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Introduction

Aims and Scope

The European Journal of Policing Studies is a peer-reviewed journal that publishes articles addressing the topic of policing and police studies in the broad sense. EJPS aims to provide insights into contemporary policing debates. It focuses on issues that are of interest to the police and other policing actors, and that shape (the future of) policing.

It offers contributions in a broad domain, including contemporary academic (empirical) research on policing (by the police as well as other actors), phenomena that may be of interest to policing actors, education, policing strategies and styles, accountability and democratic rights, legal and political developments and policing policy and practice.

With its primary aim of disclosing European research into, views on and analyses of policing to the international community, EJPS wants to reach both policing researchers and practitioners. In its ambition to help overcome the language barrier, EJPS aims to disclose research from countries which often remain out of sight in publications and also applauds international comparative research.

The Journal concentrates on contributions from European countries, but contributions from other countries are also welcomed, if they provide added value for the European context. EJPS aspires to have an international reach and the editors aim for inclusion in the Thomson Reuters database (Web of Science). It is published four times a year, aiming for a combination of mixed issues (dealing with several topics, consisting of proactive submissions) and special issues (focused on a specific theme and hosted by one or more guest editor(s)).

EJPS offers quick but thorough review procedures through the expert guidance of an international editorial board and invites authors to submit their articles through the online web application.

As from its fourth issue, EJPS presents ‘Country Updates’, providing readers with the latest news on police, policing and police research in each country or region that is connected to the journal through our board of regional editors.

Current Issue

This issue of the European Journal of Policing Studies is a special issue, focusing on Plural Policing. The editors, Jan Terpstra and Elke Devroe, have succeeded in bringing five papers together, all centred around the concept of plural policing, though focusing on different European countries. This international comparative issue combines contributions on England & Wales, Germany, France, Belgium, and presents the results of an international comparative study on plural policing in its fifth paper.
We leave it to the editors, in the editors’ introduction, to explain how this remarkable issue came about, which empirical gaps it tries to fill and which comparative challenge they wanted to undertake.

Country Updates are presented for Germany and Bulgaria.

March 2015,
Antoinette VERHAGE, Editor
Lieselot BISSCHOP & Wim HARDYNS, Assistant Editors
Introduction

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

Until recently, however, outside the Anglo-Saxon world there has been a lack of empirical studies on plural policing. With the exception of the collection edited by Jones and Newburn (2006), the recent study by Terpstra, Van Stokkom and Spreeuwers (2013), and the volume edited by Edwards et al. (2014), there were no other international comparative studies of this issue. As a result, until now the claim...
of a universally similar trend of plural policing has remained largely uncontested. In fact, the absence of international comparisons implied that theories and explanations of plural policing were based only on a limited (Anglo-Saxon) sample of countries. As a consequence, there was an unanswered question concerning the extent to which descriptions and explanations of plural policing were also relevant to understanding recent changes elsewhere. For example, one question that must be asked is if there is something like a Western-European style of plural policing? Or are the differences between these European countries so great that the developments in policing cannot be gathered under a single conceptual label?

1. Questions of comparative research

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

First, there are questions that deal with the concept and phenomenon of plural policing. To what extent are we really dealing with similar processes? For example, in the international literature on this issue pluralization often seems to be mainly associated with processes of privatization and marketization. In fact, however, the relation between the two processes may be highly divergent, implying that theories who try to understand pluralization by looking only at the increasing importance of commodification or of a neo-liberal ideology, may be of a limited relevance. In fact, in Western Europe pluralization often remains within the public, non-commercial domain. From the continental European perspective, theories about plural policing in terms of the ‘withering away of the state’ - originally a Marxian concept (Engels, 2001), but now often perceived as an element of the more radical variants of the neo-liberal discourse - are not only speculative, but also premature, to say the least. In addition, concepts like public and private, often used more or less as taken for granted, may be highly context dependent. In some cases the traditional strict dichotomy remained almost intact, whereas in other countries the difference between public and private has become unclear, almost fluid. This also implies that it is utterly vital to acquire more detailed information about the differences between the regular police and the new (public and private) providers of policing in terms of their formal powers and tasks. The comparison of plural policing between jurisdictions may also be difficult, because the rise of plural policing proves to be largely a local phenomenon (Terpstra, Van Stokkom & Spreeuwers, 2013). As a result the differentiation within jurisdictions may be considerable, even at least as great as the differences between them. Often, the concept of plural policing seems to be coupled to supposed new (‘networked’ or ‘nodal’) forms of security governance...
(Wood & Shearing, 2007). In fact, it remains a question for empirical comparative research if these two phenomena should be seen as conceptually related or not.

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

The third category of relevant questions concerns the consequences of plural policing. To what extent does pluralization result in the fragmentation of the police system, with increasing complexity in the governance of policing? Does this result in different strategies and forms of governance, regulation, and coordination of the plural policing complex, with the involvement of state and non-state actors, which may differ from country to country? What are the consequences for citizens, their trust in policing agencies, their reassurance, and feelings of security? What consequences does the pluralization (and fragmentation) have for the regular police, not only in terms of their tasks and formal powers, but also with regard to their symbolic powers and legitimacy? To what extent is the notion of a public good a matter of concern in different countries? What are the dominating views in these countries on this issue? And what strategies are used to guarantee that the public good will not be eroded? Does the pluralization of policing imply a loss of room for democratic control and accountability? Or does it, on the contrary, create new forms of direct citizen control? Do we notice an expanding culture of control (Garland, 2001), including more direct forms of controlling indecent behavior, in order to create a common ‘city etiquette’ (Devroe, 2012)? What consequences may this process have for the public’s access to urban spaces and for the control and exclusion of those citizens who are seen and treated as non-respectable, dangerous, or problematic? Does plural policing imply a shift towards a ‘politics of behavior’
(Field, 2003), leading to a widening of the punitive net? Does the pluralization of policing result in new divisions of security, in which the availability of policing comes to depend on the citizens’ financial resources, either individually or as a group?

2. Typologies

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

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

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

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

3. The comparative approach of this special issue

This special issue of the European Journal of Policing Studies aims to contribute
to the international comparative study of plural policing. As mentioned before,
this field of study is still relatively underdeveloped. It is important, therefore, to
have available adequate empirical analyses of the current state of plural policing in
different countries. For that reason the authors were asked to write their contribu-
tion about the state-of-the-art of plural policing in their native country. Because
there are such important differences in plural policing between the countries, and
each country has its specific elements and debates on plural policing, the authors
also deal with some of the elements, developments or political debates that are
important to understand the current situation of plural policing in their country.
All the authors are faced with the problem that rather specific concepts are often
needed to understand plural policing in its social, historical, cultural, political and
legal contexts. It is because of this close dependency of plural policing on context that an inductive ('grounded') approach must be followed to develop a theoretical understanding of plural policing and to promote and improve international comparative research on this issue, now and in the future.

