The path to enlightenment: limiting costs and maximizing returns from intelligence-led policy and practice

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Executive summary
Intelligence-led policing’s (ILP) brand is strong. Its promise to modernise and reform policing using a novel blend of processes, structures and the technologies of the age has attracted many to its cause. Regardless of how advanced they may be or how much vigour is employed in their name; processes, technologies, and so on cannot guarantee the success of policing initiatives. Invariably, success depends on people; in this context, the people assigned to collect the intelligence and to carry out intelligence-directed tasks, and the stakeholders and other people in communities who are affected by, or otherwise have an interest in, those activities. Whilst in principle ILP may make perfect business sense, human factors will always mitigate its prospects. In Britain, plans to extend ILP into the mainstream foundered because the organizational energy behind them, never matched the rhetoric. That was a deliberate act (perhaps more accurately, a deliberate omission). Shifts in the traditional relationship between the people and the police carry huge risks. Few commanders were willing to endanger it because they saw that the reforms required to operationalize ILP threatened organizational: norms; identities; cultures; and values; and tested stakeholders’ and communities’ normative expectations of the police. Justifiably, ILP is the strategy of choice for combating organized crime groups or ‘professional’ criminals; the cost of investigations and the intrusions into their privacy can more readily be warranted. However, in the mainstream, an acceptable return on investment in those same methods is unlikely because the professional skills and specialist resources required to service them are in short supply. Moreover, in liberal democracies their use is much more difficult to justify in a social world that, properly, lies largely beyond the institution’s control.
Introduction
The label ‘ILP’ is attached to a variety of policing strategies used by law enforcement agencies across the globe. The ILP brand is perceived as representing positivity and dynamism; smarter policing that provides staff with renewed drive and direction and that demonstrates - both to stakeholders and communities - the institution’s capacity to fuse technology, data, and evidence of ‘what works?’ to transform practice.¹ That position may have some validity but this paper contends that ILP’s greatest value is at the margins of policing. Notwithstanding the fact that its promises have proved a heady mix that policymakers and police commandants have found difficult to resist; the view that ILP can revolutionise public policing is a chimera.

This paper, draws on empirical data collected by the author in a study of the UK’s National Intelligence Model (NIM) (2005-12); from primary data collected during research into investigative practice in England and Wales (2012-14); and from research into the UK intelligence milieu (2013-15).² It explains why, despite the efficacy of intelligence-led approaches in principle and their obvious appeal to practitioners in mainstream policing, for many different reasons, law enforcement agencies only rarely have been able to exploit the advantages that ILP seems to offer.

Background
Debates about the duties and responsibilities of the public police are unlikely ever to be settled; policing is a highly political and heavily politicised endeavour that polarises opinion; consensus sometimes is found but usually it is a fragile phenomenon that can quickly be undermined and lost. Something that most people can agree on is that policing should be intelligence-led. Arguments against ILP largely defy common sense. Robert Reiner, one of the foremost authorities on the development of public policing in Britain observed that even if ILP is not the panacea that some have suggested, it is infinitely preferable to stupidity-led policing (Reiner, 2012); surely, few would dissent from that view.

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¹ See for example; Bratton (1998) for a police perspective on what popularly, though arguably pejoratively, has come to be known as zero-tolerance policing in New York City; and Flood (2003) for an explanation of the UK law-enforcement community’s hopes for ILP.
Policing has always been so much more complex than simply preventing or detecting crime; most police work does not involve crime or criminals at all. Rather, the police deliver a range of services that no-one else is prepared or equipped to deliver or that involve ‘something that ought not to be happening and about which someone had better do something now!’ (Bittner, 1974 p.1). That is to say that the police often must react to events over which, at least initially, they have little control. In the author’s study of the NIM, commanders expressed the view that 80 to 90% of police business was beyond their control and was incapable of being managed (James, 2012). In that context, policing practice represents a series of highly symbolic acts by the state and its agents to impose order on the complexity, often bordering on chaos, that characterises modern societies.

