

Public and Private Policing

Michaelmas Term 2016

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This option runs on Mondays from 14.30 – 16.00 in Seminar Room E, Manor Road Building

This course examines police and policing in 21st century Britain and beyond. It considers processes of change and stability in the organizational and institutional structures of policing, and their implications for criminal justice and for wider society.

Topics covered

- 1) Policing and social order
- 2) Policing, privatization and markets
- 3) Policing, legitimacy and democracy
- 4) Governing policing
- 5) Change and innovation in police organizations
- 6) The 'scientific turn' in policing
- 7) Policing, harm reduction and public health
- 8) Revision session - debating stop and search

General introductory reading

There is no single text assigned for the course. However, students with no prior knowledge of policing who would like to get up-to-speed with the literature and debates are advised to consult the following texts:

Bradford, B., Jauregui, B., Loader, I. and Steinberg, J. (eds) (2016). *The SAGE Handbook of Global Policing*. London: SAGE.

Brodeur, J.-P. (2010). *The Policing Web*. Oxford: Oxford University Press.

Other useful introductions/overviews/tasters of the issues we tackle on the course are:

Ayling, J., P. Grabosky and C. Shearing (2009). *Lengthening the Arm of the Law: Enhancing Police Resources in the Twenty-First Century*, Cambridge University Press.

Brown, J. (ed.) (2013). *The Future of Policing*. London: Routledge

Garriott, W. (ed.) (2013). *Policing and Contemporary Governance*. Basingstoke: Palgrave.
Reiner, R. 2010. *The Politics of the Police* (4th edition). Oxford: OUP

Newburn, T. (ed) (2008). *Handbook of Policing*, Second Edition, Cullompton: Willan.

Reiner, R. (2010). *The Politics of the Police* (4th ed.). Oxford: OUP.

Reisig, M.D. and Kane, R.J. (2014). *The Oxford Handbook of Policing*. New York: Oxford University Press.

Weisburd, D. and A. Braga (eds.) (2006). *Police Innovation: Contrasting Perspectives*. Cambridge University Press.

Reading and seminar preparation

You are expected to come to classes having read between 150-200 pages of reading each week. Note that in many weeks the readings listed exceed this limit – if this is the case simply select those that appeal most. You should be prepared to participate in discussion of the seminar questions, and any other issues that may have arisen from their reading, with the course tutor and other members of the class. Reading the required and suggested materials, digesting them and making preparatory notes should take approximately 10 hours a week.

Students may be expected to make presentations to the class during the course. We will also ask students to submit a question for discussion based on their reading the day before each seminar.

Please remember: the seminars are occasions for thinking and discussion not extensive note taking. So there is no need to bring a lap-top.

Seminar 1 - Policing and social order

In this session we consider the basic question of the contribution of policing to social order. What is it, precisely, that policing is concerned with? Specific questions include:

- What do the police 'do'?
- Are the police concerned mainly with law, with order, or with something else?
- How can we define 'the police' in an era when many different bodies are engaged in the activity of policing?
- What is the relationship between the activities of the uniformed, professional police and broader processes of social control?

Key readings

Bittner, E. (2005) 'Florence Nightingale in pursuit of Willie Sutton', in Newburn, T. (ed) *Policing: Key Readings*. Cullompton: Willan.

Fassin, D. (2013) *Enforcing Order*. Cambridge: Polity. (chs. 2, 7 & Conclusion).

Manning, P. (2005) 'The Police: Mandate, Strategies and Appearances', in Newburn, T. (ed) *Policing: Key Readings*. Cullompton: Willan.

Telep, C. and Weisburd, D. (2012). 'What is Known about the Effectiveness of Police Practices in Reducing Crime and Disorder?' *Police Quarterly* 15(4): 331 – 357.

Additional readings

Bratton, B. (2005) 'Crime is down in New York City: Blame the Police', in Newburn, T. (ed) *Policing: Key Readings*. Cullompton: Willan.

Brodeur, J-P. (2010) *The Policing Web*. Oxford: Oxford University Press. (ch. 4).