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

4. Conclusions

The contributions to this special issue concentrate on the institutional, legal and organisational aspects of plural policing in different European countries. This special issue leaves aside some important questions in relation to plural policing, simply because in most cases empirical data about such issues are currently absent. Nevertheless, it is important to mention them briefly here, because they may be important for a future agenda of (comparative) research on plural policing. First, it is important to gain a better view of the position of citizens in relation to plural policing. To what extent did feelings of insecurity and fear of crime contribute to the pluralization of policing? To what extent is the rise of plural policing legitimated as a policy aimed at reassuring the citizen? What are the consequences of the new non-police providers of policing for the citizen’s feelings of security and trust? To what extent does plural policing at the local level result in ‘net-widening’ effects or social exclusion, because of the increasing ambition of local authorities to control behaviour and order (in Belgium this is called the enforcement of ‘city etiquette’, Devroe, 2012). Secondly, it would be relevant to study how plural policing operates in practice at the street level. Lipsky (1980), among others, showed that there may be a significant gap between the arrangements at formal policy and legal level and what is happening at street level. Although there are some studies that deal with the street level in plural policing, this is an issue that needs more elaborate research, especially from an international comparative perspective. Finally, there is some speculation about the negative consequences that plural policing may have for the
position of the state. In continental European countries, local governments are important providers of non-police policing, so in that context this does not seem to be a plausible hypothesis. Nevertheless, the fragmentation of policing does call for more research on the consequences of plural policing for the position and legitimacy of the state and the regular police.

5. Contributions to this issue

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

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

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

The paper by François Bonnet, Jacques de Maillard and Sebastian Roché concentrates on recent changes in the provision of security in public places in France. Their paper shows that two elements are important to understand these changes. On the one hand there have been important changes in the relations between public and private forms of security provision. On the other hand however, although France has a very long term tradition of centralized structures in public administration and policing, they notice that for the past decade or so there have been important changes in the relations between the national and local administrative levels in this country. The authors present an analysis of the emergence and development of a now frequent public-private mix in policing, based on the hot issue of the
regulation of social behaviour in public places. They also discuss the significance of the French model in terms of the nature of privatization and pluralization and compared this with international trends elsewhere in Europe. The rise of a local level public-private mix, while not unique in Europe, appears as a major shift in the French environment traditionally characterized by the structural centralization of its public forces.

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

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


The Policing of Public Space

Recent Developments in Plural Policing in England and Wales

Abstract

This paper reviews contemporary plural policing developments in England and Wales with a focus on the local policing of public spaces. Based on a review of the existing research literature, it sets out developments in pluralization along some of the dimensions of plural policing elucidated by Loader (2000), namely, policing ‘by’, ‘through’, ‘beyond’ and ‘below’ government. This analysis suggests that policing in England and Wales has continued to become more pluralized during the 1990s and 2000s, with significant developments in policing ‘beyond’ government (commercial security) and ‘through’ government (out-sourcing of public policing functions). However, the austerity programme introduced by the Coalition Government since 2010 has seen a slowing of these developments, with an increased emphasis on pluralization ‘below’ government (informal voluntary or community-delivered policing). The paper goes on to consider the regulation and accountability of plural policing, and consider the impact of the introduction of elected Police and Crime Commissioners (PCCs). It suggests that whilst PCCs have yet to develop as an effective oversight of plural policing networks in local areas, the reforms may eventually contribute to further fragmentation and pluralization of the policing landscape in England and Wales.

Keywords: plural policing, private security, regulation, governance, accountability

1. Introduction

It is now commonplace to argue that policing in England and Wales has become increasingly ‘pluralized’. Key policing functions of public reassurance, peacekeeping, crime investigation/prevention, and law enforcement are now provided by an assemblage of private, public and community agencies as well as the public police service. Much of the discussion of ‘pluralization’ focuses on developments emerging from the latter part of the 20th Century onwards, in particular the growth of the commercial security industry. This is, however, only one element (albeit the most visible) of the broader recognition of the complexity of contemporary policing and
security provision. Policing is now fragmented, multi-tiered and dispersed. It is both authorized and delivered by diverse ‘networks’ of agents and agencies, which straddle the traditional public/private divide (Bayley & Shearing, 1996; Johnston & Shearing 2003; Dupont, 2007). As a result, a complex division of policing labour between a variety of state and non-state actors can now be found operating at the local level (Jones & Newburn, 1998; Crawford & Lister, 2006).

Recognition of the conceptual and empirical decoupling of ‘police’ and ‘policing’ has generated a breadth of scholarly debate concerning how we might make sense of contemporary systems of crime control, regulation and social ordering, how they are organised, what social functions they fulfil and whose interests they serve, as well as understanding the implications that arise for relations between state, market and civil society (see for example, Bayley & Shearing, 1996; Johnston & Shearing, 2003; Crawford, 2006; van Steden & Sarre, 2007; Reiner, 2010; White & Gill, 2013). The contours of these debates charting the so-called ‘fragmentation’ or ‘pluralization’ of policing, therefore consider and, to varying degrees, emphasise the implications for the sovereign’s state’s ability and willingness to provide security for its citizenry (Garland, 1996; 2001). It is in this broad context that empirical portraits of the role of state and non-state ‘policing’ agencies in overseeing security provision should be situated – and to which this paper seeks to contribute.

This paper has two key aims. The first is to provide an overview of contemporary plural policing developments in England and Wales with a focus on the policing of public spaces.1 There is insufficient space here to discuss the important areas of pluralization in the spheres of transnational policing or policing responses to financial crime, although we acknowledge the important inter-connections between ‘local’, ‘national’ and ‘global’ levels in policing and security provision, particularly in relation to the threats of terrorism and serious organised crime (Bowling & Sheptycki 2012).2 The second aim is to explore developments in the regulation and accountability of plural policing, and consider the possible impacts on pluralization of recent law and policy reforms in England and Wales. The paper is divided into five parts, the first four of which set out the main contours of pluralization along some of the dimensions of plural policing elucidated by Loader (2000). These examine, respectively, the extent and nature of pluralization of policing ‘by’, ‘through’, ‘beyond’ and ‘below’ government. The final section of the paper explores the challenges that these developments raise for regulation and accountability. In so doing, it considers the possible impacts on policing pluralization of the Coalition government’s introduction of elected Police and Crime Commissioners (PCCs) in England and Wales, a key aim of which was to enhance local control of policing.

