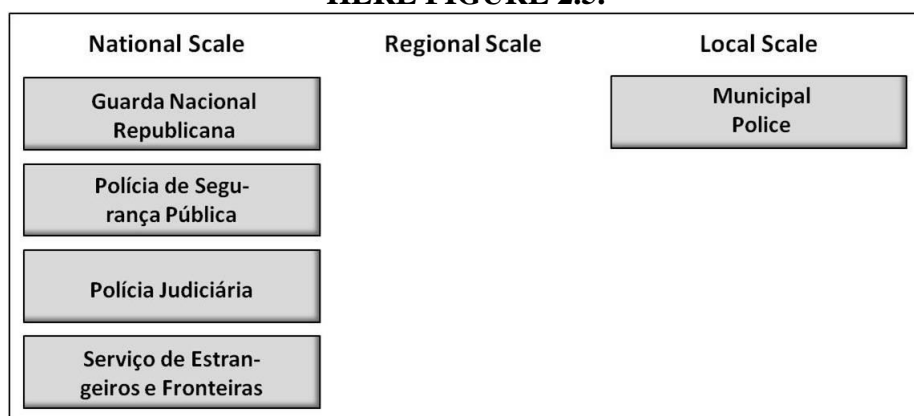
2.4. The Spanish Police System

Under Franco (1939-1975) a tripartite system of police existed in Spain: the Civil Guard (Guardia Civil), the Armed Police (Policía Armada) and the Municipal Police (Policía Municipal). During the Franco era (1939-1975), the police was reinforced and regarded as a reactionary element, associated with internal surveillance and political repression. Coercion, physical force, and general violence were employed. At the end of the nineteenth century, the Guardia Civil conducted a campaign against criminal and anarchist elements. The Municipal Police could be best described as a local autonomous traffic enforcement force, while the Civil Guard and the Armed Police were national military police organisations designed to maintain control of the Spanish population and safeguard national public security (Becker & Thomas, 1973).

The Spanish constitution of 1978 marks clearly the "politically negotiated" end of almost four decades of dictatorship in Spain. From a constitutional point of view, Spain may be

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[15] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en

characterised from that point on as a "regional state", in order to differentiate it from centralised and federal structures, although the Spanish system tends to operate more like a federation than a centralised state. Spain developed from a highly centralised system in which there were only two levels of government (central and local) to a tripartite system, with central, regional and local governments (Carrillo Cordero, 2003). The structures, powers and responsibilities of sub-national governments have experienced a radical transformation in the last 20 years (Recasens, 1999).

The state, the central government (Madrid), of napoleontic tradition, has a national civilian police force (*Cuerpo Nacional de Policía*) and the National Police and a Civil Guard (*Guardia Civil*), the Spanish Gendarmerie, based on the model of light infantry used by Napoleon in his European campaigns, a force of high mobility and able to patrol and pacify large areas of the countryside. On national scale these two state forces represent the majority (2/3) of police officers in Spain. Both forces function on the whole Spanish national territory. The National Police is mainly responsible for policing urban areas, whilst rural policing is generally the responsibility of the Civil Guard (Valriberas Sanz, 1999). The fact that the Guardia largely operated in mostly rural and isolated parts of the country increased the risk of police violations of individual civil rights through lack of supervision and accountability. These national forces have both integrated competences. The Guardia Civil depends on the Ministry of Interior (security of cities and services related to the law) and the Ministry of Defence.

The second level of independent governmental power is that of the "autonomous communities" (*Comunidades Autónomas*), with elected governments and Parliaments, e.g. Catalonia and Basque Country. Catalonia has his own regional police force, the *Mossos d'Esquadra*, while Basque Country has the *Ertzainza*. Also these regional forces have integrated competences. Regional forces have a strong presence within the important metropolises in their region (e.g. Barcelona) (Domínguez-Berrueta De Juan et al., 1997).
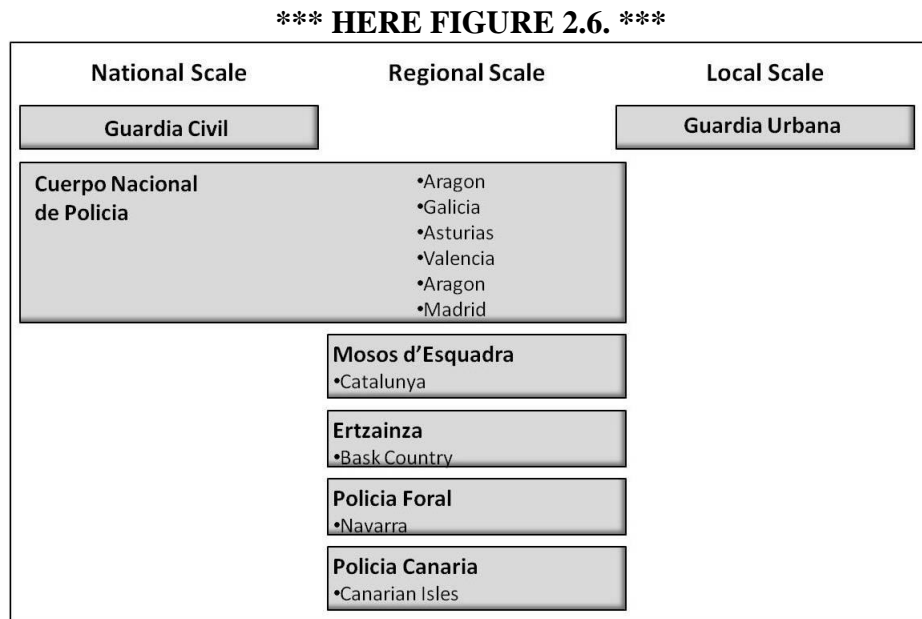
The third level is that of the municipalities, with elected mayors (during the dictatorship they were assigned arbitrary by central government) (Recasens & Ponsaers, 2014). The redefined and democratised municipalities gained a large degree of self-governance. The mayors became the authorities of their own local police forces. These *Guardia Urbana* have principally functions in public security and urban traffic (Rabot, 2004).

This tripartite model, without any organic or functional hierarchy, had to base itself on reinforced coordination, which was difficult because of the bad regulations in the law of 1986 (Sanders & Young, 2002). For the autonomous communities, they were granted their own police forces, a *Junta de Seguridad*, to coordinate with those of the state on their territory. A *Junta Local de Seguridad* was also introduced for the coordination of the local police forces (where they exist) and those of the state and/or the autonomous police forces.

The European Sourcebook of Crime and Criminal Justice Statistics (Aebi et al., 2010) mentions a ratio of 536 police officers (excluding civilians) per 100.000 inhabitants in 2011 in Spain. The mean of this ratio for all the participating countries in this work was 386 in 2011. In short: Spain has a police capacity which is situated largely above this mean ratio. Eurostat mentions a global number of 249,907 police officers in Spain in 2012[16].

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[16] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en

Figure 2.6. : *The Spanish constitutional layers and their police forces*

*** HERE FIGURE 2.6. ***

National Scale	Regional Scale	Local Scale
Guardia Civil		Guardia Urbana
Cuerpo Nacional de Policia	•Aragon •Galicia •Asturias •Valencia •Aragon •Madrid	
	Mosos d'Esquadra •Catalunya	
	Ertzainza •Bask Country	
	Policia Foral •Navarra	
	Policia Canaria •Canarian Isles	

2.5. Lineages of the French Police System

The police systems discussed in this part deal with different police forces and different types of police forces. We observed police systems that represent a long historical heritage, without dramatic recent reforms. The centre of these systems are important national forces. They are the explicit expression of strong central national government. We observe in each country a para-military (in fact variations on the ancient napoleontic gendarmerie) *and* a civil national force, e.g. in France the Gendarmerie Nationale versus the Police Nationale; in Italy the Carabinieri versus the Polizia di Stato, in Portugal the Policia de Segurança Pública versus the Guardia Nacional Republicana; and in Spain the Guardia Civil versus the Policia Nacíonal;.
Some division of labor exists between both types of forces. The para-military gendarmeries are mobile forces, functioning in rural areas, while the civil national police forces are mostly located on a de-concentrated basis in urban areas. Both national forces function as communicating vessels, in relation to a geographical logic.

Spain (1939-1975) and Portugal (1926-1974) have been subject of dictatorships, which profoundly marked their development at all levels. To a certain extent these police systems had the function to protect the state and the regime against their own citizens. The political transition during the end of dictatorship hindered the development of a real criminal and security policy in a democratic logic, until the mid 90ies.

When it comes to Italy, after fascism (1922-1945) and the Second World War, we observed the development of a democratic regime, influenced by the cold war. The catholic democracy, supported by the US, systematically blocked with all its strength the access to political power for leftist movements, directed by the communist party. That situation facilitated certain political practices which were not always in line with the state of law and reinforced certain state apparatuses, which developed as "isolated forces" within the society during the process of democratisation.

In short, Italy, Portugal and Spain had problems in developing a real democratic regime. Furthermore, they had a napoleontic politico-administrative culture in common, with a central state and a bureaucratic administration which was distant from the citizen. This was translated into central state forces, double structures, some civil, some para-military.

Spain is to a certain extent a-typical, while the central national Spanish state was confronted with important tendencies towards political regional autonomy. It is in these regions that specific regional police forces exist. This is the case with the Mossos d'Esquadra in Catalonia and with the Ertzainza in Basque Country. They are the expression of the political will to replace national police presence by regional police forces and in that sense of the tendency towards regional political autonomy.

In most of these systems the national forces are counterbalanced by municipal local police forces, e.g. in France, Spain, Italy and Portugal. Bigger metropolises have specific forces (e.g. in France the Préfecture de Paris[17], in Spain Barcelona and Madrid, and in Italy Rome, in Portugal in Lisbon and Porto), even after the nationalisation of municipal forces (e.g. France). Local steering by mayors is the expression of political local democracy.