Choong, S. (1998) 'Policing the Dross: A Social Disciplinary Model of Policing', *British journal of Criminology*, 38/4: 623-638.

Dubber, M. (2005) *The Police Power*. New York: Columbia University Press. (Introduction and Conclusion).

Steinberg, J. (2012) 'Establishing Police Authority and Civilian Compliance in Post-Apartheid Johannesburg: an argument from the work of Egon Bittner', *Policing and Society*, 22/4: 481-495.

Martin, J. (2007) A Reasonable Balance of Law and Sentiment: Social Order in Democratic Taiwan from the Policeman's Point of View, *Law & Society Review* 41/3 665-697.

Seminar 2 - Policing, privatization and markets

While the British police retain a dominant position in the field of policing there have always been private security workers in the UK, and their number is growing. Elsewhere, private policing is in some countries established as a serious contender to the public police's position as monopolist of legitimate violence. This trend looks set to continue, for all that it is cut across by countervailing forces that have increased the power of the public police. Key questions for this seminar include:

- What is private policing?
- Does the role of private police differ from that of the public police, and if so, how?
- Although there has always been private policing, in many Western democracies the use of alternative security providers appears to have grown in importance in recent years. Why?
- Are public police institutions increasingly being driven by market logics? If so, with what consequences?
- What does the growth in private policing tell us about change in the relationship between citizen and state?
- Is security a commodity?

Key readings

Ayling, J., P. Grabosky and C. Shearing (2010) *Lengthening the Arms of the Law*. Cambridge: Cambridge University Press. (chs. 2, 4 and 5)

Johnston, L. and C. Shearing (2003) *Governing Security: Explorations in Policing and Justice*. London: Routledge. (chs 1 & 8).

Loader, I., B. Goold and A. Thumala (2014) 'The Moral Economy of Security', *Theoretical Criminology*, 18/4: 469-488.

White A. (2012) 'The New Political Economy of Private Security', *Theoretical Criminology* 16(1), 85-101.

Additional readings

Brodeur, J-P. (2010) *The Policing Web*. Oxford: Oxford University Press. (chs 1 & 8).

Hadfield, P. (2006) *Bar Wars*. Oxford: Oxford University Press. (chs 4 & 5)

Steinberg, J. and Marks, M. (2014) 'The Labyrinth of Jewish Security Arrangements in South Africa: Thinking through a paradox about security', *British Journal of Criminology* 54 (2): 244-259.

White, A. and Gill, M. (2013) The Transformation of Policing: From Ratios to Rationalities. *British Journal of Criminology* 53(1): 74-93.

White, A. (2014) 'Post-Crisis Policing and Public-Private partnerships: The Case of Lincolnshire Police and G4S', *British Journal of Criminology*, 54/6: 1002-1022.

Seminar 3 - Policing, legitimacy and democracy

This session covers the issue of legitimacy, with a particular emphasis on (a) what makes the police legitimate in the eyes of the policed and (b) what is the relationship between the legitimacy of the police and wider modes of democratic governance? Specific questions include:

- What do we mean by legitimacy in the context of policing?
- Is police legitimacy 'in the eye of the beholder' or established with reference to externally validated norms (of legality, justice or conduct)?
- From what sources do the police draw their legitimacy? For example, is the demonstration of effectiveness in the 'fight against crime' the key issue?
- What are the implications for legitimacy of different policing policies and 'styles'? Could some tend to undermine legitimacy, while others enhance it?
- What contribution does legitimate policing make to the possibility (indeed, plausibility) of democratic government?

Key readings

Bottoms, A. and Tankebe, J. (2012). Beyond procedural justice: A dialogic approach to legitimacy in criminal justice. *Journal of Criminal Law and Criminology* 102: 119.

Bradford, B., Jackson, J. and Hough, M. (2013) 'Police Futures and Legitimacy: Redefining 'good policing'', in Brown, J. (ed) *The Future of Policing*. Abingdon: Routledge; 79-100.

Hough, M., Jackson, J. and Bradford, B. (2013) 'Legitimacy, trust and compliance: An empirical test of procedural justice theory using the European Social Survey', in Tankebe, J. and Liebling, A. (eds) *Legitimacy and Criminal Justice: An International Exploration*. Oxford: OUP; 326-352.