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1 We define ‘public spaces’ broadly here, as an important element of the discussion concerns the growing tendency for the collective (and in an important sense ‘public’) activities of citizens to occur in geographical spaces that are either privately owned by or leased to large corporations.

2 See also Johnston (2000b) and Williams (2005) for a further exploration of these issues.
2. **Pluralization of ‘policing by government’**

Since the mid-1970s, public policing in England and Wales has been organised primarily via 41 provincial police forces operating outside of the capital, and two police forces covering London. This structure reflects a long-standing suspicion of the idea of a formally-constituted national police force. In practice, however, the *de facto* trend for at least the last century has been towards greater centralised control of local policing (Jones, 2008). Various factors have contributed to this, not least the growing influence of bodies such as the Home Office (especially in promoting a performance management framework), and the establishment of ‘national’ policing units (for more detail see Jones & van Sluis, 2013). Until 2010, recent Conservative and Labour governments had actively sought to expand employment in public policing, with police officer numbers reaching a record level of over 141,000. Following the election of the Coalition Government in 2010, however, significant public expenditure cuts were announced amounting to a 20 per cent reduction in Home Office funding of the police over the period to 2015. As a consequence, there are planned to be 16,300 fewer police officers in England and Wales (an approximate reduction of 11 per cent) (Her Majesty’s Inspectorate of Constabulary, 2014). Even during the long period of growth in police officer numbers, however, it is clear that there was already significant pluralization of policing *within* the state sphere with the explicit aim of further supplementing the provision of policing services delivered by professional police officers. This can be seen in a number of ways. 

There has been a long established deployment of ‘volunteer’ auxiliary police officers in the form of the Special Constabulary. Established in its contemporary form by the 1964 Police Act, each police force has its own Special Constabulary consisting of citizen volunteers who commit a minimum of four hours per week to the role. Special constables wear similar uniforms to regular police officers and have recourse to the same legal powers when on duty (Mawby & Wright, 2008). As of September 2013, there were almost 20,000 special constables in England and Wales, an increase of over 20 per cent from 2010 (Home Office, 2014), and the current Government has repeatedly stated its desire to increase further this lay capacity of the police. This ambition has been matched in many force areas by incoming Police and Crime Commissioners (PCCs), looking to offset planned reductions in professional police officers and staff by increasing the mix and number of lay volunteers. For example, in Lincolnshire the PCC has introduced the ‘Volunteer Challenge Project’, the aim of which is to recruit 1000 volunteers, including 350 Special Constables, 250 police support volunteers, 150 cadets and 250 ‘volunteer police community support officers’, to work alongside 1100 police officers (Her Majesty’s Inspectorate of Constabulary, 2013). In forces such as Lincolnshire, the planned response to government funding cuts suggests there will be a marked change in the nature of the police workforce with potentially significant implications for the pluralization of policing.

A further element of pluralization *within* state policing has been spurred by the ‘workforce modernization’ agenda, which has driven the increasing civilianisation of the police (see e.g. Her Majesty’s Inspectorate of Constabulary, 2004). The most
significant development here has been the introduction of 'Police Community Support Officers' (PCSOs), a police auxiliary role introduced primarily to provide a greater police presence on the streets through visible patrol. Established by s. 38 of the Police Reform Act of 2002, these 'civilian' officers are directed and controlled by the Chief Constable, but undergo less training and have fewer legal powers than constables. With a core remit to reassure the public and reduce anti-social behaviour as well as other forms of public nuisance, PCSOs represent the visible face of the Government’s 'community safety' agenda. As PCSOs are cheaper to deploy then police officers and lend themselves to more stable assignments, they also offer an institutional means for the police to assert control over the patrol function by competing more effectively with other (non-police) providers in local markets for patrol (see Blair, 2003). Given this, Crawford (2008) has suggested that PCSOs represent a ‘monopolistic’ approach to regulating and harnessing the activities of plural policing, in which divergent forms of policing are integrated within the police organisation.

As of September 2014 there were just over 13,500 PCSOs in England and Wales, a fall of 6 per cent from the previous year (Home Office 2014). Over the period 2010 to 2015 forces plan to reduce PCSO numbers by 22 per cent, as a result of government austerity policies (Her Majesty’s Inspectorate of Constabulary 2004). Given PCSOs have gained an increasing role in front-line policing in recent years, becoming an integral part of local neighbourhood policing teams (O’Neill, 2014), such reductions are likely to have serious implications for levels of police visibility in public spaces. Furthermore, as police officer numbers have also reduced owing to budget cuts, so PCSOs have been increasingly pulled away from public reassurance duties and into more generalist policing activities such as emergency response (Her Majesty’s Inspectorate of Constabulary, 2014). Nonetheless cuts to PCSO numbers have been uneven across forces, introducing variation to local patterns of pluralisation. This variation is driven by a complex mix of local contingencies, including the preferences of PCCs and local police managers over workforce balance, the scale of the required cuts within each force and whether budget savings can be found from other viable sources, and the extent to which external funding of PCSOs, particularly by local government, has been withdrawn.

Another important aspect of pluralization within state-provided policing concerns the involvement of municipalities in the provision of policing services. Crawford (2008) has identified several key aspects of municipal policing including the provision of local authority patrols, the employment of public auxiliaries such as wardens and ambassadors, and enforcement officers associated with the policing of low level incivilities. Spurred partly by the perceived absence of a police presence, during the 1980s and 1990s several local municipalities began to allocate resources to the provision of localised patrol services in public places (see for example L’Anson & Wiles, 1995; Morgan & Newburn, 1997; Jones & Newburn, 1998). Mostly these schemes aimed to manage housing stock and maintain the local environment, reduce crime, fear of crime and anti-social behaviour. Similarly, the early 2000s saw the development of various other public auxiliary patrolling schemes, which provided a visible presence promoting order-maintenance and neighbourhood security (Crawford, 2008). The national Neighbourhood Wardens programme was launched in 2000 as a central
government initiative which funded over 80 schemes across England and Wales (Social Exclusion Unit, 2001). These centrally-funded schemes were supplemented by other warden initiatives, primarily drawing upon a mix of local authority and community ‘regeneration’ funds. By 2003, it was estimated that almost 500 warden schemes were in operation in England and Wales (NACRO, 2003). The number of these schemes, however, has subsequently declined, partly as a result of the expansion of PCSO numbers since 2004, although there are no up-to-date data for the numbers of schemes or wardens currently operating (Terpstra et al., 2013).

