

# REVISITING THE POLICE MISSION

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# About the Strategic Review of Policing in England and Wales

Launched by the Police Foundation in September 2019, the *Strategic Review of Policing in England and Wales* sets out to examine how crime, fear of crime and other threats to public safety are changing and assess the ability of the police to meet these challenges, as part of a wider strategic response. This far-reaching independent review, the first of its kind in many years, is being chaired by Sir Michael Barber and guided by an Advisory Board of former senior police officers, politicians and leading academics.

The overall aim of the Review is to set the long-term strategic vision for English and Welsh policing. It will conclude in summer 2021 with a final report presenting substantial recommendations for a modern service capable of meeting the challenges of the 21st century.

More specifically, the Review will consider:

- What the police mission should be, looking in particular at the public's expectations of the police.
- The capabilities and resources the police service needs to achieve this mission.
- The future police workforce, including the roles, responsibilities, skills and knowledge of police officers and staff.
- How the police service should be structured and held to account, locally, regionally and nationally.
- How the police service should work with other sectors to deal with complex social problems.
- How much funding the police service requires and how this should be allocated.

More information about the Review can be found at: <http://www.policingreview.org.uk>

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**Deloitte.** **CGI**

## About the Insight Papers

This is the first in a series of Insight Papers, authored or commissioned by the Police Foundation, to inform the deliberations of the Strategic Review. The content of these papers does not represent the Review's final conclusions or recommendations but provides an input and a stimulus for discussion, based on research and analysis by the Police Foundation and external contributors.

## About the Police Foundation

The Police Foundation is the only independent think tank focused exclusively on improving policing and developing knowledge and understanding of policing and crime reduction. Its mission is to generate evidence and develop ideas which deliver better policing and a safer society. It does this by producing trusted, impartial research and by working with the police and their partners to create change.

## About the author

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# FOREWORD

The Strategic Review of Policing in England and Wales is currently in its early stages, focusing in particular on the challenges we expect the police service to face over the next two decades. I have already been encouraged by the range of people, from senior officers to those on the frontline, who have engaged with us so far. The Review is open to ideas and insights from across policing and society and I would very much encourage all those who have views to contact us.

We plan to release a full report on the current and future challenges facing policing in the summer. To contribute to our thinking we asked one of the country's leading academic thinkers on policing, Professor Ian Loader, to write this paper examining the police mission.

There has long been a robust debate as to what the police are for. Should they be principally crime fighters or should they have a wider role to maintain order and reduce harm? Should they simply respond to crime and incidents that have occurred or should they be more proactive and preventative in their work? The general nature of the police role, present from the very beginning of the modern police service, has meant that the boundary between the responsibilities of the police and those of other actors has often been blurred. There is clearly a feeling within policing that in the context of austerity, with many partner agencies being forced to cut back, the police mission has become stretched in recent years. As we look to recruiting thousands of new police officers now is a good time to consider the role we expect the police to play in keeping society safe.

Professor Loader's paper covers all of these questions, but rather than simply rehearsing old arguments seeks to move the debate on into fresh territory. I hope the paper will prompt widespread debate and discussion within policing and beyond.

**Sir Michael Barber**

Chair of the Strategic Review of Policing in England and Wales

# DEBATING THE POLICE MISSION: WHY IT MATTERS, WHERE NOT TO START

The question of the police mission – ‘what are the police for?’ – is a recurring and contested one in British public life. So much so that there are good reasons to be weary of another ride over this well-trodden ground. The debate has long circled around the same set of dilemmas, the same binary oppositions. Are the police a law enforcement, crime-fighting agency or are they a 24/7 social service doing whatever is necessary to maintain and repair order? Should they focus on reacting to calls for assistance (so-called fire brigade policing) or be proactively engaged in and with communities seeking to prevent crime and safeguard the vulnerable? Are the police the thin-blue-line that delineate order from chaos and keep the ‘law-abiding majority’ safe or do their powers present an ever-present risk to minority rights and require constant oversight and tight cabining within the rule of law? Debate between these alternatives recurs with seemingly little hope of progress or satisfactory resolution, but rather, it seems, repetitive back and forth between adherents of one pole or another. The value of a further foray into this barren territory is not therefore self-evident. It stands in need of justification.

Within police circles, this sense of weary repetition tends to prompt one of two responses. The first is to default to a list of all the tasks that the police are unavoidably called upon to undertake. Such a list typically includes emergency response, crime prevention, criminal investigation, keeping the peace, social service, reassurance, national security, regulating public protest, traffic control and, these days, safeguarding vulnerable groups. This is arguably the approach taken by the 1962 Royal Commission on the Police, who categorised police functions in the following terms:

1. The maintenance of law and order and protection of persons and property.
2. The prevention of crime.
3. The detection of criminals.

4. Controlling of road traffic and advising local authorities on traffic questions.
5. Carrying out certain duties on behalf of government departments.
6. Befriending anyone who needs help and being available at any time to cope with minor or major emergencies.

The generality of this list may help to account for the otherwise inexplicable fact that the Commission’s report remains a point of reference in the debate. The ‘list of functions’ approach to the police mission has a strong surface appeal. It makes sense in police circles because it seems to mirror an organisational reality composed of specialist units and various – mutually-supportive – tasks. Public and academic debate on policing tends to focus on visible, uniformed patrol (Brodeur 2010: 9). But policing is composed of many other specialisms: detective work, forensics, covert operations, cybercrime investigation and so on. Policing is a multi-faceted activity not easily reduced to a simple formula. The omnibus mandate approach also appeals because it appears to get the police off the hook of priority-setting. Though the language of priorities is now common within the police, having been forced upon them by austerity, this is often attended by a reticence about naming the tasks, offences, or localities that are being de-prioritised. The idea that the police have an extensive, omnibus mandate composed of unavoidable tasks permits this question of priorities to be fudged. It enables the police to say: we do all of these things, in fact we do whatever is asked of us, and we can be relied upon to do so when other agencies go missing.