Despite commanders’ oft-repeated wish to stand outside of politics, all policing is political. Ostensibly utilitarian acts, commonly amount to efforts to preserve the status quo; invariably, police action privileges the rights of the powerful (and often, propertied) over those of the powerless. That should not be interpreted as a criticism of the police institution or the people who represent it. Rather, it is a recognition of their traditional role in liberal democratic societies and an acknowledgement of the limits of their influence over their political masters and power over those they police.

**Policing paradigms**

Essentially, in standard practice, there are just two policing paradigms; ‘reactive’ and ‘proactive’ but there are several variations on those themes (including community policing, problem-oriented policing and so on). The reactive paradigm represents the traditional ‘fire brigade’ style of policing that prioritises a rapid response to reported crime.

Proactive strategies have been used in Britain and around the world for many years. However, they usually are employed in addition to, rather than as a replacement for, traditional reactive approaches and then only at the margins of policing activity. They are rarely significant factors in situations that demand immediate action, or in the kinds of tasks that usually are grouped under the heading of ‘service delivery’, which together make up such a large proportion of police activity. Arguably, in the UK, the reasons for this go back to the origins of the public police at the beginning of the 19th Century. Fear of the contagion of
revolution elsewhere shaped Britain’s new police. Public acceptance of the institution had to be negotiated carefully. Therefore, publicly, the police emphasised their role as preventers, rather than detectors, of crime as a means of securing public consent.

Also relevant is the concept of ‘high’ and ‘low’ policing (Brodeur, 1983). Initially applied solely to political policing and characterised as policing that ‘aims to control by storing intelligence ... [gathered from] any domain that may further the implementation of state policies’ and the ‘processing of information, from which future events can be foreseen and, if need be, averted’ (Brodeur, 1983 pp.513 and 518) the term is now used much more loosely. Usually it is interpreted as encompassing long-term investigations by specialist detective units that make use of informers, surveillance and the like. Brodeur’s conception of low policing as the disparate acts of criminal investigators carrying out their routine duties largely has stood the test of time.

**Claims for ILP**

Commonly, the development of ILP has been linked to: concerns about organized crime; the search for best evidence; and the discrediting of investigative methods that emphasise the value of suspects’ confessions. In Britain, the term has been applied to crime-fighting processes that rely on crime mapping, crime pattern analysis, and the like. That approach has been lauded as ‘scientific’. In common parlance, a method of inquiry is said to be scientific if it is based on empirical data. In this context, that data is in a form that can be managed, measured and used to provide evidence of what does and does not work. It is claimed that the scientific method supports rational, targeted and cost-effective decision-making.

**Hidden costs**

The costs of ILP are less well understood but they may be considerable. The heavy emphases on data and direction, demand significant investment in information technology, skilled staff, and myriad processes needed to support the operation of systems, which include an intelligence-focused secretariat whose work is underpinned by the principles of the intelligence cycle and whose job it is to ensure that operational plans are lawful and otherwise accord with human rights principles.
One of the most significant costs is incurred in developing an operational reserve capable of dealing effectively with the intelligence that is collected. That requires a substantial reorganisation of existing resources. Readers will be well aware that in the real world police resources are scarce; there are not cohorts of officers standing by around the world, waiting to respond to the next lead supplied by their intelligence departments. Ordinarily, staff are fully employed.

Therefore, that ‘spare’ capacity has to be created by stripping away resources from other departments, making tough choices on the basis of subjective analyses of need. Choices that always have the potential to generate tension between police commanders and their local stakeholders and to stimulate conflict in their communities. Moreover, staff rarely welcome change; resistance (often covert in nature) is the norm. Unsurprisingly, few commanders have been willing to tread that path. In Britain, the experiment that seems to have been truest to the ILP ideal was the Kent Policing Model (KPM). Wholly committed to the cause and driven on by a charismatic and powerful leader, the Kent force seemed to embrace ILP with a passion. Intelligence practice was prioritised, patrols were redeployed so that they were available during periods and in places that intelligence analysis had determined had the greatest policing needs and novel policing methods were embraced. This policing nirvana was short lived.