A further important aspect of policing pluralization within the domain of the state concerns how policing functions, broadly conceived, have come to be shared by a range of agencies and departments in the public sector. Following the Crime and Disorder Act 1998, local government has been given statutory responsibility for the prevention of crime and disorder in their local areas. The Act requires the development of multi-agency crime reduction partnerships, which involve a range of local government bodies and voluntary sector agencies working together to prevent crime and disorder in their local areas (Hughes, 2007). At the same time, the increasing government emphasis on the criminalisation of disorder and anti-social behaviour, along with this emphasis on partnership working, has linked local municipalities and other public agencies into policing activities, particularly those relating to behaviour in public spaces (Crawford, 2008).

3. Pluralization and ‘policing through government’

Loader (2000) defined policing ‘through’ government as activities co-ordinated and funded by the state, but actually delivered by other bodies. In recent years this has become a key area of pluralization of policing in England and Wales, not least as the Government’s recent austerity drive has led to growing fiscal pressures on police forces to ‘out-source’ various functions to commercial providers as a means of securing efficiency savings. Police managers have become increasingly required ‘to do more with less’ and find ways of maintaining ‘frontline’ policing services whilst implementing significant expenditure cuts. This new context of budgetary constraint, it is argued, has shifted dramatically the perceptions of police managers of ‘out-sourcing’ functions to the private sector (Crawford, 2013), resulting in greater willingness of many to consider it. At the same time, the Coalition Government’s White Paper, Open Public Services (Her Majesty’s Government, 2011), expressed strongly its commitment to the ideology of economic rationalism by emphasising the role of markets and commissioning in the arrangement and provision of public services. Of course, the outsourcing of police functions pre-dates the current Government administration. But despite government ideological commitments to privatisation across a range of public services since the early 1980s, until relatively recently such policies only impacted marginally on policing in England and Wales. Recent years, however, have

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3 Following the HMIC, ‘frontline policing’ here involves ‘those who are in everyday contact with the public and who directly intervene to keep people safe and enforce the law’ HMIC (2011: 18).
seen out-sourcing penetrate more deeply into the police organisation encroaching upon functions that have been traditionally seen as quintessentially ‘public’ in nature. For example, many private firms now hold contracts with police forces to provide detention services within police custody settings.

The climate of austerity and resulting cuts to police budgets appeared to suggest that we stood on the cusp of a dramatic expansion of police out-sourcing. In 2012 Lincolnshire Police entered a landmark contract with the major private security company G4S, worth £200 million over 10 years, to outsource 18 police functions, including custody services (‘street to suite’), town enquiry officers, force control room, the crime management bureau, and firearms licensing. This far-reaching agreement was closely followed by an announcement that two forces (West Midlands and Surrey) were collaborating in the preparation of multi-million pound contracts to outsource to private contractors a wide range of police functions and tasks – including the investigation of crime incidents, response to incidents, patrol and community engagement, the management of offender and disruption of criminal networks. Controversy, however, over the failure of G4S to deliver on its security contract for the 2012 Olympics fuelled increasing political concerns about the risks of such ‘business partnering’ arrangements (see Home Affairs Select Committee 2012). Subsequently both forces abandoned the proposals, citing widespread public opposition to ‘police privatisation’ as the reason. However, in the face of ongoing pressures on police budgets, and the engrained ideological hue of the government, it would be surprising if this pause in police out-sourcing is permanent.

It is highly conceivable that debates over the out-sourcing of police functions – inclusive of patrolling public space – will (re)gather pace in future years. The centrality of visible patrol within Peelian narratives of the history of the British Police, however, is likely to ensure that this idea is vociferously opposed by many within the police. Unsurprisingly, for instance, current and former senior police leaders began to add their own critical voices to recent debates, specifically stating that patrol of public spaces ought to be off-limits for private sector providers (see e.g. Blair, 2012). The Chief Constable of Greater Manchester Police, Sir Peter Fahy, for instance, made the following intervention:

‘There has been considerable public debate regarding the private sector becoming involved in policing and all parties agree that private sector industries should not be involved in the routine patrols of public open space ... We do not think that the public would be happy with private company employees patrolling the streets wearing body armour and camera equipment.’ (Manchester Evening News 2012)

Despite such concerns, the police remain relatively powerless to prevent such arrangements where local government opts to contract private firms to provide patrol services. Indeed, during the 1990s rather than directly providing such services to housing estates and other public places through in-house provision, many local municipalities, particularly local authority councils, began to contract-out the service to commercial security companies. Subsequently, research by Crawford and Lister
(2004) found that the patrol of public spaces in many parts of England and Wales had become increasingly characterised by a ‘mixed economy’ of public and private providers. This development, they suggested, signified that it had become increasingly acceptable for organisations other than central government to take control of their own policing needs and to select their own providers through market-based mechanisms. For these commentators, the growth of such hybrid arrangements is both a cause and effect of the expansion of local markets for security patrols, in which local government had become a key player.

4. Pluralization and ‘policing beyond government’: The expansion of commercial security

Whilst the contracting-out of public policing functions to the private sector, at least in any significant way, is a relatively recent phenomenon in England and Wales, there is a much longer history of private (commercial) policing taking place ‘beyond’ the realm of government. Much has been written about the expansion of commercial security over recent decades, and the reader is referred elsewhere for extended discussions of the size and shape of the private security sector in the UK (e.g. Button, 2002; Jones & Newburn, 2006). Although problems of estimation mean that all figures have to be treated with some caution, there is a consensus not only that in England and Wales employment in commercial security now significantly outnumbers staffing in the state’s public police forces, but also that employment within the industry has expanded considerably over recent years.

The focus in this paper is upon the two elements of private security that are most relevant to the policing of public spaces: the commercial or ‘manned’ guarding sector and those elements of the security equipment sector engaged in the provision of surveillance technology. Manned guarding companies provide a range of security services to state, commercial and voluntary agencies, as well as private individuals. Such services include guarding and asset protection services, body-guarding (or ‘close protection’), the escort of cash-in-transit, door supervision for public houses and nightclubs, debt collection, and alarm monitoring/response services (Johnston, 2000a). Industry reports have long shown that guarding of commercial retail premises forms the largest single segment of this market (Business Round Table, 1994; Keynote Report, 2004). Uniformed security guards can be found working *inter alia* at shopping precincts, industrial estates, building sites, office complexes, hospitals, educational institutions, government buildings, public and private housing estates, and leisure parks. Given the labour-intensive nature of this work, it unsurprisingly comprises the bulk of employment in commercial security (National Audit Office, 2008), though recent reports suggest that developments in electronic surveillance equipment may well slow its growth.