We should be clear at the outset that identifying essential police functions is an evasion of the priorities question, not a resolution of it. The problem is not merely that a general list cannot really help guide action and choices on the ground. It also erroneously assumes that the listed goals

are unambiguous, mutually compatible, naturally legitimated and uncontentious (Bradley et al. 1984: 64). In fact, behind a public stance which defaults to a list of all that the police are called upon to do, trade-offs between different visions of policing (classically between law enforcement and order management) and policing priorities (between, say, spending money on police or on other agencies dealing with security, harm and vulnerability) are routinely made. If we persist in simply insisting that the police necessarily respond to everything, the choices that police forces inescapably have to make will evade proper public scrutiny and debate. This is not a good place from which to start.

A second temptation is to default to the 'Peelian principles', on the grounds that these offer a sturdy, time-tested guide as to what the police are to do and how they should go about doing it. The standard list of these principles found on the Home Office website is as follows:

1. To prevent crime and disorder, as an alternative to their repression by military force and severity of legal punishment.
2. To recognise always that the power of the police to fulfil their functions and duties is dependent on public approval of their existence, actions and behaviour and on their ability to secure and maintain public respect.
3. To recognise always that to secure and maintain the respect and approval of the public means also the securing of the willing co-operation of the public in the task of securing observance of laws.
4. To recognise always that the extent to which the co-operation of the public can be secured diminishes proportionately the necessity of the use of physical force and compulsion for achieving police objectives.
5. To seek and preserve public favour, not by pandering to public opinion; but by constantly demonstrating absolutely impartial service to law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws, by ready offering of individual service and friendship to all members of the public without regard to their wealth or social standing,

by ready exercise of courtesy and friendly good humour; and by ready offering of individual sacrifice in protecting and preserving life.

6. To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public co-operation to an extent necessary to secure observance of law or to restore order, and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.
7. To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police, the police being only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.
8. To recognise always the need for strict adherence to police-executive functions, and to refrain from even seeming to usurp the powers of the judiciary of avenging individuals or the State, and of authoritatively judging guilt and punishing the guilty.
9. To recognise always that the test of police efficiency is the absence of crime and disorder, and not the visible evidence of police action in dealing with them.<sup>1</sup>

These principles have a murky historical provenance. There is scant evidence they were written in 1829 or penned by Peel himself. They were most likely first formulated by Charles Reith over a century later before becoming solidified in 20th century police textbooks (Emsley 2013). The Peelian principles nonetheless continue to serve as a key reference point for thinking about the fundamentals of modern policing. They populate mission statements, they guide the training of officers, they tell police and citizens what policing is about. They appear to set limits on what the police should do and say things about how they are supposed to do it. For these reasons, at least one recent review – The Independent Commission on the Future of Policing in England and Wales (2013) – took these principles as a starting point for thinking about policing and

1 <https://www.gov.uk/government/publications/policing-by-consent/definition-of-policing-by-consent>

sought to revise them as a guide to police reform today. There are good reasons for thinking that these principles could and should be updated. But having been closely involved in this exercise, I drew the following lesson from the experience: The police like the Peelian principles because they make them feel good about the job they do and their place in society, without exercising any effective regulatory control over police strategy or behaviour (Loader 2016). They operate mainly as a self-legitimation or branding device, not as a critical yardstick for public legitimacy. For this reason, they are not a good platform on which to locate discussion of the police mission.

There are good grounds then for resisting these two recurrent responses to the question of the police mission. Both operate as a substitute for thought about that question, not as resources for thinking. Engaging with this question is nonetheless very much needed. The debate about the the purpose of policing may have a repetitive, even circular dynamic. We have journeyed round this track many times before. The police purpose has formed part of enquiries by, *inter alia*, the Royal Commission (1962), Lord Scarman (1982), the three police staff associations (Joint Consultative Committee 1990), The Police Foundation (Independent Committee 1994), Ingrid Posen (Home Office 1995), Lord MacPherson (1999), Sir Ronnie Flanagan (Independent Review of Policing 2008) and Lord Stevens (Independent Commission 2013). But the question of what the police are for and why they matter requires constant attention and reflection. Keeping that question in play, and subject to public discussion, is essential both to the effectiveness and legitimacy of policing, and to the quality of democratic life. This is so for at least the following reasons:

- The public police exercise a monopoly over the use of legitimate force.<sup>2</sup> In a liberal democracy, citizens need to retain a sceptical watch over such

force and keep a constant eye over how, under what conditions, and against whom coercion is used. Debating the police mission is one way of doing that.

- Police make use of scarce public funds which can always be used in other – maybe better – ways. So we need to keep track of how effectively police use those resources and seek to ensure that they track demand and/or harm. We also need to think about the funding allocation between the police and other agencies of frontline care and control (e.g., social work, mental health) and wider investments that foster and sustain secure and cohesive societies (e.g., training and education). How one thinks about these distributive questions turns in part on how we define the police mission.
- We need to revisit that question in light of the changing contexts in which policing happens. These most clearly have to do with patterns of crime and harm, and the evolving landscape of demand for order and protection. It is today clear that both of these are being transformed by the digital revolution in ways likely to have far-reaching – if as yet uncertain – effects on policing.<sup>3</sup> But we also need to attend to the wider picture of socio-economic division, political contestation and technological change that shape patterns of harm and demands for policing. The most salient of these presently include climate change, global migration, the resurgence of nativist populism, identity politics, generational and regional inequalities, and the uncertain economic and social ramifications of Brexit.
- The police are only one of the providers of policing and one among many agencies that contribute to public security. If one thinks seriously about how to prevent crime, or about the sources of order and security, then the police would not be our principal object of attention. Those working within ‘crime science’ have shown that crime is more

2 Though the right to use force has in recent years been delegated by the state to private companies contracted to run prisons and immigration removal centres.