In most of the systems a functional integration of administrative and criminal competences can be observed within the forces mentioned, but there are exceptions, e.g. in Italy the Guardia di Finanza, and in Portugal the Polícia Judiciária, which are autonomous national forces that are *not* functionally integrated and have an important degree of functional specialization.

Dominantly we observe autonomous leadership of the different forces, only now and then there exists partial hierarchical integration between different forces.

These diverse police systems, inspired by the French system, are to a large extent complex systems, expressing the historical development of the countries and integrating the political reality of dominantly central national democracies, taking to a smaller extent other levels of decision making power (regional and local) into account.

3. Territorial divided Police Systems

Under this heading we discuss a number of European police systems which are territorially decentralised and deconcentrated. We discuss the United Kingdom (U.K.) and three federal states (Germany, Switzerland and Belgium).

In The United Kingdom there are four countries: England, Wales, Northern Ireland and Scotland. The United Kingdom is a constitutional monarchy with a parliamentary system. It has a two tier model of public administration consisting of national and local governments. This institutional context is complicated by the devolution of responsibility for policing and criminal justice to the Scottish Parliament and Northern Ireland Assembly. Currently there is a lively debate on the possibility and desirability of devolving policing and criminal justice to the Welsh Government but at the moment these remain the responsibility of the English and

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[17] It should be stressed that the prefecture of police is not a municipal police; and there is no real municipal police force in Paris. For further reading, see : de Maillard, 2015.

Welsh Home Office and Ministry of Justice. This means that there is only one jurisdiction, with the consequence that the police system is the same for both countries. In this part of the paper we limit us to England & Wales. In Northern Ireland and Scotland we observe the dominance of real national police services, which differ strongly from the situation in England & Wales. Apart from the United Kingdom, there is the independent Republic of Ireland, which has the national *Garda Síochána* ("the Guardian of the Peace"). This system can also not be considered as constituted out of territorial forces, as is the case in England & Wales.

Apart from the situation in England and Wales, there exist in Europe of course also federal states. A federal state can be defined as a state with one central government and a number of regions. These regions have their own competences, which cannot be limited by the central power, their own Parliament and their own government. This power equilibrium is always anchored within the constitution of a country. There are not that much federal states in Europe: Belgium, Austria, Switzerland and of course Germany. It seems evident that the federal character of a state has a certain impact on the police system of a country and federal states eventually prefer a territorial divided police system. This is the reason why a number of these systems are considered in this part. In Germany indeed we find a strongly decentralised system[18]. In Switzerland we find a real cantonal police at the level of each federal state. Consequently, we will consider also the system of this country. The police system of the federal state Belgium is probably the most decentralised and deconcentrated system in Europe, with a strong emphasis on the local (zonal) police, complemented with a federal police.

3.1. The Police System in England and Wales

In England and Wales are 48 counties. A county is an administrative, geographical and political boundary, which is larger than a municipality. Counties are areas used for the purposes of administrative, geographical and political demarcation. The counties may consist of a single district or be divided into several districts and have a county council. Six of the counties are metropolitan counties. The current arrangement is the result of incremental reform. Many of the counties were established in the Middle Ages somewhere between the 7th and 11th centuries. In 1974 the existing local government structure of administrative counties and county boroughs in England and Wales outside Greater London was abolished. A new set of counties was created, six of which were metropolitan. The historic county boundaries were retained wherever it was practicable.

There are 41 county forces, which form the local police forces in England and Wales, together with the Metropolitan Police and the City of London Police (Edwards & Prins, 2014). These 43 police forces are often referred to as the 'Home Office' forces, executing the 'territorial' policing of England and Wales (Mawby & Wright, 2003). They are spread all over England and Wales, and work independently from each other. Each works under the guidelines of the Home Office. In London there are two 'constabularies': The *City of London* police, responsible for policing the major financial markets and protecting the London Stock Exchange. The rest of the Capital is policed by the *Metropolitan Police Service* (Cohen, 1979/1981).

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[18] In Austria the police is the responsibility of the federal Ministry of Interior, in Vienna. The system was reformed in 2005, which led to the consolidation of the federal police (*Bundespolizei*), the federal criminal police (*Bundeskriminalamt*) and the *Bundesgendarmerie* in nine federal command structures at the level of the federal state. Apart from that has Austria 21 municipal forces. We will not consider this system further in this paper.

The recent Police Reform and Social Responsibility Act 2011 represented a major shift in this structure, shifting responsibility for public policing from police authorities to elected Police and Crime Commissioners (PCC's), that is, from the tripartite structure introduced by the 1964 to a new quadripartite structure (Chief Constables, Home Office, Police and Crime Commissioners, Police and Crime Panels) (Edwards & Prins, 2014).

The Home Office sets guidelines which the forces have to obey. But each force has its authority which is responsible for financing the local police force. Prior to the introduction of the elected Police and Crime Commissioners (PCC's) in November 2012 there were 43 police authorities, but these were abolished at that time, each of them working independently from each other (see Edwards et al, this volume). The Constabularies vary in size, and each is commanded by a chief constable. The chiefs report their activities to the PCC's. The police counties are financed partly by the Central Government and partially by local taxations. It is the responsibility of the directly elected PCC's to set the strategic agenda of a constabulary but the Home Secretary is responsible for the various national policing agencies such as the National Crime Agency established in October 2013.

The structure as we know it today dates from 1829, established by the Metropolitan Police Act, and was devised by Sir Robert Peel, who was at the time the Home Secretary (Mawby, 2003). The London Metropolitan Police established in 1829 by him, was a centrally controlled, uniformed service, aiming at monitoring street life, and preventing crime rather than fighting it (Rodgers & Gravelle, 2012). The main shortcoming of this system was the lack of local control on the police force (Emsley, 2003). The principle underlying the structure of the early police was that the working classes would police themselves. By employing constables from the working classes, Peel hoped to ensure that the relationship between the police and the public remained close (Wall, 1998). Peel imagined a police force in which "*there was to be no caste system as in the Navy or Army. The Metropolitan Police was to be professional and homogenous*" (Critchley, 1978).

Along with the Metropolitan Police, other structures arose from the concerns about crime. Between 1836 and 1839, a number of police reformers suggested the implementation of one single centralised organisation. At the same time, the central government accepted that the supervision on the police institutes - except the Metropolitan Police in London - was to be a responsibility of the local governments. In 1839 a law made it possible for counties to set up their own police forces if necessary. The central government also placed its police forces under supervision of Chief Constables, which were appointed by the Home Office. These centralised forces however were transferred to local control three years later (Emsley, 2003). The 19th century and the first half of the 20th century held the cradle for the implementation and refinement of the policing system and, by 1930, the once amateurish and chaotic system was replaced by a stable police system (Newburn, 2003).

Following a series of public scandals involving chief constables, the Royal Commission on the Police was set up in 1960. It was the first time that the principles, organisation and constitutional position of the police had been examined publicly. The main report was published in 1962 and sought to secure a system of control over the police that achieved maximum efficiency and the best use of manpower, adequate means of bringing the police to account, and proper arrangements for dealing with complaints. The Commission favoured the retention of a system of local forces but with increased central co-ordination. The Commission proposed to increase the size of forces and reduce the overall number of forces to

allow for a more efficient administration at local level (Wall, 1998). The Royal Commission's report underpinned the Police Act 1964, which determined the responsibility for public policing to a tripartite structure of Police Authorities, Chief Constables and the Home Office. The accountability of the police was steered by three main systems/institutions. First of all we had the Home Office, which determines the key national policing objectives in the annual National Policing Plan, which was brought to Parliament. The key tasks of the Home Office were: establishing performance targets and approving the appointment of Chief Constables. Secondly there was the Local Police Authority which was responsible for maintaining an effective and efficient force. This authority also determined local policing priorities, which had to be consistent with the National Police Plan. On the third level there was the Chief Constable who was responsible for direction and control of the force, especially for the operational matters. He was also responsible for achieving local and national policing objectives. The Chief constable was also the manager of local police plan in cooperation with the local police authority (Hope, 1996).

The concern with improving 'police-community liaison' was intensified following the major riots in Brixton, South London, in April 1981 which become the subject of an official inquiry led by Lord Scarman. The Scarman Report (1981) is a major reference point in the recent history of British policing not least for its critique of militaristic policing strategies, including the aggressive 'stop and searching' of young males from low income neighbourhoods and often from ethnic minority communities on 'suspicion' of offending behaviour (Benyon, 1984; Benyon & Solomos, 1987).
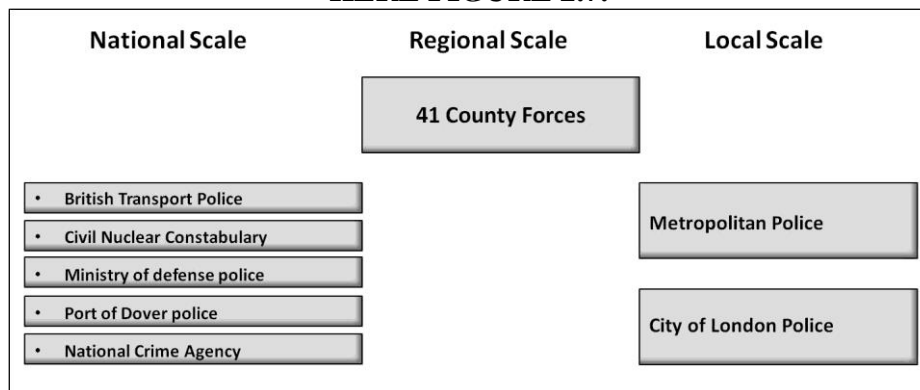
Next to the local police forces, which are restricted in their powers to certain areas, England and Wales also have five non-territorial police forces, which work on the whole territory. The *British Transport Police*, founded in 1826, is the national police force responsible for the railways. The *Civil Nuclear Constabulary* is a specialized and armed service whose job it is to protect civil nuclear sites and nuclear waste and material. The *Ministry of Defence Police* is a civil police force that is part of the Ministry of Defence (Aydin, 1997). All the members of this service have full constabulary powers. They operate on places of the Ministry, and in units throughout the UK, as their services are required. The Ministry of Defence Police is the only real national police force in the UK. The British Transport Police, the Civil Nuclear Constabulary and the Ministry of Defence Police are also referred to as the 'non-Home Office' police services. They hold a specific responsibility and execute their jurisdiction throughout the UK (Mawby and Wright, 2003). The *Port of Dover Police* supervises the world's busiest passenger port in the world. The *National Crime Squad* works at the heart of fighting serious and organised crime. All operations of this service are dedicated to dismantling and disturbing criminal organisations. Specifically, this means fighting drug traffic, illegal arms dealing, money laundering, contract killing, kidnapping and extortion.