Although the manned guarding sector is still characterized by many very small local firms, in terms of turnover, the market is dominated by a few large transnational corporations (White, 2010). Market growth has been sustained during recent years, partly explained by a continued trend away from in-house security provision...
and towards contracting-in guarding services (White & Gill, 2013). General labour market conditions will continue to have a particularly important effect on the structure of this sector. Traditionally, it has been characterized by relatively low overhead costs, low wages and high staff turnover, which partly explains how a large number of small companies has been able to flourish (South, 1988). Developments such as the introduction of a mandatory minimum wage, the regulations of the Working Time Directive, and the establishment of a system of statutory regulation of private security companies have most probably rendered it increasingly difficult for smaller companies to compete with the larger firms in the security guarding market.

In terms of market value, by far the largest segment of the commercial security industry is the manufacture and installation of mechanical and electronic security equipment. Beyond the traditional ‘physical’ security equipment (locks and bolts, bars, security shutters, gates and perimeter fencing), new technologies of surveillance have played an increasing role in the policing of public spaces. In particular, the spread of Closed Circuit Television (CCTV) systems in the public sphere mark out England and Wales from many other countries in Europe and the rest of the world. The dramatic expansion of CCTV in Britain over the past two decades has been driven by financial support from central government, alongside a spiralling demand from commercial businesses, local municipalities and social housing providers. The UK now has more CCTV cameras monitoring public spaces than any other country in the world and Norris et al. (2004) estimate that in the decade from 1994 between £4 billion and £5 billion was spent on CCTV systems in the UK. Many companies offer ever more sophisticated integrated security systems including various forms of tracking and recognition technology. Satellite tracking, a recent technological addition to the British criminal justice landscape, for example, allows electronic monitoring of the position of GPS tagged individuals at all times and wherever they are, including public and private spaces (Nellis, 2005).

Much of the debate about the role of private security has focused hitherto upon policing activities that occur on private property. Increasingly, however, the analysis of plural policing developments must consider the important influence of the changing nature of land and property relations that blur the traditional public/private distinction. Shearing and Stenning’s (1981) analysis suggested a ‘quiet revolution’ in policing has occurred over the last fifty years, whereby the growth of what they termed ‘mass private property’ has served to increase the domain of private security and reduced that of the public police. These commentators define mass private property as large, geographically-connected holdings of commercially-owned property to which access is open to large numbers of people, such as shopping centres, holiday complexes, retail parks, educational campuses, leisure parks, and private residential complexes (or ‘gated communities’). Thus, many citizens increasingly live, work, shop and spend their leisure time in these commercially-owned and governed spaces, rather than the traditional public sphere. As a consequence they are increasingly subject to private forms of policing which privilege the construction of corporately-defined orders over the imposition of moral or legal conformity (Crawford, 2011). Access to such spaces may be ‘open’ to the public, but it is frequently highly conditional on subjectivity, including appearance, demeanour and behaviour.
Whilst the trends identified by Shearing and Stenning are particularly applicable to North America, a growing spatial complexity in contemporary urban environments is apparent in England and Wales, with a continuum of spatial types varying in terms of legal ownership and openness (Wakefield, 2002; Kempa et al., 2004). Over the last decade, for instance, we have increasingly witnessed what is often referred to as the ‘privatization of the public realm’ (see e.g. Minton, 2002; 2012), in which large tracts of public space, mostly of premium commercial investment potential, have been handed over to private sector landlords to be managed usually on very long leases. Crawford (2011) details, for example, how the commercial renovation of Liverpool city centre is being delivered by the Paradise project an investment vehicle of Grosvenor, a privately owned property development group, and partners. The group has a 250 year lease from the city council to regenerate and manage the 42 acre site, which comprises 1.6 million square feet of shopping. It is unsurprising that the private landlords of sites such as Liverpool ONE tend to employ private security guards to patrol proactively these spaces in order to establish a corporately-defined social order that is commercially-attuned and focused entirely on the pursuit of profitable return on capital investment.

The importance of ‘private government’ within these ‘quasi-public spaces’ has been illustrated by several legal cases in England and Wales, which confirm the right of the owners of mass private property to exclude people from their land. In 1995 the Court of Appeal upheld the right of the owners of a shopping centre in Wellingbrough in the English Midlands to ban permanently a group of youths from their property (Gray & Gray, 1999). In 2003 the European Court of Human Rights (ECHR) ruled against the civil liberties group Liberty which had argued there should be the human right to peaceful protest in ‘quasi-public spaces’. This ruling followed an incident in 1998 when a group of residents in Washington, England, petitioning against a controversial development in the local shopping complex were asked by private security guards to leave the property because the corporation that owned it had banned the promotion of political or religious causes on its land. The ECHR ruled that the existence of alternative places for public protest meant that the human rights of the residents had not been breached. Liberty continues to campaign for a change in the law that would render the owners of some forms of quasi-public space ‘public authorities’ under the Human Rights Act, which would provide the right to protest (Liberty, 2008). The courts thus appear to have provided private property owners in England and Wales with an almost unqualified right to exclude (Crawford, 2006). Given the increasing location of a range of employment, retail and leisure facilities on such property the use of banning orders clearly excludes some citizens from a key part of public life (von Hirsch & Shearing, 2000), without the requirement of legal due process or indeed proof of wrongdoing.

5. Pluralization ‘below’ the state

Recent years have seen a considerable degree of criminological attention given to ‘governing from below’ in the form of order-definition and maintenance, rule-making
and regulation exercised by non-commercial community and voluntary organizations (Lea & Stenson, 2007). Part of this has arisen from new developments in the ‘responsibilization’ of non-state organizations to take control of their own security, and the spreading language of partnership and ‘multi-agency’ community safety (Garland, 1996; Hughes, 2007). Whilst much of this activity has involved commercial organizations, the role played by community and voluntary organisations (or the so-called ‘third sector’) is also viewed as important. The ‘Big Society’ ideas promoted by some leading members of the current Coalition government propose the extended participation of voluntary, community and faith groups in the local delivery of public services (Cabinet Office, 2010). Although it is difficult to assess claims about changes in community governance ‘from below’ in the absence of reliable longitudinal data, it has been suggested that ‘citizen-led’ policing – in the form of neighbourhood watch groups, crime prevention associations, protective escort services, and monitors around schools, malls, and public parks – expanded in many countries in the latter part of the 20th Century (Bayley & Shearing, 1996). There have also been occasional discussions of ‘vigilantism’, although it is again difficult to measure the extent and frequency of such phenomena and whether it has changed over time (Johnston, 1996). Following the riots that occurred in several English cities in August 2011 there were reports of community groups mobilising in defence of their local areas (Beaumont et al., 2011). These community patrols, however, are perhaps best seen as contingent reactions to extraordinary events rather than signifying a new willingness on the part of citizens to engage in the governance of security ‘from below’.