3 The organisation and practices of modern police forces are very much the product of problems of order created by industrialisation and urbanisation in the 19th century. These institutions are currently being retro-fitted to deal with harms made possible by the digital revolution. I do not care much for futurology. But it seems likely that over the next several decades that revolution will have consequences for policing at least as dramatic of those wrought by the industrial revolution. We just do not know yet what form these will take.

effectively prevented by embedding controls in the environment and activating 'suitable guardians' across civil society (Guerette et al. 2016). Work within structural criminology shows that order and security have more to do with processes of socio-economic and political inclusion/exclusion than with police numbers or activity (Hovermann and Messner 2019). In either case, there is no 'policing solution' to the problem of what makes societies secure and orderly. Given this, attention to the police role must be alive to the question of how the police fit into this broader landscape of pluralised policing and harm prevention.

There are then cogent reasons for wanting to think again and afresh about the police mission, some of which are intrinsic to policing in a liberal democracy, others that are contingent on the revised contexts within which policing takes place. The problem of the police mission needs constant attention. It is wrapped up with the question of how we govern the police and determine how and what the police can contribute to the production of safe, cohesive and just societies. Against this backdrop, my aim in this paper is neither to offer a dispassionate review of the field, nor a partisan attempt to settle the debate. My hope instead is to inform and provoke renewed discussion of it.

# ORIENTATIONS: WAYS OF THINKING ABOUT THE POLICE MISSION

How can we best think about the police mission? Rather than addressing that question directly, and thereby risking a simple re-hashing of familiar positions and oppositions, I want to begin by outlining four ways in which the question of the police mission has been, or might be, approached. I term these historical, empirical, normative, and interpretive. In this section, I consider the virtues and limits of the first three approaches and introduce the fourth. In the following section, I put the interpretive approach to work as a means to reconsider what is at stake in the recurring debate about the purposes of the police.

## Historical

The first way to think about the police mission asks how that role (and public contests about it) has evolved historically and considers its relation to wider socio-economic and political contexts and forms of technological change. There is a vast historical literature on policing and competing narratives about the formation and development of the English Police. Dispute persists between proponents of whiggish and radical accounts of police history (Bowling et al. 2019: ch. 4). A review of this literature falls far beyond the scope of this paper (see, for example, Lawrence 2016; Churchill 2017). It is also clear that fuller historical awareness of police development yields no single or uncontested lesson (Yeomans 2019: 12). For present purposes, however, three such lessons are worth highlighting. These have to do with continuity, contexts, and consciousness.

Let's begin with continuity. One thing that becomes apparent from the historical and sociological literature on policing is that police attention is, across time and jurisdiction, focused on economically and political marginal populations who are regulated as much because of who/where they are than for how they behave. In societies divided along axes of class and race, the police's order management function inescapably brings them into contact and tension with society's excluded groups, the social control of which falls to the police rather than other agencies of

socialisation. Such groups tend to be over-regulated and under-protected by the police. To say this is to state something of a sociological truism. Some time ago, this pattern was insightfully theorised by Marenin (1982) who argued that police in divided societies are engaged in the reproduction of both 'general' and 'specific order'. The police engage in activities that sustain public tranquillity from which all benefit – irrespective of their place in extant social hierarchies. But those activities at the same time preserve an order that favours the sectional interests of dominant groups within that hierarchy. How the police respond to, and treat, those at the margins of society matters enormously to their safety and sense of secure belonging, as we shall see. But the reproduction of marginal populations whose routine management falls to the police – from young black males, to excluded white youth, to migrants – is a matter whose causes reach far beyond the police. The more structural inequality and exclusion a society produces, the harder and more conflictual the police task becomes.

The contextual lesson to be drawn from historical enquiry is that the definition and contestation of the police role is shaped in important ways, not by the police themselves, but by wider political, social and cultural forces. The generation of public consent for the police is a telling case in point. The police in England and Wales were established and developed during the nineteenth century in the midst of conflict and controversy. The subsequent construction of public consent for state policing was only in part the product of how the police appeared and conducted themselves, though early police leaders attended closely to such matters. It had much more to do with the pacification of industrial and social conflict and the incorporation of the working class into the key institutions of the British state during the late nineteenth and first half of the twentieth centuries. Conversely, the recurrent sense of 'crisis' that has encircled the police since the 1970s has not mainly been the product of police actions, though such actions have been the proximate cause

of a succession of scandals during that period, from miscarriages of justice, to Hillsborough, to undercover policing. Rather, police legitimacy has been called into question as a result of the economic and social conflicts that emerged in the wake of the collapse of the post-war 'welfare' settlement. The background conditions of social inclusion or exclusion shape our capacity to agree on what the police do, and make easier or more difficult the police's struggle to secure public consent.

The third lesson is less about substance and more to do with the value of cultivating and sustaining an historical consciousness or sensibility. The debate about policing is too often conducted by commentators and senior police officers who are trapped in a prison of the near-present, or who rely complacently on the notion that policing today is simply the direct heir of Peel's founding vision. A richer historical consciousness would help to counter the limits of this orientation. It might help us to see that the track record of past police behaviour forms a legacy acting on public confidence towards the police today. The cultivation of a longer institutional memory would enable us to understand police bureaucracies as 'construction sites' that are the product of 'sediments' left behind by previous struggles over police reform (Bierschenk 2016). One could helpfully bring this lens to bear on any seemingly 'innovative' reform agenda. But historical consciousness can also help to 'de-familiarise' the present and serve to remind us that the police are both shaped by processes of social change as well as being one important institutional actor shaping those wider processes. The current debate about race/diversity in police organisations offers one telling case in point.

## Empirical

A second way of proceeding sets out to ground an answer to the police mission in what we already know about what the police are called upon to do. This approach generally uses one or both of two criteria to evaluate the police function. First, it calls upon us to examine patterns of public demand, as registered in calls made to the police, as these provide a reliable guide to citizens' experience and revealed preferences. Second, it points us to analyses of how police officers spend their time, as if this offers a reliable window on the exigencies of policing. There is an obvious good sense to this

approach. It starts from what is known about the situational realities of public demand and police work and urges us to treat that knowledge as an important – maybe even determining – guide when answering larger questions about overall policing purpose.