The European Sourcebook of Crime and Criminal Justice Statistics (Aebi et al., 2010) mentions a ratio of 248 police officers (excluding civilians) per 100.000 inhabitants in 2011 in England and Wales. The mean of this ratio for all the participating countries was 386 in 2011. In short: England and Wales has a police capacity which is situated largely underneath the mean ratio. Eurostat mentions a global number of 132,198 police officers in England & Wales in 2012[19].

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[19] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en

Figure 2.7. : *The Police System in England & Wales*[20]

National Scale	Regional Scale	Local Scale
	41 County Forces	
• British Transport Police		Metropolitan Police
• Civil Nuclear Constabulary		
• Ministry of defense police		City of London Police
• Port of Dover police		
• National Crime Agency		

3.2. The Police System in Federal Germany

The German nation state originated in 1867 with the installation of the North-German Federation. In 1870/1871 some southern states joined the federation. The actual name, the German Federal Republic, is used since 1949. The 16 German *Länder* are the dominant policy level for security issues (Aden, 2004; Aden, Maguer & Stephenson, 2004; Busch, Funk et al., 1985). This is the consequence of the situation in Germany when occupied by the Allied Forces after World War II. The Allied Forces took care to prevent Germany from becoming again a centralised authoritarian state as it had been between 1933 and 1945. Therefore, the 16 federal states, in German *Bundesländer* or *Länder*, today enjoy a high level of autonomy in the organisation and steering of their security agencies; the *Länder* are also the driving force for establishing new security strategies, i.e. local crime prevention initiatives involving different state actors and non-governmental organisations (Aden, 2002; Aden et al., 2004; Busch et al., 1985). Due to the path-dependencies established after World War II, Germany has a semi-decentralised police system with 16 autonomous police forces (*Landespolizei*) at the level of each Bundesland. The *Landespolizei* is the backbone of the federal police system (Aden, 2002; Aden et al., 2004; Busch et al., 1985). The police functions under the responsibility of the Minister of Interior of each *Landesministerium*. It is at that level that political responsibility is anchored.

In 1990 the German reunification was realised, bringing together the old German Federal Republic (Western Germany) and the German Democratic Republic (Eastern Germany). In that year the six Eastern German federal states entered the new Federal Republic. The actual German Federal Republic is a federation of sixteen federal states. The 16 different 'Landespolizei' forces have incorporated the former municipal police forces[21]. Each force has its own, specific structure. During time they became more similar, due to the influence of the police legislation that became more directive since 1970. Each Landespolizei force has fully integrated competences. They include the so-called "Schutzpolizei" (protection) and the "Kriminalpolizei" (criminal police), including all competences in the domain of traffic. The

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[20] The Metropolitan Police for Greater London is in fact a regional, not local police force. There is a major tension between the Greater London-wide priorities and agenda of MOPAC (Mayor's Office for Policing and Crime) and the policing priorities advanced by the 32 Boroughs that constitute local government in Greater London (Edwards & Prins, 2014).

[21] It was in München in 1975 that the last municipal police was abolished in the federal state of Bayern.

uniformed Schutzpolizei takes to a large extent administrative functions. The criminal police (or the tasks of the criminal police) has SEK's (*Spezialeinsatzkommandos*) or special units and MEK's (mobile commando's)[22]. Each federal state (Land) has its own police academy. At the level of each federal state there is a '*Landeskriminalamt*' (LKA) (Groß, 2008). LKA's belong to the Landespolizei[23].

The federal state has two police forces: the *Bundespolizei* (Federal Police) and the *Bundeskriminalamt* (Federal Criminal Police Office). A number of other state and federal agencies are also involved in security issues, e.g. the federal customs administrations. The Federal Police is the successor of the former Federal Border Police (*Bundesgrenzschutz*) renamed in 2005 due to the diminishing role of border controls in the Schengen area. By 1992, the former Federal Railway Police had already been integrated into the Federal Border Police. The *Bundeskriminalamt* has its headquarters at Wiesbaden (Hesse), but also maintains a satellite in Berlin where it is involved in the protection of government institutions and coordination with other security agencies, e.g., for anti-terrorism intelligence. The federal parliament has its own small police force (*Bundestagspolizei*). The authority is limited to the parliament's buildings. A limited number of other federal services are also involved in security issues, as e.g. the federal custom service. The riot police function is based on a agreement between the state and the Länder, in which the military principles, the training, the structure and the equipment are settled (Aden & De Pauw, 2014).

For the 82 millions of inhabitants in the German Federal Republic are, apart from the 31.000 members of the Bundespolizei and 5.600 members of the BKA, 221.000 police officers working in the 16 Landespolizei forces. These figures demonstrate the preponderance of the federal states to the detriment of the central state. The *European Sourcebook* (Aebi et al., 2014) mentions a ratio of 321 police officers (civilians not included) per 100.000 inhabitants in 2011 in Germany. The country scores largely under the average. Eurostat mentions a global number of 243,982 police officers in Germany in 2012[24].

Figure 2.8. : *The Police System in German Federal Republic*

*** HERE FIGURE 2.8. ***
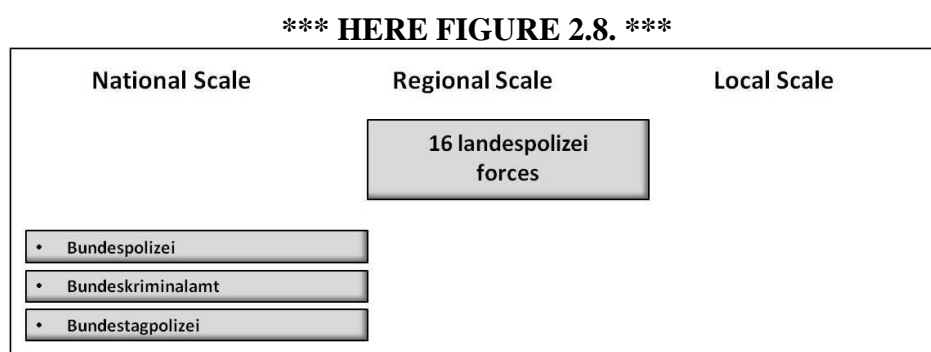
3.3. The police system in Switzerland

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[22] The SEK's are to a large extent the consequence of the confrontation of the police with left terrorism in Germany during the 70-ies.
[23] Brandenburg and Saarland are exceptions. Here the LKA's are independently organised.
[24] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en

Switzerland counts about 8 millions of inhabitants. From an administrative point of view, the country is a federal republic, composed of 26 cantons (regions). Switzerland doesn't have officially a capital city, but Bern is considered as the central metropolis in practice. It is no part of the European Union, but the country is economically strongly dependent of the EU. The Swiss police doesn't exist in fact. We should rather speak of different Swiss police services as a consequence of the federal structure of the country. Switzerland has 26 codes of criminal procedure and 26 cantonal police services. Each cantonal police is subdivided in different services, more precisely in criminal services (*Kriminalpolizei*) and the gendarmerie (*Sicherheitspolizei*). According to the needs of each canton, specific services are added to this basic model, e.g. the police of an airport. Sometimes is the traffic police a separate service within a cantonal force, sometimes it is part of the gendarmerie[25].

The 28 cantonal forces and additional municipal forces are the backbone of the Swiss police system. They function under the supervision of the federal authorities. The leading officers report to the cantonal and municipal police department. The co-existence and co-habitation between the cantonal and municipal forces bring specific problems concerning the division of competence and budget. This is the reason why a reflection-process is ongoing concerning the integration of the municipal forces within the cantonal police (Rohrbach, 2003)[26].

The collaboration between the cantonal forces is fixed by different inter-cantonal agreements. The common efforts of the "*Conférence des Commandants des Polices Cantonales de Suisse*" (CCPCS) and the "*Conférence des Directrices et des Directeurs de Police des Villes Suisses*" (CDPVS) are directed towards the unification of the practices in different domains, which leads to a relatively good collaboration in the combat against traditional crime (Mohler, 1997). The Swiss federal system does not lead only to inconveniences. There are also advantages of the system. Switzerland has a police system that is considered to be near the population and is also proximate to the local authorities. Another important advantage is also the flexibility to adapt to changing crime phenomena, a flexibility which is rarely observed in a centralised structure (Tschudi, 2003).

The federal government has no federal enforcement force. The enforcement and co-ordination of national laws is ensured by a college of cantonal police commanders. The police training is provided by cantonal academies and in the inter-cantonal Polizeischule Hitzkirch, a common initiative of 12 cantonal forces, started in 2007.

There exists a limited kind of federal police (Bellanger, 1998). The Fedpol is dependent of the federal Ministry of Justice and Police and co-ordinates the different police-activities, especially international operations and those which demand cantonal support in the framework of criminal investigations under federal jurisdiction (e.g. phenomena as organised crime, money laundering and terrorism).