One important example of a voluntary initiative that has recently emerged and spread rapidly in many towns and cities across England and Wales is the ‘Street Pastors’, citizen patrol movement. First established in London in 2003 by the Rev Les Isaac, Director of the Ascension Trust Street, it is an exclusively Christian organisation whose members are usually drawn from local churches. Street Pastors patrol city centre locations providing an additional tier of policing within the night-time economy. Akin to a volunteer outreach service, the patrols aim to support the work of the police through welfare-oriented interventions, for example, by looking after inebriated or injured revellers until paramedics or other help arrives. That said, the Street Pastor movement was initially developed with a crime prevention focus, and has made some large claims of its impact on levels of violence and anti-social behaviour (Johns et al., 2009). The movement currently has around 9000 volunteers across 250 initiatives in the UK, and there is some evidence of mission creep in its range of activities, as suggested by the emergence of ‘School and College Pastors’ and ‘Response Pastors’. A key debate raised by the movement, as a faith-based initiative, concerns any ambitions it may harbour to re-moralise public life by bringing an overtly religious ideology on to the streets (Johns et al., 2009; Isaac & Davies, 2009). Whether or not it retains a secular-focused agenda, however, the contrast with the loss-prevention and profit driven motives of commercial forms of security present in the night-time economy is striking.

A longer established community governance scheme is Neighbourhood Watch. First introduced to the UK in the early 1980s, there are now approximately 150,000
schemes across the country covering four million households. Neighbourhood Watch involves citizens in a particular neighbourhood actively working together to reduce crime by, for example, looking out for suspicious activities and reporting them to the police, as well as organising various crime prevention activities such as property marking. Evidence shows that Neighbourhood Watch can have significant crime reduction effects, although the problem remains that it is easier to establish such schemes in low-crime areas that arguably need them least (Bennett et al., 2008).

The wider initiative has become increasingly formalised, and since 2007 has had a national representative group (‘Neighbourhood Watch and Home Watch’). The greater organisation and ambition of some neighbourhood watch schemes is reflected, for instance, by the activities of Shomrin, a network of Jewish civilian volunteer patrols that has its origins in the USA. Since around 2007 it has been a routine presence on the streets in highly localised areas of London. Providing a vehicle-based, patrol service akin to a ‘mobile neighbourhood watch’, Shomrin groups are involved in a wide array of policing tasks, including crime prevention and investigation, searching for missing persons as well as order maintenance activities. The schemes in London, for example, have an emergency contact number and operate a 24 hour emergency response team. They appear to work closely at times with local police, receiving training and attending tasking meetings. Importantly, although Shomrin groups are exclusively representative of the Jewish community, as place-based initiatives they nonetheless may serve to benefit the wider community.

Despite the scale of these contemporary initiatives it is probable that general forms of ‘community self governance’ were more common during times of relatively stable communities in the early and middle parts of the 20th Century – although perhaps not focused explicitly on the task of delivering physical security. The growing individualization of social life and the erosion of social solidarity in the last decades of the 20th Century have been noted by several commentators (see for example Garland, 2001). Increased demands on the police and criminal justice system over recent decades probably reflect less ability and/or willingness for individuals and organizations to deal with problems themselves. Research on social capital has also suggested there has been a general decline in civic engagement across many western societies (Putnam, 2000). Whilst this general picture has been contested, there has been significant decline over a long period in mass industrial employment, membership of political parties and trade unions, church attendance, and participation in a range of community and voluntary groups (Mount, 2005).

6. Governing plural policing in England and Wales

It is clear that policing is now both authorized and delivered by diverse networks of commercial bodies, voluntary and community groups, individual citizens, national and local governmental regulatory agencies, as well as the public police. Most writing about governance and accountability, however, continues to focus myopically upon

4 http://www.ourwatch.org.uk/about_us/our_history/
the public police institution (though for exceptions see Loader, 2000; Crawford et al., 2005; Stenning, 2009). Yet, given the widespread role of plural forms of policing, it is important to develop ways of bringing these increasingly complex policing ‘networks’ under the direction and control of democratic governance. As Loader (2000: 324) stated, ‘the questions ... that have long vexed discussions of police policy and (mal)practice in liberal democratic societies press themselves with renewed force under the altered conditions of plural policing’. Further, under linked conditions of pluralization and marketization, there is widespread concern that market-based forms of allocation will inevitably skew policing resources to wealthy areas where crime rates are relatively low. Loader therefore went on to propose the establishment of significant new accountability institutions – Policing Commissions – to take responsibility for coordinating and monitoring the range of bodies involved in policing and security provision at the local, regional and national levels. The logic being that within the pluralized and marketized landscape of policing there was a pressing need for an ‘independent’ local regulator of policing services to safeguard the public interest (see Loader, 2000). Part of the membership of such Commissions would be directly elected, and part appointed to ensure adequate representation from a range of social groups. For the first decade of the 2000s, however, the main developments aimed at enhancing the accountability of plural policing have been focused not upon building ambitious new institutions of governance, but upon a narrower approach predicated on forms of licensing.

6.1. Regulation of private security

Practical developments concerning the regulation of plural policing have, to date, been focused mainly upon the establishment of statutory licensing for the private security industry. Growing awareness of the expanded role of commercial policing during the 1990s led to increased calls for statutory regulation of the sector in the UK where, unlike most Western European countries, it was subject only to voluntary forms of self-regulation. Moreover, a number of serious concerns were raised regarding professional standards within the sector, poor training, high employee turnover, and the employment of convicted offenders (Lister, 2001). Subsequently, the passing of the Private Security Industry Act 2001 established the Security Industry Authority (SIA) to license individuals operating in particular sectors of the security industry. These include ‘contract staff’ working in cash-in-transit and static guarding functions, door supervisors (contract and in-house), wheel-clampers (contract and in-house), bodyguards, private investigators and security consultants (Button, 2002). All employees in these areas now require licences to operate, part of which involves criminal records vetting. Although many supporters of regulation had argued strongly for the compulsory licensing of security firms, the Act limits itself to a voluntary scheme in which firms submit themselves for regulation. The system of regulation has been criticised for being too narrow – excluding significant sectors of the security industry such as security systems installers and in-house guards. Some critics have suggested that the voluntary licensing scheme amounts to little more than a continuation of the largely ineffective existing system.
of voluntary self-regulation, in which ‘large numbers of firms are not inspected by ... inspectorates or by any other organization’ (Button, 2002: 128).