Such an approach has tended to be deployed in discussions of the police mission to call into doubt the idea that the police are principally crime-fighters. There is abundant evidence to which one can point in this regard, going back several decades and spanning many jurisdictions. Police research has, Brodeur reminds us, demonstrated that most demand for policing doesn't concern crime and that police time is mostly spent on non-crime matters. Brodeur reviewed 51 studies based on public calls to the police, officer time-use and ethnographies of police work. Of these studies, 46 showed that the proportion of police time devoted to crime was 50 per cent or less, two-thirds of them concluded that the percentage was 33 per cent or less (Brodeur 2010: 158-59). A recent report by the College of Policing (2015) found that non-crime incidents accounted for 84 per cent of all command and control calls across England and Wales.

For all its apparent merit as a means of thinking about – even settling – the question of the police purpose, proceeding using this empirical approach is not without problems. In respect of public demand, it too readily assumes that calls for police attention track the distribution of need. In so doing, it neglects what we know about differential reporting of crime and disorder by offence type and social group. We know that some victims – for example, young people – may not call the police, or report their victimisation, because they don't trust the police, or believe they can or will do nothing about it, or because doing so risks amplifying the impact of the event on their lives. Certain offences – rape and sexual assault, for example – are notoriously under-reported. Moreover, this approach tends to take for granted existing patterns of resource deployment which may be the result of habit, inertia, political pressure, or bias. Nor does it make allowance for the ways in which officers whose work occurs in low visibility and difficult to supervise settings can situationally re-define their roles. In both these respects, an empirical approach has no way of weighing (morally or otherwise) the value of the tasks that the police are called upon to perform, or actually do.

There is, in sum, an inherent status quo bias to this way of thinking about the police mission of which we are wise to be wary. Whether by design or default, it fetishises the present, seeks to derive an ought from an is. The answer to the question of what the police should do is whatever they currently happen to be doing.

## Normative

A third way of thinking about the police mission makes no such complacent concessions to current reality. This approach urges us to think directly about the normative question of what the police *should* do. The claim here is that we can only answer the question of what the police mission is by developing a theory of policing and using this as a guide to action when it comes to practical decisions about resource allocation and policing styles.

One advantage of this way of thinking is that it strips us of our innocence and calls upon those contesting the police mission to be open about their normative commitments. In a liberal democracy, it matters not simply *that* crime is controlled and order maintained. It also matters greatly *how* crime is controlled and what *kind* of order is maintained. Once one acknowledges the import of these wider considerations (as I think we must), we are necessarily drawn into a discussion about such matters as the power and limits of the state, the rights of the individual, the virtues and dangers of community, and the organisation of political authority. This is territory that requires us to clarify the meaning and significance of concepts such as justice, democracy and legitimacy. The question of the police mission requires, on this view, close attention to wider political debates about good governance.

One way of proceeding in this regard is to come at the question of what the police should do, and how they should do it, from the standpoint of particular political ideologies. What one thinks about crucial policing questions varies according to the place one occupies on the ideological map. Conservatives, for example, take a certain view on the value of police authority and the primary role of the police in fostering respect for order. By contrast, a neo-liberal might point to the tendency of state police bureaucracies to become wasteful, sclerotic and captured by producer interests and look to

encourage innovation via internal markets and a greater role for private security. Liberal commitments to the autonomy of the individual, rights protections and the rule of law also have important implications for thinking about the role and governance of the police (Hunt 2019). These might lead us to view the key task to be one of minimizing the harm caused by police use of coercion. A social democratic orientation to equality and social solidarity can also be cashed out as a theory of the police. Such an account may seek to ensure that policing tracks the distribution of harm, contributes to social cohesion and is shaped by inclusive democratic participation (Loader and Sparks 2012; Reiner 2012). There also exists a long-standing feminist critique of the relative neglect by the police of crimes committed in private space or between intimates.

There may be much to be gained from thinking about the police mission in these explicitly political terms. It is true that relevant actors often rhetorically claim that the task of controlling crime is so important that it stands above politics, and outside of ideological conflict. But in the world of real politics, social actors typically think about the police mission in something like the above terms, even if they do not always make their animating political visions clear. If so, it is better to face up to this fact, rather than hide behind the fiction that policing is non-political.

I do not have space here to develop these thumb-nail sketches (see Loader 2021, forthcoming). What I propose instead, is to take two influential approaches to police reform – evidence-based policing and procedural justice – and to re-cast them as normative theories of the police. Such re-casting is needed because these approaches are not typically considered in normative terms – their guiding animus and central claims seem to be empirical. But if we confine our focus to their confident strides towards empirical discovery we risk missing the bigger picture. Both evidence-based policing and procedural justice are organised around a central normative commitment – truth in the former case, fairness in the latter. They each contend that the police mission ought to be organised around their preferred value.

*Evidence-based policing* (EBP) has become an influential and international movement within policing over recent years. Its starting premise appears to

be an empirical one: we know things about ‘what works, what doesn’t work and what is promising’ in policing. Through the use of appropriate methods – randomised control trials and systematic evidence reviews – we can produce reliable knowledge that can be put to use to improve strategic and tactical decision-making. The attendant claim is that the police should develop an architecture for producing, disseminating and deploying such knowledge, whether in the form of partnerships with universities, best practice guidance from the College of Policing, or subjecting their practices to evaluation (see, Sherman 2013; Neyroud and Weisburd 2014).

It is clear that EBP’s principal objective is to improve policing via the production of usable empirical evidence. But this effort rests upon what is in effect a normative claim about ‘the right way to organise authority in a society’ (Roberts 2010: 136), one that is sometimes rendered explicit (Sherman 2009), but more often left unstated. The overarching claim is that policing should be guided by truth; that evidence on what works should be the determining factor in deciding how priorities are set and resources deployed; that calculations about what works should win out over public demand or the preferences of political authorities. These may each be defensible claims. But they should be judged for what they are: a normative framing of the police purpose.

