

Plural Policing in Western Europe

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A comparison



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Introduction

One of the almost undisputed findings of contemporary policing studies is that the past few decades have witnessed a far-reaching pluralization of policing. Many countries, in different regions of the world, were confronted with the rise of new non-police providers of policing services. Increasingly, the myth of one organization (the public police) with a monopoly on policing lost its power of persuasion as a valid description of reality. Generally, the new agencies of policing concentrate on the management of petty crime and social disorder in public places. With this new situation, multiple providers, both public and private, have become involved in the prevention and management of crime and social disorder. It is often assumed that this development of the past three decades created a more or less quiet revolution (or what Bayley and Shearing (1996) called a 'watershed') in the systems of crime control and law enforcement. Although this claim has been disputed, also in the Anglo-Saxon world (Jones & Newburn, 2002), the proposition of the pluralization of policing often seems to have reached the status of a universal, world-wide trend.

Until recently, however, outside the Anglo-Saxon world there has been a lack of empirical studies on plural policing. With the exception of the collection edited by Jones and Newburn (2006), the recent study by Terpstra, Van Stokkom and Spreeuwers (2013), and the volume edited by Edwards et al. (2014), there were no other international comparative studies of this issue. As a result, until now the claim

of a universally similar trend of plural policing has remained largely uncontested. In fact, the absence of international comparisons implied that theories and explanations of plural policing were based only on a limited (Anglo-Saxon) sample of countries. As a consequence, there was an unanswered question concerning the extent to which descriptions and explanations of plural policing were also relevant to understanding recent changes elsewhere. For example, one question that must be asked is if there is something like a Western-European style of plural policing? Or are the differences between these European countries so great that the developments in policing cannot be gathered under a single conceptual label?

1. Questions of comparative research

The international comparative study of plural policing is confronted with a range of fundamental questions. The answers to these questions are not only important to understanding the differences between jurisdictions, but are also necessary to gain a better view of the complexities of plural policing and to avoid the temptation of premature theories, suggesting universal explanations, which in fact are based only on specific circumstances, which from the continental-European perspective are quite exceptional. These research questions may provide materials for a future agenda for comparative research on plural policing.

First, there are questions that deal with the concept and phenomenon of plural policing. To what extent are we really dealing with similar processes? For example, in the international literature on this issue pluralization often seems to be mainly associated with processes of privatization and marketization. In fact, however, the relation between the two processes may be highly divergent, implying that theories who try to understand pluralization by looking only at the increasing importance of commodification or of a neo-liberal ideology, may be of a limited relevance. In fact, in Western Europe pluralization often remains within the public, non-commercial domain. From the continental European perspective, theories about plural policing in terms of the *'withering away of the state'* - originally a Marxian concept (Engels, 2001), but now often perceived as an element of the more radical variants of the neo-liberal discourse - are not only speculative, but also premature, to say the least. In addition, concepts like public and private, often used more or less as taken for granted, may be highly context dependent. In some cases the traditional strict dichotomy remained almost intact, whereas in other countries the difference between public and private has become unclear, almost fluid. This also implies that it is utterly vital to acquire more detailed information about the differences between the regular police and the new (public and private) providers of policing in terms of their formal powers and tasks. The comparison of plural policing between jurisdictions may also be difficult, because the rise of plural policing proves to be largely a local phenomenon (Terpstra, Van Stokkom & Spreeuwiers, 2013). As a result the differentiation *within* jurisdictions may be considerable, even at least as great as the differences *between* them. Often, the concept of plural policing seems to be coupled to supposed new ('networked' or 'nodal') forms of security governance

(Wood & Shearing, 2007). In fact, it remains a question for empirical comparative research if these two phenomena should be seen as conceptually related or not.

Secondly, international comparative studies should focus on the social, economic, political, historical and cultural backgrounds of plural policing. What have been (and still are) the most important drivers of this pluralization process? What is the relevance of theories that are often cited internationally about, for instance, the mass private property thesis (Hope, 2000; Shearing & Stenning, 1981). Could it be that this is a relevant factor in some countries, but not in others (cf. Jones & Newburn, 1999)? Explaining the pluralization of policing may be difficult because in many cases this process is only to a very limited extent a matter of goal-oriented government policies. In fact, insofar as governments had a policy on this issue, it was often incremental and mainly reactive, as well as highly dependent on incidents and changes in political relations. In addition, many other actors, both public and private, have usually been involved in these processes; and at different organizational and administrative levels. As a result, the pluralization is often a matter of small steps and unintended side-effects (Terpstra, Van Stokkom & Spreuwens, 2013). From this perspective one may also wonder about the extent to which the pluralization of policing is, among other things, an unintended consequence of the professionalization of the regular police, resulting in a withdrawal of the police, both from specific tasks such as patrolling the public places and from local policing, especially in rural areas. This leaves wide room for initiatives for policing by other agencies than the police. It also implies that the impact of the neo-liberal discourse on the pluralization of policing may be less direct in a continental context than is often assumed. The search for general explanations for the rise of plural policing may even be unfruitful, given its close dependence on local contexts.