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[25] Mostly municipal forces are added to the cantonal forces. Cities as Zurich, Bern and Lausanne have an own criminal police within their municipal police force, apart from the municipal gendarmerie. In Geneva, the municipal police has competences which are limited to the recording of infringements.

[26] In Franstalige kantons zoals Fribourg, Neuchâtel of Vaud werden hervormingsprojecten in deze zin opgezet. In het Duitstalig kanton Bern werd eenmaking op kantonaal niveau gerealiseerd in 2007. De stedelijke kantons als Genève werden minder getroffen door deze organisatie- en beheersproblemen aangezien de essentiële taken zoals ordehandhaving, de openbare veiligheid en de gerechtelijke politie grotendeels gedekt worden door de kantonale politie (Sigrist, 2009).

The ministry of Finance is responsible for the Swiss border police. A limited military police service functions within the Department of Defence. Furthermore a federal railway police is operational as a joint venture with Securitas AG, *Securitrans*. In case of catastrophe or large scale rioting, the civil police services can call upon the army, which functions in these cases under the responsibility and the commando of the cantonal authority.

The *European Sourcebook* (Aebi et al., 2010) mentions a ratio of 212 police officers (civilians not included) per 100.000 inhabitants in 2006 in Switzerland. The figures for Switzerland are not included in the latest 5th edition of this work (Aebi et al., 2014). The average of this ratio for all participating countries was 371 in 2006. Switzerland scores largely under this average. Eurostat mentions a global number of 17,630 police officers in Switzerland in 2012[27].

Figure 2.9. : *The Police System in Switzerland*

*** HERE FIGURE 2.9. ***
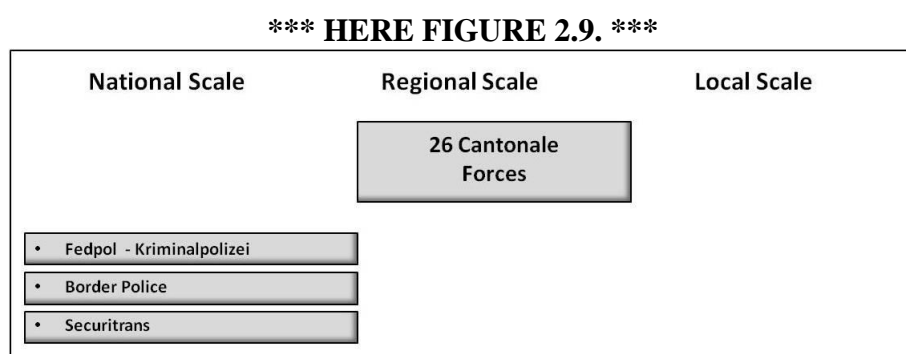
3.4. The police system in Belgium

The origin of the Belgian municipal police goes back to 1795 when the French occupiers set up the municipalities, thereby giving short shrift to the existing land divisions that went back to the Ancien Régime. All the municipalities became independent in 1800 and continued to exist from the independence of the country in 1830. At that time there were 2,776 municipalities. Some were very small. On 1 January 1977, a large-scale, municipal merger was carried out, whereby initially 589 municipalities were left over (Van Outrive et al., 1991). The Flemish Region has today 308 municipalities, the Brussels-Capital Region 19, and the Walloon Region 262. In principle, each of these municipalities had their own municipal police force prior to the reform of 1998.

The Gendarmerie was a legacy from the period when France occupied Belgium (1794-1815) and should also be seen as a Napoleonic heritage (Van Outrive et al., 1992). At the moment of the independence in 1830, the Constitution stated that '*the structure and authority of the Gendarmerie will be regulated by law*'. Only in 1957 a law on the Gendarmerie was passed. Demilitarisation of the police force came much later, in 1992.

While both the above-mentioned police forces were created prior to Belgian independence, this was not the case with the criminal police at the public prosecutor's office (GPP). From 1870 on the magistracy started to complain about the limited impact the municipal police and the Gendarmerie had on the level of crime. The discussion regarding the creation of a criminal

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[27] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en

police dragged on for a long time and it was only in 1919, shortly after the end of WWI, that a "judicial police at the public prosecutor's office" was set up (Van Outrive, L. et al, 1991).

Contrary to other European countries, it is striking that no clear, geographical or functional division of tasks between the above-mentioned police forces was ever set up. This resulted in creating a atmosphere of competition between the three forces. The notorious child abductor and murderer Marc Dutroux was arrested on 13 August 1996. It became clear that the police had lost a lot of valuable time during the investigation. The Dutroux case seriously affected public opinion and great pressure was put upon the politicians. Dutroux's escape from the court building at Neufchâteau for a short period proved to be the straw that broke the camel's back (Ponsaers & De Kimpe, 2001).

The so-called "Octopus Agreement", dated 23 May 1998, gave rise to the fundamental reform act towards an "Integrated Police Force on Two Levels" (WGP) of 7 December 1998 (Ponsaers, 2002). Since the introduction of the act, Belgium has two types of police: A local police force (absorbing the municipal police and the local branches of the gendarmerie) and a federal police force (absorbing the criminal police and the supra-local branches of the gendarmerie). The local and federal police together make up the *integrated police*. Approximately 47,000 men and women are employed by the police. Approximately 39,000 are operational police officers. Within the framework of this reformed system, there are 'functional links between the two police levels' that are provided for by law. With respect to financing, the federal police are integrally financed nationally, while the local police are largely financed from the local municipal budgets (Cachet et al., 2008).

This reform was the first fundamental police reform in the history of the Belgian police (Bruggeman et al., 2010). The police organisation actually started at the federal police on 1 January 2001, with the local police starting one year later. At both levels - federal and local - the forces have a substantial autonomy, although that does not take away the fact that they together must ensure '*integrated community policing*". It is noticeable that the WGP has *not* given further specification to the allocation of tasks between the federal and local police forces, apart from the general statement that the local police is responsible for local and simple matters, while the federal police has to handle supra-local and complex cases. The act (WGP) lays down the functional connections between the two levels. Responsibilities for operational, integrated community policing lies at the feet of the ministers of Home Affairs and Justice.
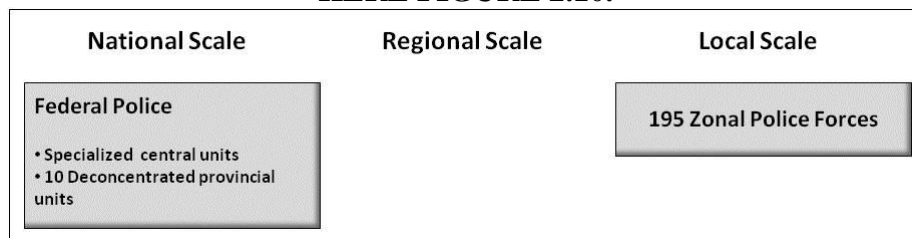
The system comprises 195 very diverse local zones. According to many, some of them are too small. Small police zones have difficulty in achieving the desired uniform quality and breadth of community policing. Although there is currently little interest in making zone mergers obligatory, which could affect the complex and sometimes vulnerable relationships between the local and federal police forces, scale corrections at the local police are possible for those zones that strive on a voluntary basis for up-scaling. After 10 years of reform, the federal police was considered to function too bureaucratic and was reorganized, simplified and rationalized, bringing the number of the 27 de-concentrated unities to 12, at the scale of the provinces.

The *European Sourcebook* (Aebi et al., 2014) mentions a ratio of 340 police officers (civilians not included) per 100.000 inhabitants in 2011 in Belgium. The average of this ratio for all

participating countries was 386 in 2011. Consequently, Belgium scores under this average. Eurostat mentions a global number of 46,784 police officers in Belgium in 2012[28].

Figure 2.10. : *The Police System in Belgium*

*** HERE FIGURE 2.10. ***

National Scale	Regional Scale	Local Scale
Federal Police • Specialized central units • 10 Deconcentrated provincial units		**195 Zonal Police Forces**

3.5. Legacies of feudalism and federalism

The police systems discussed under the heading "Territorial Divided Police Systems" contain different police forces, but are at the same time constituted out of one type of police. In other words, here we observe a multitude of police leadership, but the kind is police is uniform. Here we are dealing with systems that are leaning on the division of the national territory in geographical entities, and in each of these territories is another force functioning with an autonomous police leadership. Each time nevertheless, the kind of each territorial force is the same. In other words, we are dealing here with police systems that are organised on a territorial basis. In some cases this dominant system is completed with some national or federal forces and/or municipal forces. The backbone of each of these systems in England & Wales, Germany, Switzerland or Belgium are respectively "county forces", "Landespolizei forces", "cantonal forces" and "zonal forces". The dominant format is that of "one type of police, with a plurality of forces".

It is striking that the division of labour in these police systems is to a large extent not functional of nature, but territorial. In short, we are dealing with functional integrated forces, which are engaged in all the aspects of police functions (administrative and criminal), but their action radius is limited to the territory (the county, the federal state, the canton, the zone) they are active on. Every force does "everything" on "its" territory. It is striking that these different forces in these police systems are not hierarchically integrated. Each force has its own, independent leadership and functions quiet autonomous, notwithstanding that each time we observe attempts for harmonizing the functioning of the system.

Sometimes this harmonization is stimulated by the national government (e.g. the Home Office in England & Wales). It is significant that the county forces are called "Home Office forces", even when we keep in mind that the territorial division of England & Wales in counties is largely a legacy of feudalism. The tendency to increase national steering in England & Wales is explicitly present, without a explicit will to absorb the county forces within one national police. This observation contradicts the situation in Northern Ireland and Scotland, countries which are part of the United Kingdom but have single national police services. It is probable that these evolutions in Northern Ireland and Scotland are related to their propensity to more political autonomy and independency within the U.K. In this sense we can assume that the police system of a country can be determined to a large extent by the tendency towards the

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[28] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en

formation of a new nation-state and expresses the inclination to autonomy. The reverse should also be considered: the degree of central steering of the police system will determine the possibilities for political independency.