A similar re-casting can be offered of another influential body of theory and research guiding police reform: *procedural justice*. A large corpus of work has been produced on this topic over recent years, across jurisdictions and using various methods (Jackson et al. 2012; Jackson et al. 2015). The central claim again seems to be empirically-grounded: that police-public encounters marked by procedural fairness – where officers are impartial, open-minded, and give people a voice – generate enhanced police legitimacy and greater normative compliance with the law. This happens because fair treatment signals to people that that police are in moral alignment with their beliefs and affirms their sense of group membership. The bulk of the research

produced by adherents of this position seeks to test, refine or extend these claims, or fathom how they can be incorporated into policing practice. But this seems to rest on a normative principle. This theory is not so much concerned with what the police should do. But it has a strong message about how the police should *behave* – one that makes fairness the thread guiding how police officers treat everyone they encounter and how officers, in turn, ought to be treated by their organisations.

There is nothing wrong with approaching the question of the police mission normatively. It may even be that any answer to that question has to be able to set out and defend its normative commitments (even the empirical approach outlined above is making an ought claim about how we should determine the police mission). But a solely normative approach to the question of the police mission is not free of risks. Without sufficient attention to current empirical realities, it can become ungrounded and fanciful. Without due acknowledgement of the competing answers to, or ways of addressing, the police mission question, normative theories can become myopically prescriptive. We need to be able to think normatively about policing, while remaining alive to these dangers.

## Interpretive

The interpretive approach aims to avoid these risks. It is not concerned with prescribing what the police role should be either sociologically, empirically or normatively. Instead its contribution lies in teasing out what is at stake in debates about the police mission; asking what animates different positions within it and why they exert motivational force, and identifying the blind-spots within certain established positions. Such interpretation is never a view from nowhere, nor free of its own normative commitments (as will become clear). But its principal orientation is not to settle the debate about the police mission by developing a theory of the police. The aim is to clarify why the debate matters and what matters in that debate.

# RE-INTERPRETATIONS: WHAT'S AT STAKE IN THINKING ABOUT THE POLICE MISSION

I want in this section to put that interpretive method to work. My task is not to discover something new, or to forge a resolution between long-standing polarities, or to legislate in favour of one of the candidate answers to the question of what is policing for. I want instead to revisit some familiar stances in the debate with a view to shedding new light on their merits and appeal, as well as their limitations. I want to bring three such positions under the interpretive spotlight. I then conclude with some more basic reflections on the relation of policing to security which cut across all three of them.

## The enduring appeal of police as crime-fighters

One recurring feature of the debate about the police function is as follows: Periodically someone – usually a politician – will stridently pronounce that the task of the police is to ‘catch criminals’, or ‘fight crime’, or ‘enforce the law’. In response, senior police officers, informed journalists, or criminologists refrain that matters are more complicated than that. Drawing on empirical data on calls for police attention and on what tasks officers spend their time (see above), critics observe that crime is not the main reason why people call the police, or the problem on which officers typically spend their time working.

One can point to several recent examples of this circuit of claim and refutation. The most recent occurred during the Coalition government (2010-2015) when then Home Secretary Theresa May urged the police to pursue ‘just one objective – to cut crime’ (May 2011). Indeed, much of the impetus behind the introduction of elected Police and Crime Commissioners (PCCs) lay in the desire to free senior officers of bureaucratic constraints that obstructed the pursuit of that objective, and inject into governance arrangements an elected and publicly responsive figure able to focus police forces on their crime-fighting goals. This message was

clearly spelt out in the 2012 Home Office advertising campaign encouraging people to come out and vote in the inaugural PCC elections: ‘On November 15th, criminals hope you will do nothing’.

The slightest familiarity with police history, or the sociology of policing, or the evidence on what the police do, or even a brief conversation with a police officer – all these would reveal the claim that the police mission is crime-fighting to be at best partial, more likely wishful fantasy. To call the police crime-fighters is to radically misunderstand the nature of policing. So much so that the question one needs to ask is not whether the police can or should be re-made as crime-fighters, but why the crime-centred conception of the police mission stubbornly persists despite its fatal weaknesses. There are two plausible answers to that latter question.

One answer has at least some foothold in reality. The enduring appeal of the police as crime-fighters lies in the fact that the police do perform the tasks suggested by this conception of their role: officers enforce transgressions of the criminal law, detect and apprehend suspects, investigate offences and, in so doing, bring offenders to justice. Moreover, if the police do not perform these tasks, it is not abundantly clear who else will, or what the police are left to do instead. The idea that the police are not crime-fighters but something else, or that instead of enforcing the law, officers use law as a resource for managing conflict and re-imposing order, is from this vantage point met with incredulity. By contrast, the idea of police as crime-fighters has an obviousness about it. It is a piece of sturdy common-sense that is hard to gainsay. If the police are about anything, it is surely controlling crime.

A second answer is to be found in the realm of social imaginary. To make sense of contests about the police mission one needs to grasp that policing is not just an organisation, it is also an idea. Modern police institutions are not just ‘made’, they are also ‘imagined’ (Unger 1987). They produce not

only material but also symbolic effects. Policing is a cultural institution – a site for the production of meaning and myth. It is an institution onto and through which people project various hopes and aspirations, fears and fantasies, about the social world. Policing is a site of affective identification that is inescapably entangled with questions of life and death, order and chaos, security and vulnerability, morality and immorality, honour and dishonour, belonging and exclusion, the boundary between ‘us’ and ‘them’. Policing is an institution shaped by, and shaping, mentalities and sensibilities towards the social – a place for the formation, circulation, authorisation and contestation of social meanings. To grasp this, we have to be attuned to the beliefs, affiliations and affects that make up English ‘policing culture’ (Loader and Mulcahy 2003).

Seen against this backdrop the idea of the police as crime-fighters persists, not because it is rooted in police practice, but because it has a powerful affective appeal. The crime-fighting conception of the police has political purchase because it taps into a diffuse lay sensibility which sees the police as heroic protectors who keep chaos at bay, and protect ‘us’, the law-abiding majority, from ‘them’, the dangerous others. That sensibility also often carries the idea that policing is and should be a masculinist realm, in which women are relegated to marginal service or support roles. Crime-fighting is hence from time to time the subject of a populist mobilisation which appears to cut through the cant of out-of-touch experts and speak (up) for what ordinary people know to be true – and essential – about the police. There are deep cultural reasons why the idea of the police as crime-fighters persists – and why competing voices in the debate will have to keep calling it out as a myth.