The third category of relevant questions concerns the consequences of plural policing. To what extent does pluralization result in the fragmentation of the police system, with increasing complexity in the governance of policing? Does this result in different strategies and forms of governance, regulation, and coordination of the plural policing complex, with the involvement of state and non-state actors, which may differ from country to country? What are the consequences for citizens, their trust in policing agencies, their reassurance, and feelings of security? What consequences does the pluralization (and fragmentation) have for the regular police, not only in terms of their tasks and formal powers, but also with regard to their symbolic powers and legitimacy? To what extent is the notion of a public good a matter of concern in different countries? What are the dominating views in these countries on this issue? And what strategies are used to guarantee that the public good will not be eroded? Does the pluralization of policing imply a loss of room for democratic control and accountability? Or does it, on the contrary, create new forms of direct citizen control? Do we notice an expanding culture of control (Garland, 2001), including more direct forms of controlling indecent behavior, in order to create a common 'city etiquette' (Devroe, 2012)? What consequences may this process have for the public's access to urban spaces and for the control and exclusion of those citizens who are seen and treated as non-respectable, dangerous, or problematic? Does plural policing imply a shift towards a 'politics of behavior'

(Field, 2003), leading to a widening of the punitive net? Does the pluralization of policing result in new divisions of security, in which the availability of policing comes to depend on the citizens' financial resources, either individually or as a group?

2. Typologies

Comparative research on plural policing is faced with the question, which is both practical and fundamental, of how to categorize and classify the huge diversity of all these pluralized, fragmented and differentiated patchworks of policing. Would it be possible to create an adequate typology of plural policing models (comparable to the classification of police models by Mawby, 2008), that would be helpful to understand the differences between jurisdictions and that would do justice to each country's specific peculiarities? Such a classification is a necessary precondition for an adequate theoretical understanding of similarities and differences in plural policing between different national contexts.

A well-known typology of plural policing was presented by Ian Loader (2000). In addition to policing by the (regular) police, he drew a distinction between several categories of policing: (private) policing *through* the government, (transnational) policing *above* the government, (security and policing markets) *beyond* the government, and (policing by citizens) *below* the government. This classification is helpful as a first step in describing and understanding differences in plural policing, also between different countries. However, this classification is too general to be useful for comparisons between different countries. This is, among other things, a consequence of the fact that each country has its own specific combination of several types of non-police providers of policing. This diversity is so great because plural policing is predominantly a local phenomenon. Even in one country the differences in plural policing between different cities or municipalities may be much greater than comparisons between countries may suggest. The most important form of plural policing in continental European countries does not fit in with Loader's classification. In countries such as Belgium, the Netherlands or Austria the most important non-police providers of policing in the public space are municipal guards and wardens (their names differ, as do their formal powers). This means that this large segment of plural policing is provided by (local) government and not the police. To use a term that is more or less comparable to those used by Loader: in many of the continental European countries the most important form of non-police policing is public, and exists *beside* the police.

Another classification of plural policing that is often referred to, was presented by Crawford (2008). He drew a distinction between community support officers (civilianised patrol officers who are members of the police force), specialised policing bodies and regulatory authorities, municipal policing (including public wardens and local authority patrols), civilian policing (policing by the public), embedded policing, and commercial policing. Although many of the policing professions mentioned by Crawford can also be found in other countries (often with important differences),

the relevance of his typology is explicitly limited to the UK. In any other European country other classifications would probably be more adequate.