The tendency towards unification of the police system in federal states, as for example the German Federal Republic, Switzerland or Belgium, is explicitly smaller. It is the federal structure that brings without any doubt the recognition of more autonomy for each region and less central impact. This is less the case in Belgium than in the German Federal Republic and Switzerland, where the territorial division of the police system doesn't follow the division in the federal regions and only a local (zonal) police is active besides the federal police (Devroe & Ponsaers, 2013). From this point of view Belgium is not unique. Also in the federal state Austria exists a central/federal police system, where the police is operational in the different regions, apart from the striking presence of municipal forces. In short: it is not by necessity the case that a federal state has a territorial divided police system, but it is also not a counter indication for this reality (Ponsaers et al., 2014). From this point of view we look back to the Spanish police system, discussed earlier. Also here we recognized a "federalising tendency" in certain regions, which led to the dominant presence of own regional forces in these regions (as Catalonia and Basque Country). Again we see that the political reality of the structure of the state is reflected within the police system.

In the police systems we discussed under this heading, we can observe that the territorial forces have national or federal services as counter weights. These are to a large extent oriented towards the support of the territorial services. It is also remarkable that these territorial police systems do not contain para-military forces, which was still the case when we discussed the historical French tradition. It is also striking that these territorial systems have robust forces in important metropolises, which have an important weight within the global police system.

Each of the systems discussed is relatively complex, with a lot of particularities and specificities. They are to a large extent the expression of the state structure in which they function. Each of the countries has its own political history. It would lead too far to sustain that we are dealing with weak democracies. Germany for example stays the leading reference within the European reality.

4. Unified Police Systems

In this part we discuss a number of European police systems that are constituted by one national police force. In other words, we are not longer dealing with one *kind* of police with different forces, but one police *force*, a unified police, operating under one and unique leadership. This type of police we find in a number of European countries[29]. In Denmark we

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[29] It is striking that a number of Scandinavian countries have such a police system. The Swedish system is rather similar to the system of England & Wales, but has (in contradiction to the British system) an umbrella organisation for the 21 county forces and the Swedish National Police Council (*Rikspolisstyrelsen*), the co-called "*Swedish Police Service*". The system of Norway resembles the Swedish. Also this system is inspired on that of England and Wales. This system has also an umbrella organisation, the Norwegian Police Service (*Politiog lensmannsetaten*), containing the central National Police Direction, 7 special services and 27 police districts. Finland has one single police organisation, which functions under the authority of the Ministry of Interior and the supervision of the National Police Council. There are 11 police departments within the police organisation. We leave these systems aside. The organisational structure is to a large extent territorially oriented and does not reflect the integration of different components in one single integrated organisation. We are dealing with the

encounter a real unified police system. This system is also to a large extent territorially oriented, but can be considered as a real national police.

Apart from the Scandinavian reality, we find a number of European countries which have today one National Police as a consequence of recent dramatic reforms. That is as well the case in the Netherlands, Northern Ireland as in Scotland. That is the reason we develop these countries in this part.

4.1. The police system of Denmark

Denmark has the most remarkable unified national police organisation in Europe, divided in 12 non-autonomous districts. The Danish police is a state police. Everyone who is working in the force is employed by the state and it is the state which pays all costs related to the system. In contradiction to most European countries, it is the Ministry of Justice which has the highest administrative power over the police. As well the investigation, the prosecution as the maintenance of public order are part of this supervision.

This situation has been periodically discussed within Parliament. Opponents criticized the fact that justice and police are part of the same ministry, endangering the division of the executive and judicial powers. Until today the political parties could not solve this matter within Parliament (Henricson, 2004). In doing so, Denmark has in fact incorporated the public prosecution into the national police, which can be called exceptional in European context. The Danish public prosecution is not a steering instance and is even from an organisational point of view part of the police, while the prosecution of serious crime is an exception to this principle. The Minister of Justice is responsible for the complete chain police-security-justice. The Danish national police is constituted out of one central staff and 12 none autonomous districts. Two less important districts are added to this structure. Until 2007 there existed 54 districts. Each of the actual 12+2 districts are guided by a local police leader. All districts have almost equal capacity, except for the capital city of Copenhagen. There is one national police chief. The Danish police commander functions under the authority of the minister of Justice as a administrative directorate. He has the operational command over the national force and disposes over important control competences. He is also responsible for the allocation of the personnel in the different districts and controls if they make efficient use of their means and statistical information. He doesn't interfere in the practical composition of the operative commando in the districts. When parts of the organisation, which are at the disposal of the commander himself, are rendering support to a specific district, they function under the responsibility of the district commander. In other words, we can speak of hierarchical steering, based on performance agreements (Jochoms et al., 2013).

The 12 local districts within the national police are subdivided in a judicial service, a criminal service, a uniformed service and an internal service. All services have to report to the district commander, who executes the highest control. The organisational structure is to a high degree adapted to the education the personnel received. The local police is slowly evolving to a more flexible structure, without a too formal framework. Recently the difference between uniformed service and investigation is abolished. The police districts are to a certain degree

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composition of different territorial oriented organisations under one policy umbrella. In this sense, the dominance of a unified police in Scandinavia is a myth.

decentralised, while the Ministry of Justice delegates more and more competences to the police leaders of the districts in the cities (Fyfe et al., 2013).

Apart from the organisation in districts, there exist a few services that function on national level, more precisely (1) the *Rigspolitiet*, a national force that is specialised in accounting and budgeting, buildings and data-control; (2) the *Politiets Efterretningstjeneste*, the national intelligence service; and (3) the *Politiets Aktionsstryrke*, the special force of the Danish police.

Until 1911 the police forces were paid by the municipalities. They were working under the hierarchical authority of the local police chiefs, assigned by the King. The municipal forces were, during the transition period till 1938, brought under the steering of the central state. The ratio behind this change was the increase of the efficiency by a unified management, a better co-ordination between de different police districts and ultimately by the introduction of unified guidelines concerning the recruitment and training of police officers.
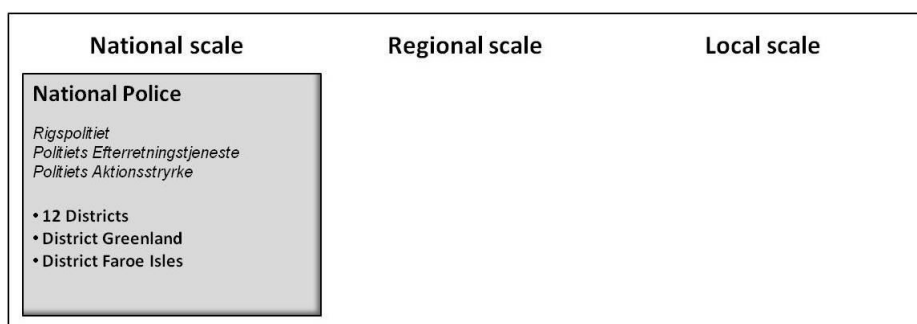
In the meanwhile Danish mayors have no authority anymore over the police. They can only influence the informal consultation concerning security in the region. In spite of the fact that the police is woven into several societal consultations, there is no longer a formal authority relationship between the local government and the police. That is certainly the case in smaller municipalities. Since 2007 there is a kind of district council, where the police director and the mayors of the district are part off. The district director is formally responsible for the functioning of the district council and he is also the chair of this council. Mutual consultation is foreseen. The police is supposed to draw each year a local collaboration plan, which is consolidated within the district council. Because of the amount and the intensity of public order problems in larger cities, these mayors have more impact on police policy (Henricson, 2004; Haagsma et al., 2012).

The *European Sourcebook* (Aebi et al., 2014) mentions a ratio of 196 police officers (civilians not included) per 100.000 inhabitants in 2011 in Denmark. The average of this ratio for all participating countries was 386 during that year. Denmark scores remarkably under this average. It is probable that this observation is related to the low population density in Denmark. Denmark has hardly metropolises and is to a large extent green rural area (Haagsma et al., 2012). Eurostat mentions a global number of 10,758 police officers in Denmark in 2012[30].

Figure 2.11. : *The Police System in Denmark*

*** HERE FIGURE 2.11. ***

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[30] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en

National scale	Regional scale	Local scale
National Police *Rigspolitiet* *Politiets Efterretningstjeneste* *Politiets Aktionsstryrke* • **12 Districts** • **District Greenland** • **District Faroe Isles**		

4.2. The police system of the Netherlands

The Netherlands had a long evolution towards a national police. In 1945, immediately after WWII, the Netherlands knew chaos. A lot of houses were bombarded and the police was very weak (Fijnaut, 2007). In the Dutch municipalities of 25.000 inhabitants or more, the so-called municipal police was present. The mayor of the municipality was "head of the police" and responsible for the local police. The municipal council could demand that the mayor would give more attention to the police. The mayor was responsible for the public order and the prosecutor was responsible for the criminal aspects. The administrative leadership for the municipal police was in the hands of the Minister of Interior.

In 1945 the government decided that the municipal police should stay in the larger cities, while the *Rijkspolitie* (the police of the kingdom) was installed. This new force became active in smaller cities and municipalities. The administrative supervision for this new force was in the hands of the Minister of Justice. A new police system was introduced, composed of the municipal police and the *Rijkspolitie*. Apart from those force there was the *Royal Marechaussée,* already installed in 1814, which was a centrally steered police force with a military structure, in fact a gendarmerie.