Although there is a paucity of evidence, statutory regulation appears to have had some impacts on the size and shape of the security guarding sector. In particular, it has shifted the balance within the market away from small firms and towards larger, more corporate companies (White & Smith, 2009). It is also likely to have increased the average cost of security guarding, therein improving professionalism and public perceptions of service standards within the industry. Nonetheless, from 2014 onwards the regulatory landscape of private security is to change once again following reforms introduced by the Coalition Government. Arising from the work of the Public Bodies Review in 2010, the government proposed to abolish the SIA. Following representations from a range of bodies, including the British Security Industry Association (BSIA), however, the government changed its approach to one of reform rather than abolition. Instead, a phased transition to a business licensing regime was proposed, in which the focus of control shifts from licensing individuals to the licensing of private security companies. Under the reformed system, companies will take responsibility for ensuring that required checks on individual employees are carried out (although individual criminality checks will still be occasionally undertaken by the regulator). It remains to be seen, however, what impact these changes will have on the private security industry.

Following the introduction of a statutory licensing scheme for the private security sector, the Police Reform Act 2002 established provisions whereby local police forces could ‘accredit’ plural forms of policing, inclusive of private security guards. The Act allows Chief Constables, in certain circumstances, to confer limited, low level powers on accredited persons. It therefore enables non-state policing providers to demonstrate ‘police approval’ by meeting a required standard of professionalism, for example, in training and internal oversight arrangements. Although the police do not directly employ accredited persons, accreditation itself offers a regulatory mechanism that facilitates techniques of ‘arm’s length’ governance of plural forms of policing. Its logic also enables the police to confer market advantage on those providers deemed to be worthy. It nonetheless raises a conflict of interest for the police as they are handed the power to regulate groups they are in market competition with (Crawford et al., 2005). In reality, however, the schemes have largely failed to garner much support neither from the police nor seemingly from the private sector. By the end of 2010, across 26 participating forces, there were 2,219 accredited persons (ACPO, 2011), most of who were local authority employed wardens and anti-social behaviour enforcement officiers. Consequently attempts to impose holistic regulatory oversight of plural policing networks have been few and entirely limited to highly localised, short-lived efforts by police and community safety partners (see e.g. Crawford et al., 2005).

6.2. Enhanced local elected accountability over policing

The Coalition government that took office in May 2010 set out explicitly to reverse the long term centralization of police governance. In 2011 it established Police and Crime Commissioners (PCCs), to be elected in each provincial force area for
a four-year term, replacing Police Authorities as the local ‘democratic’ body within the statutory framework of police governance. Police authorities were widely viewed to be an impotent mechanism of accountability, drawing strong criticism in an influential review of policing by Sir Ronnie Flanagan (2008), the then Chief Inspector of Her Majesty’s Inspectorate of Constabulary, for lacking public profile, democratic component and citizen involvement. The White Paper that proposed PCCs claimed the reform would reconnect the public with the police by ensuring that responsibility for local policing was ‘moved out of Whitehall’ and returned ‘to Chief Constables, their staff and the communities they serve’ (Home Office, 2010: 2). The direct election of PCCs, it was argued, would ensure they gained a strong and locally-derived democratic mandate to hold the police to account on behalf of local communities (see Herbert, 2011).

The first elections of PCCs took place in November 2012, resulting in 29 of the 41 provincial police forces of England and Wales being directly overseen by PCCs affiliated to one of the two mainstream political parties, with the remainder falling under the control of so-called Independent PCCs of no declared party political affiliation. The responsibilities of PCCs include securing the maintenance of the local police force, ensuring that it is efficient and effective, as well as holding the Chief Constable to account for the exercise of her or his duties. Each PCC is required to publish a Police and Crime Plan setting out the strategic policing objectives for the force area. They are also required to work cooperatively with community safety partners and foster joined-up responses to local problems of crime and disorder. Related, they have responsibility for commissioning community safety services as well as services for victims of crime. Crucially, the PCC is to appoint the Chief Constable and, under specific circumstances, may suspend him or her, as well as calling upon them to resign or retire. In turn, each PCC is answerable to a Police and Crime Panel comprising local councillors. This panel has a duty to ‘scrutinize’ and ‘support’ the activities of the PCC, although in practice the powers of these panels are very limited (Lister, 2014).

The greater local accountability of policing embodied by PCCs could have important implications for the future of policing pluralization. In particular, this appears to be a genuine reversal of the pattern of progressive centralization that played out over previous decades. A PCC could, for example, choose to use his/her local policing budget to commission patrol (or other) services from non-police providers – indeed, the logic of having ‘commissioners’ of services reifies market-based forms of choice. More broadly, it could even be that the PCC becomes an institution of overall democratic ‘policing’ accountability, regulating and monitoring a range of plural policing operations in the local force area. Importantly, for instance, PCCs

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5 In London, the Metropolitan Police Authority (which included elected local councillors) has been replaced by Mayor’s Office for Policing and Crime (MOPC).

6 There have to date been several occasions where a PCC has exercised the power to suspend a Chief Constable. For example in June 2014 Mark Burns-Williamson, the PCC for West Yorkshire, on receiving information from the Police Service of Northern Ireland about an investigation it was conducting chose to suspend Mark Gilmore, who he had appointed as Chief Constable just over a year earlier.
have the authority to convene community safety partners from across the local force area, which might be used to establish suitable oversight and accountability mechanisms (Crawford, 2013; Lister & Rowe, 2014). To date, however, there is little evidence of this happening.

The introduction of PCCs if anything has served to place a brake on further pluralization of policing, particularly the out-sourcing of police functions, at least for the time being. There was, for instance, little evidence during the elections of PCC candidates publicly expressing support for greater out-sourcing (or, indeed, any other forms of policing pluralization) (Crawford, 2013). Indeed, it would be surprising if PCCs chose not to reflect public concerns over police outsourcing. These concerns were themselves spurred by a series of high-profile public relations disasters for the private security industry. Particular examples include the discovery in 2013 of ‘over-charging’ by private security companies Serco and G4S on sizeable government contracts for the delivery of criminal justice services, as well as the failure of G4S to deliver on its security contract for the 2012 London Olympic Games. As described above, the latter was cited as a key factor in the halting of the ambitious out-sourcing plans of Surrey and West Midlands forces, which were put on hold prior to the PCC elections of November 2012. Subsequently, on his first day in office the West Midlands PCC, the late Bob Jones, announced the scrapping of these plans.