A third classification with a more explicit theoretical basis, also presented by Crawford (2008), deals with the specific issue of the relations between the regular police and other policing agencies. He distinguishes between four models. In the first 'integrationist or monopolistic' model, non-police forms of policing are integrated in the regular police force. In the second 'steering model', the professional police take on the coordination of other policing actors. According to the third model, called the 'network' model, different forms of policing are loosely connected through horizontal alliances (Johnston & Shearing, 2003). Fourth, there is the 'market model', with a competition structure between different providers of policing. Finally, in the 'private government' model, policing in privately owned spaces is delivered by private agencies (with the state police only invited to come in when things have gone seriously wrong). The recent international comparative study by Terpstra, Van Stokkom and Spreeuwiers (2013) presents a typology that is somewhat related to the one presented by Crawford, but also differs from it in important respects. Their models deal mainly with the question of who is responsible for coordinating the large numbers of agencies involved in plural policing. These models are: integration in the police, police as the coordinator, local government as the coordinator, and marketization. The first and the last model correspond to the first and fourth model mentioned by Crawford (2008). There are two reasons why Terpstra, Van Stokkom and Spreeuwiers (2013) created a new classification. First, in their international comparative study they concluded that in countries in continental Europe the relevance of both the network (or 'nodal') model and of the private government model is very limited. Both models may be more related to Anglo-Saxon contexts. Secondly, to understand plural policing in continental European countries, the difference between the coordination of plural policing by the police or by the local government is fundamental. This important element is completely absent in Crawford's classification.

3. The comparative approach of this special issue

This special issue of the *European Journal of Policing Studies* aims to contribute to the international comparative study of plural policing. As mentioned before, this field of study is still relatively underdeveloped. It is important, therefore, to have available adequate empirical analyses of the current state of plural policing in different countries. For that reason the authors were asked to write their contribution about the state-of-the-art of plural policing in their native country. Because there are such important differences in plural policing between the countries, and each country has its specific elements and debates on plural policing, the authors also deal with some of the elements, developments or political debates that are important to understand the current situation of plural policing in their country. All the authors are faced with the problem that rather specific concepts are often needed to understand plural policing in its social, historical, cultural, political and

legal contexts. It is because of this close dependency of plural policing on context that an inductive ('grounded') approach must be followed to develop a theoretical understanding of plural policing and to promote and improve international comparative research on this issue, now and in the future.

The focus of the contributions to this special issue is restricted to the *plural policing of the public and semi-public places, such as the street, the market, the recreational areas, and the shopping mall*. Because plural policing is to a considerable extent a local phenomenon, many of the papers presented here concentrate on the local (municipal) level. As a consequence, this special issue deals mainly with the management and prevention of local crime and disorder. Other forms of plural policing, although interesting and important, will be left aside here. For instance, forms of plural policing can also be found at the national or even international levels. Increasingly, the policing of transnational organized crime is delivered by both state and non-state actors, at a number of different organizational and political levels. The policing of organized crime is an outstanding example of strategies in which criminal law, administrative law measures, and private initiatives are combined, with responsibilities devolving upon a plurality of private and public agencies (Fijnaut, 2010; Huisman & Nelen, 2007; Nelen & Huisman, 2008; Terpstra, 2011). However, these very complex networks of plural policing demand specific studies and approaches, which is the reason why they are omitted here.

4. Conclusions

The contributions to this special issue concentrate on the institutional, legal and organisational aspects of plural policing in different European countries. This special issue leaves aside some important questions in relation to plural policing, simply because in most cases empirical data about such issues are currently absent. Nevertheless, it is important to mention them briefly here, because they may be important for a future agenda of (comparative) research on plural policing. First, it is important to gain a better view of the position of citizens in relation to plural policing. To what extent did feelings of insecurity and fear of crime contribute to the pluralization of policing? To what extent is the rise of plural policing legitimated as a policy aimed at reassuring the citizen? What are the consequences of the new non-police providers of policing for the citizen's feelings of security and trust? To what extent does plural policing at the local level result in 'net-widening' effects or social exclusion, because of the increasing ambition of local authorities to control behaviour and order (in Belgium this is called the enforcement of 'city etiquette', Devroe, 2012). Secondly, it would be relevant to study how plural policing operates in practice at the street level. Lipsky (1980), among others, showed that there may be a significant gap between the arrangements at formal policy and legal level and what is happening at street level. Although there are some studies that deal with the street level in plural policing, this is an issue that needs more elaborate research, especially from an international comparative perspective. Finally, there is some speculation about the negative consequences that plural policing may have for the

position of the state. In continental European countries, local governments are important providers of non-police policing, so in that context this does not seem to be a plausible hypothesis. Nevertheless, the fragmentation of policing does call for more research on the consequences of plural policing for the position and legitimacy of the state and the regular police.

5. Contributions to this issue

In September 2013, the authors organized a panel on ‘plural policing in Europe’ was organized in collaboration with the ‘Policing’ working group, at the annual conference of the *European Society of Criminology* in Budapest. Earlier versions of four of the five articles included here were presented at that conference.