## The wisdom and limits of order management

The crime-centred conception of the police stands in stark contrast to the other familiar pole of the debate on the police mission – that their principal task is situational conflict resolution and order maintenance. This latter position is typically presented as the view held by the grown-ups in the room. It is grounded in historical evidence on the development of the police and in extant sociological wisdom about what the

police are called upon to do and why. Historically, the police were formed to deal with ‘the problem of order’ in an urbanising and industrialising society. The police do not create order, nor are they the thin-blue-line that separates order from chaos (as Brodeur (2010: 182) points out, police forces only emerge once social order has been ‘firmly established by other means and is not questioned as such’). Rather, the police were fashioned to manage the social tensions of divided societies and to repair temporary breakdowns in urban order. Sociologically, this conception of the police role can be grounded in Egon Bittner’s (1990: 249) oft-cited claim that the police are the agency called upon to act in respect of ‘something-that-ought-not-to-be-happening-and-about-which-someone-had-better-do-something-now!’. Bittner’s contention is that the police bring to such situations a unique capacity – the power when necessary (and if persuasion fails) to use force to impose a provisional solution. That unique capacity is what people are enlisting whenever they call the police. Bittner adds that – for these reasons – it is hard to think of a problem that could not in principle become a problem for the police.

Given this, it is tempting to announce the order maintenance perspective as the winner and declare that the debate about the police mission is closed. Indeed, many have assumed this stance. This was the view that Lord Scarman (1982) took in his enquiry into the Brixton Disorders in the 1980s. The order maintenance outlook has under-pinned a long running critique of reactive, fire brigade policing. It has also been the organising impulse behind various iterations of the idea that policing needs to be visible, responsive and embedded in local social relations. Among the variants of this idea to command attention and resources in recent decades have been community policing (in fifty-seven guises!), problem-oriented policing, broken windows policing, hot-spots policing, reassurance policing and neighbourhood policing. There are of course important distinctions between these approaches to policing. But they share common parentage and possess important family resemblances.

But let us not be so keen to call a winner. The police as order maintenance position has evident virtues. But it is not without blind-spots or pathologies, or free of hard questions that it has over the decades struggled to shake-off. Let us consider two related clusters of issues.

The order maintenance perspective is, on its face, neutral on the question of whether police should be reactive or proactive. Bittner's formulation seems to point to the former: the police should be organised and ready to come when they are called – to whatever breach in the social order that requires temporary but urgent repair. But advocates of order maintenance policing are typically seeking to promote some more expansive and proactive conception of police work. This may involve close engagement with local communities or collaboration with other agencies to get to the root of crime problems, addressing what a recent report advocating public health approaches to policing called 'the causes of the causes' (Christmas and Srivastava 2019: 11). It may mean the identification and deterrent patrolling of crime hot-spots. It can entail making holistic upstream interventions in stressed neighbourhoods and the lives of individuals presenting symptoms of 'adverse childhood experiences' (Gilmour 2018). The availability and manipulation of Big Data now promises – or threatens – to extend the predictive capacities of the police to anticipate and respond more effectively to criminal harm (Ridgeway 2018).

This extended role for the police in order upkeep and public protection may bring benefits for vulnerable individuals and communities. But the attendant risks lie in the difficulties of specifying the nature and limits of police involvement in such collaborations and the colonisation of tasks that are more suited to being undertaken by, say, social work, education, or public health. The management of mental health is a telling example. In the context of austerity, the police have become first responders to many people suffering from acute mental health episodes. But what is the police role in such cases? Do the police bring to such situations an order/control frame which tends to exacerbate the problem? Do officers have, or should they receive, appropriate training? How does one prevent police intervention from propelling troubled individuals into the criminal justice system? Can the police limit their involvement to emergency response followed by delegation to mental health services? These are urgent questions for police forces today.

The related risk is that of ambient policing – a form of policing that becomes intrusively pervasive across much of social life. Such policing rests on a theory of

the police relation to security that I have described elsewhere as 'shallow' and 'wide' (Loader 2006). It is 'shallow' in so far as the police contribution to security is limited to the claim to be able to protect persons, property and neighbourhoods from the threat of crime and disorder. Policing on this view is confined to answering the question 'How safe am I?'. It is 'wide' because, conceived as such, the police's contribution to public security rests on the unmediated presence of uniformed officers and an active role for police in community-building and cohesion. The risk here is of making security the lens through which social problems are identified, defined and acted upon. The worry is that the police frame starts to intrude upon and re-shape areas of public life and policy (housing, education, public health) where it has no legitimate business.

We might then ask of these expansive visions of policing a version of the question posed earlier in respect of crime-fighting: why, given these risks, does proactive, preventive policing have such wide-spread and enduring professional appeal? Why is it the stance typically associated with the grown-ups in the room? One plausible answer to these questions is this. These related efforts to take police activity upstream are an attempt to deny, paint-over, or escape what one might call the tragic quality of policing (cf. on punishment, Garland 1990): the fact that the police are routinely called upon to deal with problems the causes of which lie beyond their control.<sup>4</sup> It is a refusal to accept the sociological reality that the police act upon symptoms – or at best an attempt to reduce symptom-generated demand by re-focusing police work further upstream. This refusal is fraught with recurring risks all of which centre on the difficulty of specifying the limits of the police role once they embark on a proactive mission to chase and address causes. Such dangers were identified many years ago by John Braithwaite (1992: 17) who remarked that advocates of community policing:

are guilty of an insufficiently theorised view of freedom; they are too loose in their praise of the order maintenance function of the police. It is not clear (there is no theory) of where desirable order maintenance ends and undesirable reproduction of order begins.

4 Or, as Zacka (2017: 11) puts it: 'they are condemned to being front-row witnesses to some of society's most pressing problems without being equipped with the resources or authority necessary to tackle these problems in any definitive way'.

Maybe, given this problem of over-reach, we should not so quickly give up on the idea that the police are reactive symptom-handlers and instead focus attention on what is entailed in performing that role fairly and effectively.