Loader, I. (2006) 'Policing, Recognition and Belonging' *Annals of the American Academy of Political and Social Sciences*, 605: 349-367.

Additional readings

Beetham, D. (1991) *The Legitimation of Power*. London: Macmillan. (Chapters 1-3).

Bradford, B., Huq, A., Jackson, J. and Roberts, B. (2014). What price fairness when security is at stake? Police legitimacy in South Africa, *Regulation and Governance* 8(2): 246-268.

Loader, I and R. Sparks (2013) 'Unfinished Business: Legitimacy, Crime control and Democratic Politics' in Tankebe, J. and Liebling, A. (eds) *Legitimacy and Criminal Justice: An International Exploration*. Oxford: OUP.

Manning, P. (2010) *Democratic Policing in a Changing World*. Boulder: Paradigm (ch. 1).

Tyler, T.R. and Jackson, J. (2014) Popular Legitimacy and the Exercise of Legal Authority: Motivating Compliance, Cooperation and Engagement. *Psychology, Public Policy and Law* 20(1): 78-95

Seminar 4 - Governing policing

This session addresses the institutional implications of our discussion of legitimacy and democracy, with a particular emphasis on the tensions and dilemmas involved in how to subject policing institutions to democratic governance and effective oversight and redress. Specific questions include:

- Who are the police accountable to – government, citizens, law, professional bodies?
- What role should elected politicians have in the governance of policing?
- Can the police be responsive to citizens without risking ‘the tyranny of the majority’?
- Are the police best controlled through internal or external regulation?
- How can police complaints arrangements best be made effective?

Key readings

Goldsmith, A.J. (2010) ‘Policing’s New Visibility’, *British Journal of Criminology* 50(5): 914-934.

Jones, T. Newburn, T. and Smith, D. (2011) Democracy and Police and Crime Commissioners, in Newburn, T. and Peay, J. (eds) *Policing: Politics, Culture and Control*. Oxford: Hart.

Loader, I. (2000) ‘Plural Policing and Democratic Governance’, *Social and Legal Studies* 9/3: 323-345.

Walker, N. (2000) *Policing in a Changing Constitutional Order*. London: Sweet and Maxwell. (ch.1)

Additional readings

Aitchison, A. and J. Blaustein (2013) Policing for Democracy or Democratically Responsive Policing? Examining the Limits of Externally Driven Police Reform. *European Journal of Criminology* 10(4) pp 496-511.

Ariel, B. et al. (2016) Wearing Body Cameras Increases Assaults Against Officers and Does Not Reduce Police Use of Force. *European Journal of Criminology* Online first doi: 10.1177/1477370816643734.

Bradford, B. and Jackson, J. (2016) Enabling and Constraining Police Power: On the Moral Regulation of Policing, in Jacobs, J. and Jackson, J. (eds) *Routledge Handbook of Criminal Justice Ethics*. Oxford: Routledge.

Davies, D.E. (2009) Who polices the police? The challenges of accountability in democratic Mexico’ in Hinton, M.S. and Newburn, T. (eds) *Policing Developing Democracies*. London: Routledge, pp.188-212.

Hinton, M.S. (2009) Police and State Reform in Brazil, in Hinton, M.S. and Newburn, T. (eds) *Policing Developing Democracies*. London: Routledge, pp.213-234

Savage, S. (2013) ‘Thinking Independence: Calling the Police to Account through the Independent Investigation of Police Complaints’, *British Journal of Criminology*, 53: 94-112.

Seminar 5 - Change and innovation in police organizations

In this session we consider the question of police reform. How, when and to what extent do police organizations change, and who are the main agents of this change? We will be joined in this seminar by a representative of a UK policing organization, who will give us 'the view from the inside'.

Questions for this session include:

- Is the need for reform a constant across police organizations?
- Who are the major 'agents of change' in policing?
- What are the barriers to police reform?
- Is genuine reform of the police possible?