The first article, ‘*The Policing of Public Space: Recent developments in Plural Policing in England & Wales*’ by **Trevor Jones** and **Stuart Lister**, analyses trends of plural policing in England and Wales. The authors find it commonplace to argue that policing in England & Wales has become increasingly ‘pluralized’, in that the key policing functions of public reassurance, peacekeeping, crime investigation/prevention, and law enforcement are now provided by an assemblage of private, public and community agencies, as well as the public police service. Much of the discussion of ‘pluralization’ focuses on developments emerging during the latter part of the 20th Century onwards, in particular the growth of the commercial security industry. However, this is only one element (albeit the most visible) of the broader recognition of the empirical and conceptual complexity of policing provision. While these changes are very significant, the authors also describe their deep historical roots.

The second article, entitled ‘*Plural policing in Germany*’ by **Bernhard Frevel**, starts with a short discussion of the development of plural policing within the political system of Germany, followed by a description of its current forms and patterns. This considers the characteristics of the security structure in the federal system and the detachment of police, intelligence and competences of local authorities. The roles of the most relevant stakeholders in plural policing are explored and the fields of action in the urban space are discussed. Some relevant consequences and handicaps of plural policing are analysed before the article ultimately considers the changing role of the state and the steering of plural policing by safety and security governance.

The paper by **François Bonnet**, **Jacques de Maillard** and **Sebastian Roché** concentrates on recent changes in the provision of security in public places in France. Their paper shows that two elements are important to understand these changes. On the one hand there have been important changes in the relations between public and private forms of security provision. On the other hand however, although France has a very long term tradition of centralized structures in public administration and policing, they notice that for the past decade or so there have been important changes in the relations between the national and local administrative levels in this country. The authors present an analysis of the emergence and development of a now frequent public-private mix in policing, based on the hot issue of the

regulation of social behaviour in public places. They also discuss the significance of the French model in terms of the nature of privatization and pluralization and compared this with international trends elsewhere in Europe. The rise of a local level public-private mix, while not unique in Europe, appears as a major shift in the French environment traditionally characterized by the structural centralization of its public forces.

In her article 'Purple vests, The origins of plural policing in Belgium', **Elke Devroe** explores the origin of plural policing in Belgium. The results are based on a multiple case study. This article focuses on key constitutional issues and political choices that led to the presence of non-police wardens in 'purple vests' in the streets. The results of the case studies reveal three important incentives for this trend. First of all, the long-term social-democratic prevention policy of the Ministers of the Interior, installing non-police prevention officers in the cities. Secondly, the Police Reform Act of 1998 sharpened the need for low-paid, low-skilled extra personnel to achieve visibility, control and surveillance. Thirdly, the legal enlargement of the autonomy of the City Council not only to identify but also to sanction acts of incivility in the municipality led to the engagement of community guards and community guard recorders. These last recruits joined the existing group of non-police surveillance officers in the cities. Policy assumptions underlying the choice to combine the introduction of wardens with the implementation of the 'Incivility Act', called the 'Municipal Administrative Sanctions Act' (MAS), are explored. A brief overview is presented of the formal powers and tasks of these guards and the requirements to which they have to conform, such as training, identification and relations with police officers. The penultimate section covers the private surveillance actors and their competences. A concluding section offers questions and proposals for further research.

Finally, in '*Plural policing in comparative perspective*', **Jan Terpstra** and **Bas van Stokkom** present the main findings and conclusions of an international comparative study of the pluralization of policing in five countries (England & Wales, Canada, Belgium, Austria, and the Netherlands). They focus on the main differences and similarities in plural policing between these countries and how they can be understood. A lot of attention is given to the position of non-police providers of policing (employed by municipalities or security companies) in relation to the regular police. To understand the peculiarities of this plural policing in each of these countries, and the similarities and differences in plural policing between the countries, attention was devoted to legal, historical, cultural and political aspects, to the organization of the regular police, and the position of private security. This study shows that – despite all differences – in these countries the police have lost their position as a monopolist of policing, even if there is a dominant view that policing should be a public task and should not be pluralized or privatized. In general, the pluralization of policing was not the outcome of some goal-intended government policy. It is an incremental process and the effect of an accumulation of unintended consequences in which many actors and agencies are involved, not only at the national, but also at the local level. This study shows that one should be careful with inadequate generalizations, mainly based on the situation in Anglo-Saxon countries.

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