Many communities and local stakeholders complained that their needs were being neglected; the complaints reached such a volume that one of the force’s senior officers attended more than 300 community and local council meetings to keep the plan on track (Officer A, personal communication with the author, May 2010). Despite the officer’s efforts, the force was obliged to return patrols to town centres and the like, even though there was no intelligence to support those redeployments. Readers may feel it noteworthy that despite the rhetoric around the success of the KPM, it was never subjected to independent scrutiny (Amey et al, 1996). It has now faded into history to be replaced by a more traditional ‘locally-focused service’ (Barnes, 2016 p.2).

The limits of ILP
That commanders often have shied away from making decisions about resource allocation that may privilege one section of the community over another, destabilize the organization, or explode the myth that the police institution is not
just a ‘can do’ but a ‘can always do’ kind of operation should not surprize anyone. The image of the public police as the primary agency of social control, standing ready to defend the state and its citizens whenever needed, remains highly symbolic even if, in the information age, some may find it a little less convincing than it once was.

All policing decisions carry political risks. Most commanders operate in virtual goldfish bowls; their actions, behaviours, and pronouncements questioned at almost every turn. If they can mitigate some of those risks so that they are able to deflect a portion of the criticism that comes their way, they will. That is only human. Though often an undesirable consequence is the phenomenon of creative compliance where commanders invest enough intellectual capital and generate enough organizational activity to give the impression that tough decisions are being taken and substantial changes being made when in fact nothing very meaningful is happening at all. That certainly was a significant feature of the story of the UK’s NIM. Compliance for its own sake represents the worst of both worlds. Such investments simply buttress the police’s image and amount to the dissipation of public money and other scarce resources without any tangible effect.

Applied inappropriately, ILP threatens the legitimacy of public policing because traditional reactive policing largely relies upon members of the public deciding when a situation has become so intolerable that it demands an intervention. Whereas, proactive approaches prioritise ‘agendas set by the police’ (Maguire, 2008. p.437). The really fundamental difference between the two is that in the former it is the public’s and not the police’s definition of order that takes precedence. In complete contrast, proactive policing usually entails the imposition of a police conception of order and the arbitrary reconstruction of the social world (Waddington, 1993).

This paper has argued that the implementation of an ILP paradigm in the mainstream can have a meaningful and measurable impact only if it is accompanied by substantial organizational change. Change on such a scale invariably threatens the established order, the culture and identity of the organization and the norms and values of its staff. That also may have a significant impact on staff morale. That is not to say that ILP strategies cannot have positive and beneficial effects at the margins. Most police services seem to understand that, applied appropriately, ILP is invaluable to the policing mission. Throughout
the history of the public police, commanders frequently have created specialist
squads and departments to deal with different crime types (often linked to the
activities of organised crime groups; such as human or drug trafficking) or with
discrete policing problems (such as, environmentally-inspired protests). That has
proved an effective strategy (if in Britain, a controversial one) that has ‘worked’ for
at least 130 years.

ILP demands a range of skills and abilities that are not routinely found in the
mainstream. Most of the activities encapsulated by the term involve intrusion into
the lives of citizens. Such intrusions are legitimate only when they are
proportionate, lawful, and accountable, and can be shown to be necessary for a
policing purpose. These are simple terms, nevertheless they carry a powerful
message about the human rights of citizens and their relationship with the state.
Assessing the validity of a plan to intrude into, for example, an individual’s private
space demands expertise in law, professional skill and emotional intelligence.
Making the case for such an intrusion requires the investigation of existential
concerns as well as practical matters. The expertise required for this work is found
almost exclusively in specialist units. In Britain, staff in the mainstream rarely can
match the knowledge and experience of their specialist colleagues in that regard.
Nevertheless, they must make the same kinds of decisions. That places a heavy
responsibility on those who routinely are making judgements that hazard the
reputation of the institution and that have the potential to undermine
prosecutions.