In April 1993, the Dutch police was reorganised. The *Rijkspolitie* was abandoned. The work in the municipalities without municipal police was rendered to the new *regional police* and other tasks were transferred to the National Police Service Force (KLPD). At that time, the Dutch police system resembled strongly that of England & Wales, with 25 autonomous regional forces which were territorially oriented, each with its own police leadership, complemented with a few central national services (KLPD). The police chief had the daily command over his regional force. The regional triangular consultation between the mayor of the largest municipality of the region, de prosecutor and the police chief of the regional force determined the security policy within the region. Besides, each municipality had the right for its own triangular consultation with its own mayor (Ponsaers et al. 2012). Each region was containing a number of districts, and each had a district chief. Each district was composed of a number of local entities. The number of police officers was determined by the number of inhabitants of the region and the frequency of crime on it. At the occasion of the reform all tasks concerning the civil aviation were transferred to the Royal Marechaussee. In 1998 this Marechaussee became an independent part of the army. Since that time the force is not considered anymore as part of the police system.

Despite the reform of 1993, the system continued to generate criticism (Prins et al., 2012). In the end, the government decided in January 2013 to reform anew the system. This ultimate reform concluded the discussion on the organisation of the police. All parts of the police

system were included in one force, the Dutch National Police. Since then the police functions under the authority of the new Ministry of Security and Justice. The 25 regional forces and the KLPD were restructured into 10 subnational entities (plus one for the Dutch Antilles, so 10+1), a national unity, a police service center and the police academy. The regional entities of the national police are the backbone of the new police system (Vlek & Van Reenen, 2012). The territories of the subnational entities are equal to the new geographical limitations of the judicial system. A subnational entity is composed of: districts, (support) services and staff. Each district is composed of: basic teams, an investigation unit and a so-called 'flexible team'[31]. In case of crisis the police collaborates with the fire brigade and medical ambulance services within the so-called security-region. The mayor and the public prosecutor have the supervision on the local commitment of the police. These two parties make agreements in the local triangular consultation with the police. Within this consultation the priorities are determined, based on the integral security plan of the municipality and the national priorities (Fijnaut, 2012).

The *National Unit* is to a large extent the heritage of the former KLPD. It is composed by a staff, a national operational centre, a national investigative unit, a national information service, a national service for operational collaboration, a service for infrastructure, a service for surveillance and protection, a special force and a national management team for planning and capacity management. Apart from that, the national police has a national concern service, the service centre for the police. In this centre an important part of support tasks is covered. The management of the national police is focused on human resources, facility management, finances, provision of information and communication. The police academy, the training centre of the police, is provisionally no formal part of the national police, but over time it seems to be absorbed by the organisation (Fyfe et al., 2013).

The *European Sourcebook* (Aebi et al., 2014) mentions a ratio of 230 police officers (civilians not included) per 100.000 inhabitants in 2011 (thus before the actual reform) in the Netherlands. The average of this ratio for all participating countries was 386 during that year. The Netherlands scores largely under this average. Eurostat mentions a global number of 39,735 police officers in the Netherlands in 2012[32].

Figure 2.12. : *The Police System in the Netherlands*

*** HERE FIGURE 2.12. ***

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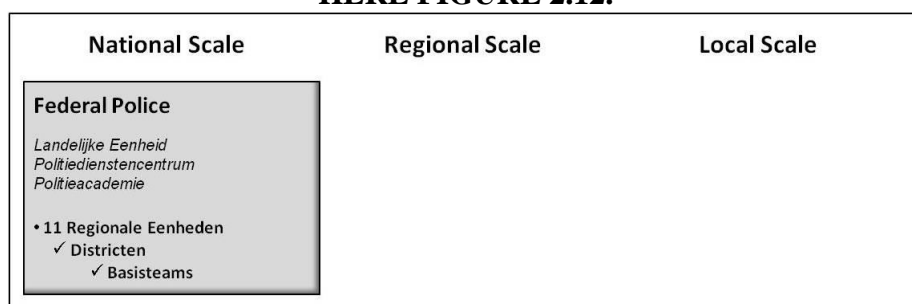
[31] The tasks of basic teams are: first point of contact, delivering first aid and non urgent reports steered by the central dispatching, investigation of frequent crime and enforcement (of juvenile violence, events, hotel and catering industry, mental health care, traffic, surveillance of foreigners, environmental and executive tasks). Basic teams have investigative capacity for tackling frequent delinquency. The investigative unit of a district is responsible for high impact crime. It delivers support to the basic teams (Bruggeman & Ponsaers, 2011).

[32] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en

4.3. The police system of Northern Ireland

Today Northern Ireland has a national police force, the *Police Service of Northern Ireland* (PSNI). It is the successor of the former Royal Ulster Constabulary (RUC) which, in turn, was the successor to the Royal Irish Constabulary (RIC) in Northern Ireland.

Policing in Ireland started in the mid 18th century, in the form of the *Dublin Metropolitan Police* (Ellison & Smyth, 2000). It was established under the British rule, and was seen by the Irish people as an extension of that nation-state (Punch & Bisschop, 2009). During the 19th century became the British government increasingly convinced that a militarised police force would be the only way of maintain their dominance in Ireland. The result was the creation of the *Peace Preservation Force*, a "*compromise between a fully-fledged centralised police force and the extensive use of the military in a policing role*" (Ellison & Smyth, 2000). Over time this force became increasingly centralised and when the *Royal Irish Constabulary* (RIC) was installed in 1836, the military nature of the force was clear, despite objections to a "continental" (French) style of policing. The overall result that was the RIC was a symbol of the British rule for the Irish people, and consequentially, the force was detested by them.

From the late 19th century on, the majority of people living in Ireland wanted the British government to grant some form of self-rule to the island. The nationalists (known as republicans, mainly Catholics) sought to gain Home Rule, which would give Ireland autonomy in internal affairs, without breaking up the United Kingdom. However, a significant minority (known as the unionists or separatists, republicans, mainly Protestants) was opposed to this idea, because it implied maintaining the connection with Britain and "betrayed" the so-called pan-Irish political union (of *Northern* and *Southern* Ireland). The last group retained control of a fraction of the *Ulster Volunteer Force* (UVF), an loyalist paramilitary group in Northern Ireland (Lundy & McGovern, 2001).

During the general election of 1918, the traditional Irish Parliamentary Party lost almost all of its seats to the unionists of Sinn Féin. Guerrilla warfare raged across Ireland, leading to the Anglo-Irish War. The authorities created the (mainly ex-UVF) *Ulster Special Constabulary* to aid the RIC and introduced emergency powers to put down the *Irish Republican Army* (IRA). Many died in political violence. In 1920 the British government partitioned the island into *Northern* Ireland and *Southern* Ireland. From 1922 on Northern Ireland stopped being part of the United Kingdom and became part of the newly created Irish Free State. A new dominion for the whole island of Ireland was established, but Northern Ireland immediately exercised its right to opt out of the new dominion. This way Northern Ireland became a new autonomous region (Kempa, 2007).

The first years after the transition were marked by bitter violence, particularly in Belfast. The IRA was determined to oppose the partition. The police force of Northern Ireland became the *Royal Ulster Constabulary* (RUC) (Mulcahy, 2006). This resulted in a high number of ex-RIC officers being integrated into the newly formed RUC (Ellison & Smyth, 2000). An undercurrent of RIC ideals beneath the surface of the RUC remained. Northern Catholics did not join the new force in great numbers. Despite symbolic changes, the RUC remained a centralised, paramilitary force under direct political influence.

"The Troubles" was a period of ethno-political conflict in Northern Ireland, conventionally dated from the late 1960s and considered to have ended with the Belfast "Good Friday" Agreement of 1998. The RUC played a key role during "the Troubles" (Stamer, 2007). An important milestone in the worsening relationship between the British Army and Irish nationalists was the Falls Curfew of July 1970, when British troopers imposed a curfew on West Belfast. The appearance in 1970 of the Provisional IRA, a campaign of violence by loyalist paramilitary groups and the killing of unarmed civilians in Derry by the Parachute Regiment on 30 January 1972, called "Bloody Sunday", brought Northern Ireland to the brink of civil war. In March 1972, the British government pushed through emergency legislation that prorogued the Northern Ireland Parliament and introduced direct rule from London. A year later the British Government dissolved the Parliament of Northern Ireland and its government (Jarman, 2004).

By the 1990s, the tension between the IRA and British security forces, convinced a majority inside the republican movement that greater progress might be achieved through negotiation rather than violence at this stage (Lamb, 2008). Increased government focus on the problems of Northern Ireland led in 1998 to the "Good Friday Agreement", signed by eight parties (Engel & Burruss, 2004). To adhere to the agreement, the *Independent Commission on Policing* (ICP) was set up to make proposals on the changes needed within the RUC. The resulting *Patten Report* (Patten, 1999) detailed many institutional changes required to recreate the police system in line with the Belfast Agreement. This report shows a more community oriented approach to policing. However the report notes that realistically, implementation of all of the proposals will only be possible in conditions of political stability and with an end to paramilitary violence (O'Rawe, 2007).