## Tackling hidden, remote and high harm – and its futures

Over the last decade the once dominant model of visible, responsive, local policing has been challenged from a new quarter. Many police forces in England and Wales have shifted focus and resources away from the provision of visible and universal patrol (deployment that responds to the express demand of all rather than actual risks posed to some) towards policing oriented towards protecting vulnerable individuals and groups from high – and often hidden – harm (e.g., Thornton 2015). The single most important driver of this re-orientation has been changing patterns of crime and victimisation – especially those produced or accelerated by the digital revolution. But this re-focusing is also a response to the ‘discovery’ of (or claims made by) formerly silent victims of abuse, or has followed exposure of the failure of responsible authorities to take such victims seriously and respond properly to their suffering. One further aspect of this development has been the high priority now afforded to tackling (repeat) victimisation in domestic settings – especially in respect of abuse against women and children.

The result has been a greater prioritisation of such issues as the grooming and sexual exploitation of children; the trafficking and entrapment of migrants as slave workers, and ‘county-lines’ drug dealing. These offences have typically been made possible, or at least exacerbated, by the internet. They are also commonly transnational in scope, involving the illegal movement of people, commodities or images across borders, or the commission of offences in Britain by offenders residing elsewhere. This shift to high-harm has given rise to new police units, specialisms and practices – forms of targeted, proactive and invisible policing oriented to protecting vulnerable groups and disrupting the activities of organised crime groups. It

has also brought to the fore a lexicon that was at best on the margins of policing only a decade ago: harm, vulnerability, safeguarding, wellbeing, and so on.

There are good reasons to think that this is now a steady direction of travel for British policing and that the prevention and disruption of high, hidden and remote harms will become more central to the police mission in a world of digital and global connectivity. If that is so, this revised mission has lots to commend it. It constitutes a serious effort to organise policing so that resources recognise and respond to harm suffered by excluded groups rather than demand voiced by the ‘worried well’. It directs police protection towards the most vulnerable – often those who lack the political or cultural capital to influence public agendas and resource allocation. It contextualises behaviour in ways that enable the police to see ‘offending’ by vulnerable individuals as the product of entrapment and exploitation by criminal groups. It acknowledges the need for new skills, capacities, partnerships and forms of translocal and transnational organisation as a precondition for addressing the changing landscape of harm effectively.

But if one is going to re-conceptualise policing in the 21st century broadly along these lines, we need pressingly to attend to the issues it raises and hard questions it generates. I want to consider three of them. The first of these involves a new and possibly more pronounced version of the ‘police limits’ question posed above in respect of order maintenance policing. The protection and safeguarding of vulnerable individuals, whether as victims or as exploited and traumatised ‘offenders’, clearly requires partnerships between various agencies and an over-arching ambition that is oriented not simply to order or safety, but to wellbeing more generally.<sup>5</sup> But it is sometimes rather difficult when reading literature outlining or promoting ‘proactive preventative activity’, a ‘whole-system approach’ or related variants of ‘public health’ policing to discern exactly why the police are involved and where the proper limits of their role are supposed to lie (e.g., Gilmour 2018; van Dijk et al. 2019). This question stands much in

5 In Scotland, this purpose of policing is enshrined in statute. The Police and Fire Reform (Scotland) Act 2012 states that a) the main purpose of the policing is to improve the safety and well-being of persons, localities and communities in Scotland, and b) that the Police Service, working in collaboration with others where appropriate, should seek to achieve that main purpose by policing in a way which i) is accessible to, and engaged with, local communities, and ii) promotes measures to prevent crime, harm and disorder.

need of reflection and clarification. In undertaking it, there may be value in recalling Bittner's point that what simultaneously justifies and delimits police intervention in social relations is their unique capacity – when required – to wield non-negotiable force. If such force is not at least potentially required, it is difficult to see what legitimates police involvement.

A second set of issues pertains to the police role in preventing and combating online harms. This is an enormous topic and the numerous large and hard questions it raises can only be touched upon here. Do the police need to (radically) re-fashion themselves to deal effectively with online harms? Or might digitally-enabled threats engulf the police with crimes to which they lack the resources or skills needed for an effective response? There are arguably several aspects of digitally-mediated harm in respect of which there are good reasons to think that the police cannot or should not be centrally involved. The problem of 'sexting' among teenagers, for example, may be something that in most cases can be de-policed and better regulated by schools outwith the paradigm of criminal law. Most online fraud is currently dealt with through a prevention/compensation paradigm operated by financial institutions and it seems likely that information security more generally is likely to be governed in future by the private sector (Carrapico and Farrand 2017; see also Holley et al. 2020). Harm prevention online may ultimately require, not police activity, but governments persuading or legally compelling big tech firms to be responsible for monitoring and taking down harmful activity hosted on their own platforms. Responsibility for dealing with criminal threat online cannot, however, entirely be delegated to profit-driven private interests. Security, after all, remains a constitutive task of the state, one of whose legitimating claims is to deliver equal protection for all citizens. This remains the case even if such threats emanate from remote sources and their perpetrators currently lie beyond the reach of nationally-bounded law enforcement (Miller 2018).<sup>6</sup> If preventing harm online is going to require a mix of public education, police action and an extended role for the private

sector, how this can be organised and regulated with public interest considerations in mind stands as a pressing question.

Finally, these developments raise important and as yet unanswered questions of governance in respect of both priority-setting and the creation of robust accountability arrangements for non-local policing institutions. In respect of the former, the question is this: how does one secure public support for forms of policing that prioritise harm suffered by often marginal individuals and groups over meeting demands for local order expressed by 'law abiding' majorities? How, relatedly, does one maintain consent for forms of policing whose success depends on targeting and invisibility, rather than the reassuring display of uniformed officers in local social relations? Fostering and sustaining agreement for any such re-configuration of police resources may prove to be difficult, even intractable, unless the question can be folded into inclusive arrangements for democratically negotiating policing priorities.