Key readings

Bayley, D.H. (2008) Police reform: Who done it? *Policing & Society* 18(1): 7-17.

Hills, A. (2012) Lost in Translation: Why Nigeria's Police don't Implement Democratic Reforms, *International Affairs*, 88/4: 739-755.

Skogan, W. (2008) Why reforms fail. *Policing & Society* 18(1): 23-34.

Steinberg, J. (2011) Crime Prevention Goes Abroad: Policy Transfer and Policing in Post-Apartheid South Africa. *Theoretical Criminology* 15(4): 349-364.

Additional readings

Bradford, B., Quinton, P., Myhill, A. and Porter, G. (2013). Why do "the law" comply? Procedural justice, group identification and officer motivation in police organizations. *European Journal of Criminology*, 11(1), 110-131.

Weisburd, D. and A. Braga (eds.) (2006) *Police Innovation: Contrasting Perspectives*. Cambridge University Press. Chapter 1: Introduction.

Marks, M. and D. Sklansky (eds) (2011) *Police Reform from the Bottom Up: Officers and their Unions as Agents of Change*. New York: Routledge (esp. Introduction).

Seminar 6 – The ‘scientific turn’ in policing

A key trend within the police service, and within academic study of police activity, is a turn towards the ‘scientific method’. Beyond the obvious arenas of forensics and criminal investigation, scientific techniques such as Randomized Controlled Trials (RCTs) and systematic reviews are becoming increasingly important as tools of investigation and, equally, as ways of legitimising specific approaches to policing. This seminar has two purposes. First, we will examine the use of RCTs and systematic reviews as ways of creating knowledge in policing contexts. Second, we will critically evaluate the assumptions underlying the uses to which such tools are put? Key questions will include:

- What is the vision of policing involved here?
- How does the ‘scientific turn’ in policing relate to issues of legitimacy and governance?
- If a police tactic is proven to ‘work’ in terms of reducing crime, is this enough in and of itself to justify using it? How do we calibrate other factors against ‘what works’?

Key readings

Loader, I. (2011) ‘Is it NICE? The Appeal, Limits and Promise of Translating a Health Innovation into Criminal Justice’, *Current Legal Problems*, 63: 72-91.

Neyroud and Weisburd (2011) *Police Science: Towards a New Paradigm*. Washington: Ministry of Justice. Available at: <https://www.ncjrs.gov/pdffiles1/nij/228922.pdf>

Sherman, L. (2013) ‘The Rise of Evidence-Based Policing: Targeting, Testing and Tracking’ in M. Tonry (ed.) *Crime and Justice* (Vol. 42). Chicago: Chicago University Press. Available at: <http://cebc.org/wp-content/evidence-based-policing/Sherman-TripleT.pdf>

Sampson R.J., Winship, C. and Knight, C. (2013) Translating Causal Claims: Principles and Strategies for Policy-Relevant Criminology. *Criminology and Public Policy* 12(4): 587-616.

Additional readings

Hotspots policing:

Weisburd, David and Telep, C. (2014) Hot Spots Policing: What We Know and What We Need to Know. *Journal of Contemporary Criminal Justice* Vol. 30(2) 200–220.

Rosenbaum, D. P. (2007) The limits of hotspot policing, in Weisburd, D. and Braga, A.A. (eds) *Police Innovation: Contrasting Perspectives*. Cambridge: CUP; 245-266.

Focussed Deterrence

Braga, A.A., and Weisburd, D.L. (2012) The effects of focused deterrence strategies on crime: A systematic review and meta-analysis of the empirical evidence. *Journal of Research in Crime and Delinquency* 49(3): 323-358.

Braga, A.A., Hureau, D. and Winship, C. (2008) Losing faith? Police, black churches, and the resurgence of youth violence in Boston. *Ohio State Journal of Criminal Law* 6: 141-172.