Ultimately, the RUC was replaced by the *Police Service of Northern Ireland* on 4 November 2001, in essence a national police force. Although the majority of PSNI officers were still from the Protestant community, this dominance is not as pronounced as it was in the RUC because of affirmative action policies. The PSNI has one Chief Constable, who is assisted by a Deputy Chief Constable and the senior management team. He is appointed by the *Northern Ireland Policing Board*, subject to the approval of the Minister of Justice for Northern Ireland. Each district is headed by a Chief Superintendent. Districts are divided into areas, commanded by a Chief Inspector and they in turn are divided into sectors, commanded by Inspectors. In 2001 the old police divisions and sub-divisions were replaced with 29 District Command Units (DCUs), roughly according to the local council areas. In 2007 these 29 Districts were replaced again by 8 districts in anticipation of the local restructuring of the public administration. In other words, we are dealing with a decentralised yet united police force (Punch & Bisschop, 2009), with the Northern Ireland area divided into 4 urban and 4 rural police districts. These districts are run by a chief superintendent and operate with a degree of autonomy with specific district policies, priorities, and initiatives for community safety. The PSNI aims to be a proactive, community oriented police force based on professionalism and working with the community to create a safer Northern Ireland community.
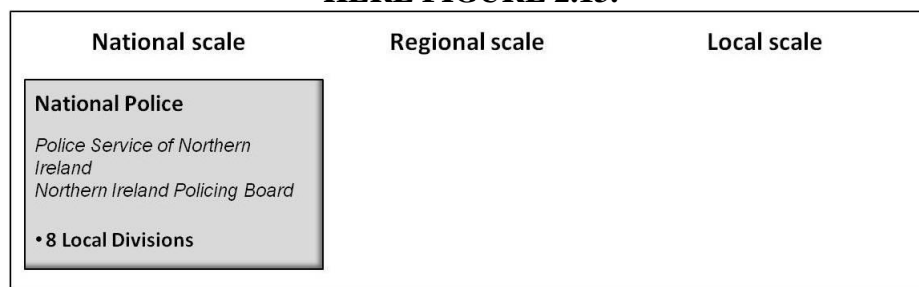
To support the PSNI in becoming a more transparent, accountable and legitimate organisation, the police system incorporates the Policing Board (PB) to ensure an effective, efficient, impartial, representative and accountable police service which will secure the confidence of the whole community. This is supplemented by the Police Ombudsman, who

'provide(s) a complaints system that is considered as independent, impartial and effective (O'Rawe & Moore, 2000).

The *European Sourcebook* (Aebi et al., 2014) mentions a ratio of 139 police officers (civilians not included) per 100.000 inhabitants in 2011 in Northern Ireland. The average of this ratio for all participating countries was 386 during that year. In short, Northern Ireland scores largely under this average. Eurostat mentions no a global number of police officers in the Northern Ireland in 2012[33].

Figure 2.13. : *The Police System in the Northern Ireland*

*** HERE FIGURE 2.13. ***

National scale	Regional scale	Local scale
National Police *Police Service of Northern Ireland* *Northern Ireland Policing Board* • **8 Local Divisions**		

4.4. The police system of Scotland

Scotland is part of the sovereign state of the United Kingdom (U.K.), together with England, Northern Ireland and Wales. During the 90-ies three of them (Scotland[34], Wales[35] and Northern Ireland[36]) voted in favour of a limited form of autonomy. There is a rather strong political tendency in Scotland advocating for independence. A national referendum was planned in September 2014 concerning this issue, which resulted in a vote against full independence. Although the Scottish Parliament does not dispose of sovereign state power, it is engaged actively in own competences as taxes, social insurance, etc. (Donnelly & Scott, 2008).

Before the 19th century Scotland had no municipal police. During the 19th century municipal forces replaced gradually city guards, vigilantes or soldiers. The first municipal force was that of Glasgow, which appeared in 1800. Rapidly other Scottish cities followed this example. Since then it is clear that the central state was less steering in Scotland than in England & Wales. The Scottish cities and municipalities decided to a large degree on their own police force, without central intervention (Barrie, 2008). In 1862 the police of Glasgow had a force of about 700 officers and the police of Edinburg one of about 300 members.

After WWII a number of important changes were introduced in the Scottish municipal forces, as the installation of a common police academy. The Police (Scotland) Act of 1967 created a

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[33] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en
[34] The creation of the Scottish Parliament through the Scotland Act 1998 was a consequence of a referendum of all registered domiciles in Scotland in 1997.
[35] The creation of the National Assembly for Wales was a consequence of a referendum vote by all registered domiciles in Wales in 1997.
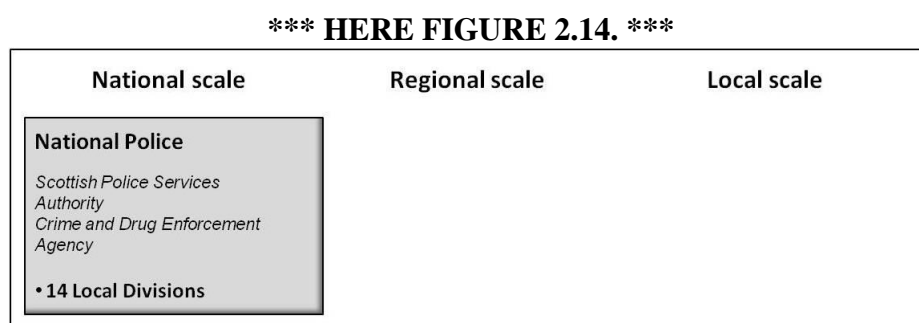[36] The creation of the Northern Ireland Assembly in 1998 was a consequence of the Belfast Agreement (colloquially known as the 'Good Friday Agreement') and was negotiated by elected representatives of the main political parties in Ulster.

legal framework for the organisation of a territorial police in Scotland, as in England & Wales. In 1975 the local administration was created. As a consequence of this reorganisation the number of local forces was reduced to eight for the whole Scottish territory. Amongst other changes, the police of Glasgow was integrated in the *Strathclyde Police*. The structure of the eight forces was continued after the new reorganisation of the local administration in 1996. We could speak of territorial divided forces (Fyfe et al., 2013)[37].

In 2012 the "Police and Fire Reform Act 2012" was realised after intensive consultation[38]. It was this act that installed the national police service of Scotland (*Seirbheis Phoilis na h-Alba*). The new Scottish national police was implemented on April the 1st of 2013. It is the successor of the former system, composed of territorial divided forces. The territorial divided forces were absorbed in a unified police force, functioning on the whole Scottish territory. The Scottish national police has 14 local divisions (Fyfe et al., 2013). A number of central services were also created, as for example the *Scottish Police Services Authority* (a public administration of the Scottish government, responsible for certain central services) and the *Scottish Police Authority* (to which the Scottish police has to render accountability) and the *Scottish Crime and Drug Enforcement Agency* (Scott, 2008). The national force has broad 'crime scene' investigative possibilities and laboratory facilities. The force is strongly engaged in crime prevention.

The *European Sourcebook* (Aebi et al., 2010) mentions a ratio of 329 police officers (civilians not included) per 100.000 inhabitants in 2011 in Scotland. The average of this ratio for all participating countries was 386 during that year. In short, Scotland scores under this average. Eurostat mentions a global number of 17,496 police officers in Scotland in 2012[39].

Figure 2.14. : *The Police System in the Scotland*

*** HERE FIGURE 2.14. ***

National scale	Regional scale	Local scale
National Police *Scottish Police Services Authority* *Crime and Drug Enforcement Agency* • 14 Local Divisions		

4.4. Reform and unification in Europe

In a number of European nation states we find police systems that integrated all components of the former police system in one national police. System and force become identical this way. Logically, we can no longer speak of one "type" of police. Mostly observers qualify this situation as national police forces or unified police. These systems are characterised by the fact that we deal with one leadership, which is responsible for the whole force and structure.

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[37] Besides these forces there existed others, as the British Transport Police, the Ministry of Defence Police, the UK Atomic Energy Authority Police and the National Criminal Intelligence Service (NCIS), but these forces fell under the responsibility of the U.K. rather than that of the Scottish government.

[38] Consult: http://www.scotland.gov.uk/Publications/2011/09/15110325/0

[39] See http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=crim_plce&lang=en

This kind of system brings hierarchical integration within the different components of the organisation.

This situation has as consequence that the national police structure is financed by the national authorities. The financing by lower policy levels is much more modest, or non existing. The role of local authorities, the mayors, is minimal.

It is striking that these systems are functionally integrated by necessity. There is only one force, and it is that force which has to perform '*all*' police tasks, as well judicial as administrative of nature. It is also remarkable that most of these systems are internally structured according a territorial division and not according functional specialisations. It are territorially divided and oriented forces, with a umbrella organisation. In most cases we can observe structures encompassing large geographical entities, which are again subdivided in smaller territories. In most Scandinavian countries this is still the reality, as in Sweden, Norway or Finland.

Besides this reality, there are a number of specific central services, which are impacting in a less important way the global system. The territorial police work stays the backbone of these systems, which does not mean that each of the districts, divisions, regional entities, etc. do not have territorial competence on the whole national territory.

A number of the national systems which we discussed are recent creations, but not all. This is the case in the Netherlands and in Scotland, to a lesser extent in Denmark and Northern Ireland. Notwithstanding this observation, all unified systems are the result of reform, constructed out of the old bricks of former systems. We observe that these unified systems have no military components anymore. Gendarmerie like elements are no longer part of these national systems[40].

In specific cases this national formation of one force is complemented by an increasing tendency towards independency and the formation of a nation, as in Northern Ireland and Scotland. In this context we refer to the situation in Catalonia (Spain). This is not always the case, as in Denmark and the Netherlands. In both last countries, the reform was induced by considerations concerning efficiency.

Real municipal forces are hardly still a part of these national systems. This does not exclude that the national organisation guarantees solid local entities in metropolitan areas. It is striking that in such countries the policy functions concerning police and justice are also united. That is the case in Denmark, but also in the Netherlands. In Northern Ireland and Scotland, we could not observe this evolution.

5. Conclusion

We can distinguish three types of police systems in Europe, more precisely (1) Historical Diverse Police Systems, (2) Territorial divided Police Systems, and (3) Unified Police Systems. The functioning of these different structures varies dramatically.

5.1. The cost

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[40] In the Netherlands there is still the Royal Marechaussée, which is rather a part of the army than of the police.

When we observe the police capacity per 100.000 inhabitants in the countries under study (figure 15), we conclude that this ratio fluctuates dramatically, with a spike to the top for Spain and Denmark as the outlier at the bottom.