The limits of policing
Any number of police commanders and public policymakers have shown
themselves willing to be held as hostages to fortune, launching initiative after
initiative with optimistic messages emphasising the police’s crime-fighting
capabilities and the organisational and personal vigour with which they would be
pursued. Taking visible and decisive action against offenders and being seen to
take such action, has proved politically popular and, arguably, has strengthened
policing’s claims for legitimacy. Invariably, these pronouncements have been
received enthusiastically; not least within the ranks of the institution itself where
‘thief-taking’ and ‘locking up the bad guys’ are perceived to be central to the
policing mission even if (as a proportion of the work) that is far from the truth.
For many years, the policing institution was effective at lobbying its political masters and it continues to pride itself on being a pragmatic task-focused organization but its powers are limited - despite its rhetoric and popular conceptions of the police (there is of course a rather obvious correlation between the two). Though it may still be a significant actor in structuring and shaping both political behaviour and public policy, the power of the institution to reshape the social world is, and from a libertarian perspective should be, finite. That is *inter alia* because so many aspects of human and organizational behaviour are beyond its control; for example, the institution has only the most limited influence on government policy in relation to, education, housing, employment, or health, which in many cases are the drivers of the deviance that ultimately it may be called upon to address.

**Conclusions**

Ultimately, ILP’s failure to revolutionize public policing should come as no surprise. Revolutions seldom are ‘glorious’; their outcomes usually are hugely difficult to predict. Moreover, few welcome changes that may threaten established norms, working practices, organizational stability, continuity, power and so on. Even fewer people have the power, the support and the revolutionary zeal to contemplate what may be tumultuous change on such a scale. These phenomena are interconnected: some in obvious, others in more nuanced ways but they add up to the reality that in liberal democracies, with their checks, balances and safety valves, revolutions are rare; that applies in the context of state institutions just as much as it does to nation states.

Political safety valves can take many forms; reform is one. In the context of British policing, the putative introduction of ILP at the beginning of the 21st Century *inter alia* can be interpreted as an institutional response to successive Governments’ attempts to reform what they saw, and what Government continues to see, as a costly, inefficient, and discriminatory body. ILP promised much; the ability to harness together the scientific advances in communications and information technology of the age, with novel, rational, targeted strategies to deliver cost-effective, efficient, and accountable policing. It found powerful

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3 The Glorious Revolution occurred in 1688 when William of Orange took the English throne from James II. The outcomes were rather less glorious for members of the Catholic church who were persecuted relentlessly by the new king.
supporters in Government and, for a time, it allowed the service to deflect criticism, which had been building for over 10 years, of its performance and values. However, it was only a question of time before Government recognised that rather than the meaningful, structural, reform it expected, policing’s enthusiasm for ILP represented ‘business as usual’ – no more than the standard - organizationally and culturally-consistent response by the police elite to a perceived crisis.

Arguably, the impact on Britain’s police service has been considerable. Even if its failure to deliver smarter, intelligence-led, policing is but one factor in the demise of police power, it is a significant one and its story provides an object lesson in the consequences of promising more than one reasonably can deliver. Policing has lost its ‘special relationship’ with Government; its elite staff association has been stripped of much of its authority and rebranded; the Police Federation, the staff association that represents the rank and file, finds itself under sustained attack from the Home Secretary who has stripped its senior officials of public funds and ended the practice of automatic enrolment into the Federation for sworn staff. Moreover, in this age of austerity for Britain’s public sector, policing has borne the brunt of budget cuts.4

Acceptable returns on investment are unlikely in mainstream policing where the professional skills and specialist resources required for the work are in short supply and where the pressures on the police to carry out an almost infinite array of tasks with finite resources is so immense. In any event the wider social world largely is beyond the institution’s control. Against this backdrop, it is easy to lose sight of the strengths of ILP. When it is employed appropriately, they are considerable. Organized crime groups and ‘professional’ criminals simply cannot be tackled effectively unless they are identified, understood, and targeted for sustained periods by highly knowledgeable and skilled staff with access to specialist support and a combination of proven, traditional and modern investigative tools and technologies. As the British experience has shown, it is in this higher policing context, characterised by serious and/or organized crime and specialist squads, that the maximum return on investment in intelligence-led policy and practice will be achieved.

4 Though the pace of those cuts has been slowed following the terrorist attacks on Paris.
References