Seminar 7 – New challenges to policing

In this session we will examine the ways in which policing is being reconfigured in the face of changing patterns of crime and continuing pressure on police budgets. These changes take various forms: the involvement of new non-police actors in policing tasks; the focusing of policing on new crimes and the setting of new rationales and overarching goals for the police. In considering this new landscape, the questions to consider will include:

- Where and on what should police organizations concentrate scarce resources?
- What other actors might step in if uniformed police services are withdrawn?
- What is third-party policing? What are the pros and cons of persuading or coercing non-police actors to become involved in policing tasks?
- How can the internet be policing, and by who?
- Is policing best understood as an agency that contributes to public health?
- Can 'public health' campaigns add to or even substitute for the role of the uniformed police?

Key readings

Thornton, S. (2015) 'We must "re-imagine" policing in the UK', *John Harris Memorial Lecture*, Available at: <http://news.npcc.police.uk/releases/npcc-chair-sara-thornton-we-must-re-imagine-policing-in-the-uk>

Home Affairs Select Committee Report on Police and mental health (2015 – <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmhaff/202/202.pdf>

Wall DS, 'Policing Identity Crimes', *Policing and Society: An International Journal of Research and Policy*, 23.4 (2013), 437-460.

Third-party policing:

Ayling, J., P. Grabosky and C. Shearing (2010) *Lengthening the Arms of the Law*. Cambridge: Cambridge University Press. (ch. 3)

Mazerolle, L. and J. Ransley (2006) *Third-party policing*. Cambridge: Cambridge University Press. (ch. 3)

Additional readings

Mackenzie, S., and Hamilton-Smith, N. (2011) 'Measuring police impact on organised crime: performance management and harm reduction', *Policing: An International Journal of Police Strategies and Management*, 34 (1): 7-30.

Morabito, M.S. (2014) Policing vulnerable populations, chapter 9 in Reisig, M.D. and Kane, R.J. (eds) *The Oxford Handbook of Policing*. New York: Oxford University Press.

Seminar 8 – Revision session - debating stop and search

In this final session we discuss a perennially controversial aspect of policing in the UK and many other contexts beside: stop and search. This provides for a useful summary/revision process that revisits many of the themes discussed in earlier weeks of the course. The class will be divided into two groups to debate the proposition: *Stop and search be abolished*. In preparing their case each group will need to consider the following questions:

- What is stop and search intended to achieve – crime control, order maintenance, or something else?
- Why, when it is available, do some police use this power as much as they do?
- What are the challenges for police legitimacy generated by use of this power?
- How do issues of race/ethnicity shape and interact with police practice?
- Are other ways of doing policing possible and/or desirable, and if so what are they?

Key readings

Bowling, B and Philips, C. (2007) Disproportionate and Discriminatory: Reviewing the Evidence on Police Stop and Search. *Modern Law Review* 70(6): 936 – 961.

Delsol, R. and Shiner, M. (2015) *Stop and Search: The Anatomy of a Police Power*. Basingstoke: Palgrave Macmillan. Chapters 3, 5, 6 and 8.

EHRC (2010) *Stop and Think: A critical review of the use of stop and search in England and Wales*. Equalities and Human Rights Commission, available at: http://www.equalityhumanrights.com/sites/default/files/documents/raceinbritain/ehrc_stop_and_search_report.pdf

Weisburd, D., Telep, C. W., & Lawton, B. A. (2013). Could Innovations in Policing have Contributed to the New York City Crime Drop even in a Period of Declining Police Strength?: The Case of Stop, Question and Frisk as a Hot Spots Policing Strategy. *Justice Quarterly*, 31(1): 129-153.

Additional readings

Quinton, P. (2011) The formation of suspicions: police stop and search practices in England and Wales. *Policing and Society* 21(4): 357-368.

Geller, A. and Fagan, J. (2010). Pot as pretext: Marijuana, race and the new disorder in New York City Street Policing. *Journal of Empirical Legal Studies* 7(4): 591-633.

Bradford, B. and I. Loader (2016) 'Police, crime and order: The case of stop and search', in Bradford, B. Jauregui, I. Loader and J. Steinberg (eds.) *The SAGE Handbook of Global Policing*. London: SAGE. Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2637361

Weber, L. and B. Bowling (eds) (2011) Special Issue of *Policing & Society* on 'Stop and Search in Global Context', 21/4.