Figure 2.15. : *Police capacity per 100.000 inhabitants in the countries under study, 2011*

*** HERE FIGURE 2.15. ***
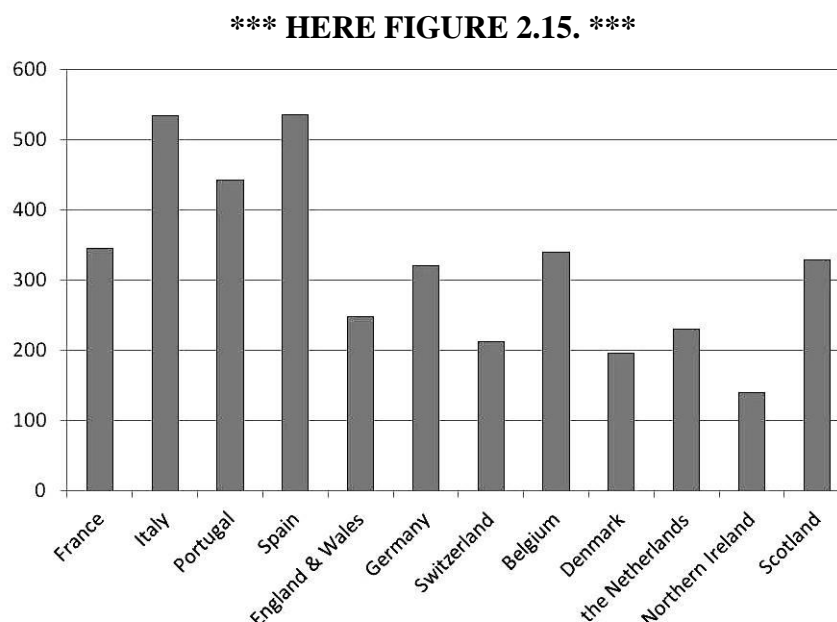
Source: Aebi, M.F. et al. (2014), European Sourcebook of Crime and Criminal Justice Statistics (Fifth edition), European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), Helsinki: Hakapaino Oy[41].

When we calculate the average police capacity according to the type of police systems we distinguished (Figure 16), we observe clearly that the historical diverse police systems consume much more police capacity than both other police systems.

Figure 2.16. : *Police capacity per 100.000 inhabitants according to the typology*

*** HERE FIGURE 2.16. ***

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[41] The recent edition of the European Sourcebook (5th edition) did not include the figures for France and Switzerland. We refer to the 4th edition of the European Sourcebook for these countries.
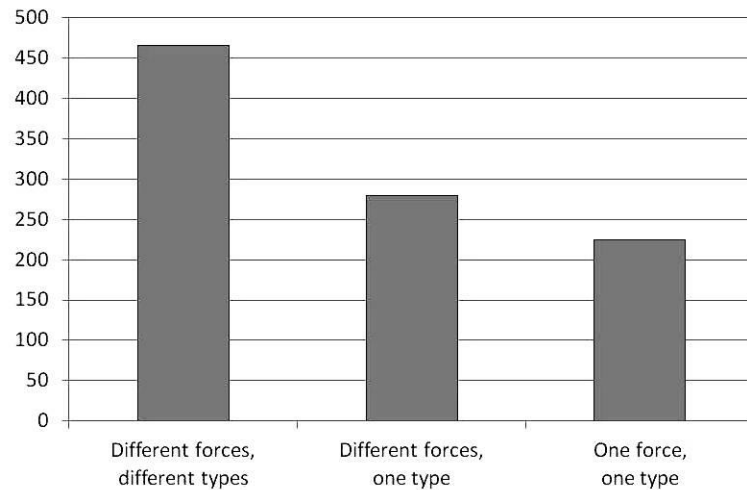
Between territorially divided police systems and unified systems the observed differences are much smaller. This is rather astonishing, while the creation of a national police and the subsequent dramatic reform is mostly sustained by the argument that a unified police is much more cost effective. Observing this marginal difference more carefully learns that in fact both kind of police systems constructed the same way: we are dealing with territorially divided systems, also when we are dealing with unified national systems.

Reform towards a national police leads nevertheless to nationalisation of the costs. Military parts of the system disappear mostly, sometimes these parts are becoming part of the army. In any case, it seems that demilitarisation is a pre-condition for a dramatic reform. It is also striking that national police systems have a great need for strong local entities in metropolises. In specific cases we observe the construction of national police systems as an instrumental means for political ends. Examples are the Spanish police system and the national police of Northern Ireland and Scotland. Federal states have, in contradiction to what we expected, not by necessity a territorially divided police system. This is nevertheless the case in the Federal Republic of Germany. Apart from structural differences between the different countries, we can observe that community policing became the dominant police philosophy in Europe. Structure seems to differ more likely than culture.

5.2. Different metropolitan realities

While the weight of metropolitan areas in Europe becomes clearly more important, this reality is not really systematically reflected in the different national police systems. In the *Historical Diverse Police Systems* we observe a continuity in the importance of the centrality of nation states. Also in *Unified Police Systems* we encounter the consolidation of national interest, without a strong emphasis on metropolitan policing. It is in *Territorial Divided Police Systems* that we can observe the capacity to include better and more flexible the metropolitan reality within the system.

Often nation states anticipate to the metropolitan rise by creating regulation that leaves a large room of manoeuvring at the discretion of metropolitan authorities. The local elective representation of metropolitan inhabitants by political leaders becomes a central question in local governance and translates in growing participation and/or resistance of the civil society

in decision making. Government becomes, more than ever, governance by consent (Devroe, 2013).

Nevertheless, the political governing model of European metropolises is not identical through Europe (Devroe, Ponsaers et al., 2014). Some can be literally identified as *city-states*. Berlin e.g. combines different functions. It is simultaneously the capital of the country, one of the 16 autonomous German Länder and it is, as most important metropolis of Germany, also one of the three city states of the country. The mayor of Berlin is thus at the same time prime minister of the state (Land) and mayor of the city state (Aden, 2014). Certainly, there are other governance models in Europe than the city-state.

Some metropolises are in fact *capital cities of regions, with a large degree of autonomy*, as e.g. the city of Barcelona[42] (Recasens & Ponsaers, 2014). Barcelona is the capital city of the Catalonian autonomous region. The political dominance of the regional government in Catalonia, based in Barcelona and striving for regional independence, is striking compared to that of the Spanish central government in Madrid, but also compared to the position of the mayors in Catalonia.

A third model of governing is that of the *metropolis under the national authority*. In these metropolises the nation state and its government is still largely dominating the local reality. A typical historical example is Rome, being submitted to the power of the Italian central state[43] (Bruggeman, 2014). Only to a small extent and very slowly more political power is delegated today to Italian regions, provinces and municipalities in Italy. Also Paris matches this configuration to a large extent.

5.3. Internal pluralisation of policing

European metropolises and their local governance challenge the traditional concept of national police systems in various ways (Ponsaers et al., 2014). This is largely obtained by *pluralizing the police function* (Jones & Newburn, 2006a). This pluralisation is to a large extent an *internal* process, almost not influencing the shape of national police systems. In variable ways we can observe different police forces functioning on the territory of each metropolis. Sometimes there is a dominance of national services (as e.g. in Paris), under the political responsibility of the national government; sometimes the territory is principally policed by a metropolitan police (as e.g. in London), guided (and financed) by local authority, but used also by the national government. In other metropolises we can observe a complex mixture of local, regional and national police forces, functioning according to different policy agenda's on the territory of the same metropolitan area (as e.g. in Brussels or Rome). In this framework we can observe a multitude of 'Public Safety Regimes' (Edwards & Hughes, 2012).

In contradiction to the growing importance of metropolises, we observe also police reform programmes in certain European countries reducing the plurality of policing to one national force (as e.g. in Amsterdam, the Netherlands). The meaning of these legal-constitutional changes in metropolitan police configurations is not yet extensively articulated in terms of

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[42] The Spanish constitution of 1978 distinguishes three autonomous levels of political power: the central government, the so-called "autonomous communities" and municipalities with elected mayors.
[43] As originally Italy was a patchwork of small kingdoms and dwarf states, between 1825 and 1870 (later empowered by Mussolini), the political choice was made for a strong central state.

shifting political power in earlier studies. Does this mean that national/federal government tries to strengthen its symbolic position to the detriment of metropolitan governance and why?

5.4. External pluralisation of policing

Pluralization of policing is also an *external* process. More than ever before we observe the appearance in certain metropolitan areas of new *non*-police configurations, in other words new ('light blue') uniformed surveillance agencies (e.g. asbo's, boa's, guardians, stewards, ...), while in other metropolises this phenomenon stays marginal. It is remarkable that this evolving reality is not part of shifts in national police systems. These changes can only be studied in the framework of local monographies and especially through the comparison of different metropolises in one and the same country.

We can observe the same geographical variability when it comes down to voluntary activities of citizens in the domain of security (e.g. neighbourhood watch programmes). Non-commercial initiatives of citizens are e.g. abolished in Berlin and also in Paris are civil self-defence initiatives not tolerated. The same variability can be observed in the rise of outsourcing of private commercial security agencies by public authorities and the dissemination of competences, as well soft as harsh ones (Edwards & Hughes, 2013).

Despite the observed pluralisation of the regular public police, the 'deep blue' police seems to maintain their central position in the domain of security in European metropolises. It seems that we observe a mere process of diversification, but not more than that. It doesn't mean that the steering of the whole configuration, or ultimately the monopoly of legal violence, is transposed to other actors in the field. It is not obvious that a real 'web of policing' is woven, a security network including all actors, resulting out of this evolution (Prins, Cachet et al., 2012). E.g. in Barcelona no formal functional ties exist between the public and the private sector. Mostly the question if there is a real cooperation between both sectors remains unanswered. Most of the time that collaboration is limited to specific situations or spaces (e.g. on football grounds in Berlin). It is our deduction that these external forms of plural policing are to a large part determined by push and pull factors of local decision making power, and affected by political compromise or ideology. Only an in-depth study of the situation on the territory of specific European metropolises can shed light on this local reality.

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