In respect to the latter, the following issue arises. The traditions and mythology of English policing are closely bound up with the idea of local, visible, uniformed authority. One result of this is that relatively large amounts of intellectual energy and political will have over the decades been devoted to the question of how to make *local* policing responsive and democratically accountable – witness the formation of Police and Crime Commissioners. The flipside of these parochial attachments is a deep cultural/political aversion to acknowledging and organising the police beyond the local. The result is that regional, national and international police bodies have developed in an ad-hoc fashion. These also tend to be professionally self-referential, publicly illegible, and lacking in democratic accountability. If we are at the onset of a significant transformation of the police mission, this imbalance has to be rectified. We will need to devote a great deal more political will and imagination than has been apparent hitherto to the question of how to subject national and transnational police institutions, whose work is largely remote and informational, to robust oversight and democratic steering.

<sup>6</sup> It is an open question over the next several years just how long governments and police forces will be able to claim that certain criminal actors lie beyond their jurisdictional reach without that raising serious problems of legitimation. It is also unclear at present how such a law enforcement/legitimation crisis might be addressed. One likely outcome is further pressure to defend national borders, though in a digital world that seems at best a very partial solution. Another option is a renewal of interest in thickening of cross border police cooperation or even in forming transnational criminal justice institutions, along the lines developed in recent decades to bring war criminals to justice.

# POLICING AND THE GOOD OF SECURITY: THE PROMISE OF DEMOCRATIC MEDIATION

These tensions between public demands for order and the distribution of harm prompt re-consideration of a more fundamental issue, one that in important ways cuts across the three positions we have considered in the previous section. This concerns the relation between policing, security and democracy. Democratic societies are constituted by the act of putting and pursuing security in common, such that all are equally subject to law and offered equal protection by law. The public police remain the primary means through which democracies give material and symbolic effect to the democratic promise of security, the notion that all citizens merit equal consideration, and an equal voice, in determining society's protective arrangements. That promise may be breached by policing on the ground on a routine basis. It is today challenged by the pluralisation of policing and by forms of connectivity that span and erode state boundaries. But the fact that we are scandalised if police behaviour is determined by people's ethnicity, or gender or sexuality, and the fact that money can never directly affect whether people are subject to law, or protected by it: these speak to the still powerful motivating force of that promise.

This idea has important consequences for how we think about the police mission. The first has to do with the role of policing in fostering and sustaining an important public good: security. Public security is not just a matter of safety. Rather, it results from a combination of people's antecedent level of objective risk and the trust they have in the measures put in place to deal with such risks. Security, in this sense, is a product of the resources people have for managing unease and uncertainty something that very much depends on their attachment to – and confident, effortless membership of – a political community (Loader and Walker 2007). The police matter here because their actions – from every macro strategic decision to each micro encounter on the ground – are powerful mediators of belonging. They

communicate authoritative signals regarding whether and where individuals and groups fit in extant social hierarchies. This is one reason why fair treatment by the police has been shown to matter so much to migrants and minority populations (Bradford 2014). Such treatment affirms something they do not feel able to take for granted.

If this view of the police relation to security is accepted, it becomes inescapably tied up with broader questions of democratic governance. It also suggests that we think of the contribution policing makes to public security, not in terms that are 'wide' and 'shallow' (see above) but, instead, as 'deep' and 'narrow' (Loader 2006). The contribution police make to security is deep in so far as police behaviour can and does provide individuals with a powerful token of their membership of a political community in ways that afford them the practical and symbolic resources required to manage, and feel relatively at ease with, the threats they encounter in their everyday life. If one doubts this, think of the difference between a victim of domestic violence or 'hate crime' confronted by a police force that treats such violence as 'rubbish work' and one that publicly and through its actions treats the problem as serious crime. Policing, in this respect, is never simply an answer to the question 'How safe am I?'. The police also, in a limited but profound way, help individuals to answer such questions as 'Where do I belong?' and 'Who cares about me?'. By supplying affirmative answers to such questions, the police perform vital security-enhancing work.

The police contribution to security is 'narrow' in so far as it does not require officers to be supplied in ever greater numbers, or be displayed in front of, or known by, the citizenry. Rather, that contribution flows from a tacit, confident assurance that the police can be called upon to recognise and respond to public concerns in ways that demonstrate that they are answering to priorities that have been democratically negotiated by all affected communities (thereby taking seriously

the problem of latent demand) and respect the rights and minority interests that constitute a common democratic culture. By so doing, the police supply people with a sense of shared identity and secure belonging. In other words, police contribute to security in a democracy as – and by remaining – constrained, reactive, rights-regarding agencies of minimal interference and last resort repair.

The maintenance of a universal, fair and effective response to calls for attention is arguably a litmus test of this conception. The capacity of all affected by harm or disorder to summon the police when they are threatened or violated and have the police come to their aid without fear or favour, is a significant, hard-won and fragile historical achievement, as well as a telling indicator of social solidarity. There remain large parts of the globe where the ability to summon the state to offer emergency assistance does not exist or is partial and contested. Often it remains contingent on how much power people wield or whether they are able or willing to pay. Having the police come when they are called sends a powerful signal that the state cares and contributes enormously to the lived experience of secure belonging. The police may in most instances be able to do no more than apply provisional solutions to deep-seated or wicked problems. But the fair application of such solutions makes a vital contribution to people's security. This aspect of why policing matters is one that police forces neglect at potentially great cost.

This connection between security and democracy has one final pay-off. It concerns the importance of ongoing efforts to facilitate, organise and sustain inclusive public deliberation and contestation over policing – and thereby mediate democratically the tension between competing conceptions of the police mission. Such arrangements have been a statutory responsibility of the police since they were recommended by Lord Scarman in the early 1980s. Police forces and Police and Crime Commissioners are required today to make public engagement happen. Sometimes this is done with determination and imagination; on others with the weary sense that one is going through the motions, listening to similar grumbles from the same familiar faces. But if one conceives of policing as playing a small but vital role in sustaining secure belonging, and as requiring the equal voice of all affected by it, such inclusive deliberation is best seen as a formative part of the police mission, not as a distraction from core tasks. Democratic mediation of demands for order and protection is a practice we should be looking not to scale down or marginalise, but to deepen and extend. This is what follows from interpreting the police-security-belonging relation in this way. It reminds us that engaging people in an ongoing and serious conversation about their security is already to have made a contribution to that security.

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