We should, however, be cautious about making firm predictions. At the time of writing, the PCC institution is only two years old and there are reasons to suggest that it may eventually stimulate further pluralization of policing. The combined pressures of budgetary constraints and public demands on local policing services are unlikely to dissipate anytime soon. As the recent high profile scandals afflicting the private security industry recede in the public memory, it may be that these pressures eventually push some PCCs towards a more positive engagement with the possibilities of private sector provision of policing. PCCs are operating in a wider political context in which ideological support among government ministers for greater marketization of criminal justice services has arguably never been stronger. Thus, it is perfectly possible to envisage that the PCC reforms will eventually turn out to facilitate rather than prevent further out-sourcing of police functions, including patrol in the form of contracted-out PCSOs.

Whilst the pluralization of policing is likely to continue, it is difficult to see PCCs becoming an effective institution of overall ‘policing’ accountability of the kind envisaged by Loader (2000). First, serious doubts remain about the design of the PCC model of governance, its practical implementation (Jones et al., 2012), as well as its longevity in policy terms. Not least amongst the structural concerns is that PCCs stand outside the established local system of administration, which inevitably restricts their capacity to engage in the range of policy areas (e.g. housing, education, youth services, health etc) that are vital for tackling crime and disorder. The auspices of pluralized policing straddle these policy domains, accentuating coordination deficits both within and between local purchasers of policing services. As Crawford (2013) argues, the segmented regulation and control to which policing networks are subject inevitably constructs organisational and bureaucratic barriers to effective oversight. Second, the PCC institution cannot by itself address the more
fundamental problem of ‘private government’ outlined above. As we noted, increas-
ingly ‘public spaces’ are to be found on privately-owned or managed property, and
legal rulings during the past decade or so have confirmed the power of corporate
property owners not only to organise and undertake security provision themselves,
but also to determine in large part the nature of the order to be protected, the rules
needed to do this, and the manner in which compliance is achieved (Shearing,
2006). In short, PCCs have no more legal authority over the operation of private
policing in mass private property than did local police authorities and chief con-
stables under the previous system of police governance. Third, the political will of
PCCs to establish or initiate a regulatory oversight mechanism for policing may
be undermined by their design template. Commentators have observed how PCCs
are ‘Police’ commissioners, not ‘Policing’ commissioners (Loader, 2013; Crawford,
2013), a myopic conceptual focus that is reinforced by the legislation defining the
‘totality’ of local policing for which PCCs are responsible solely in terms of those
resources controlled by the Chief Constable (Lister & Rowe, 2014).

7. Conclusion

This paper has outlined recent developments in the pluralized landscape of polic-
ing in England and Wales, focusing specifically on the policing of public space.
The ebbs and flows of these developments are tied to broader political, economic,
legal, cultural and technological changes that are unfolding at local, nation-state
and global levels. These changes do not function in linear ways, but instead at
times serve to accelerate and other times to decelerate the pace of pluralization.
We are less certain, however, of the extent to which changes in levels of crime and
disorder over the last twenty years in England and Wales have had meaningful and
widespread impact on processes of pluralization. Since 1995 when recorded crime
levels began to fall, we have witnessed shifting and often logically contrasting trends
in patterns of pluralization. Citizens’ demands for order, security and policing have
not diminished in accordance with reductions in recorded levels of crime. Indeed,
fear of crime has remained stubbornly high over the period thus undermining any
reductionist argument linking more (or less) pluralisation of policing to changing
levels of crime and disorder. The significance, however, of the state’s fiscal crisis
over the last decade for these processes should not be under-estimated. Sizeable
cuts to police budgets have led to substantial reductions in the numbers of police
officers and PCSOs. Simultaneously austerity has impacted on the capacity of the
local state to fund the purchase of commercial and municipal forms of visible
policing. Policing ‘by government’ has been in retreat, but so too has policing
‘through’ government. Yet, constituted by and a constituent of this development,
policing ‘below government’ appears to have been increasing both in scale and
diversity. In particular, we have seen an increasing role within and responsibility
for local policing placed on the voluntary, community and faith groups that form
the empirical mainstay of this conceptualisation.
Moreover, the pressures and trends shaping pluralization may produce variable effects in different places contingent on local conditions, customs and priorities. In some police force the cuts to ‘frontline’ policing have fallen disproportionately on PCSOs; in others, the political commitment to neighbourhood policing has been maintained and the required savings have largely been found elsewhere. As implied, the arrival of PCCs in England and Wales has brought a significant element of localism to the determination of policing budgets and priorities, with implications for the level of generality that can be applied to the influence of national developments. Political control of local policing is now highly fragmented, which may produce wide ranging cleavages within patterns of pluralization. These cleavages may be consolidated by the pressures for greater political devolution at the level of the English regions and of Wales. We have seen, for instance, a very different direction of travel for policing policy in Scotland from that of England and Wales, where the establishment in 2013 of a centralised national police force was a key part of a wider ‘state-building’ project (Fyfe, 2014). In Wales, whilst policing and criminal justice remain the responsibility of the Home Office and the Ministry of Justice in London, there has been growing discussion of the idea of devolved control over policing. In general, any shift towards regionalism in England and Wales, with associated devolved powers for policing and community safety, is likely to increase pressures for local police forces to amalgamate into regional police forces. This, in turn, will generate pressure for a reconsideration of the scale at which institutions of police governance function. Such a development might bring opportunity to attend politically to the plausibility of developing a more holistic approach to governing policing, through for instance the emergence of Policing Commissions as envisaged over a decade ago by Loader (2000). Indeed, it is precisely at the regional level that such a Commission might have most impact (Crawford & Lister, 2004). Operating at this scale, a Policing Commission could balance the competing pressures of local and national interests so evident in the push and pull of policing policy. It would also be able to provide oversight of a diverse range of policing and community safety providers operating across local authority boundaries. Further, it would not only align with any emergent democratic structures governing policing, but also map more closely onto the regional bases of the corporate private security industry.

Nonetheless, as we have described, globalising pressures to reduce costs coupled with increasing momentum for policing to be responsive to local anxieties and insecurities are unlikely to reverse the neo-liberal-inspired reforms of recent British governments. There appears to be a continuing and deep-rooted ideological commitment at the national level to push forward with processes of commodification and marketization across the public services. For policing, in particular, these developments raise acute questions of regulation and governance, which have not been adequately resolved since they first attracted academic attention over 20 years ago. The regulatory environment of policing continues to be highly disjointed and

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7 The eventual devolution of control over policing to the Welsh Government was one of the recommendations of part 2 of the Silk Commission (Commission on Devolution in Wales 2014) though it is not envisaged that this will happen any time soon.
segmented (Crawford et al., 2005; Crawford, 2013). As we have described the recent introduction of a novel institutional means, in the form of PCCs, for enhancing the local and democratic accountability of policing offered renewed opportunity to think through how the diverse efforts of plural policing providers might be better harnessed, overseen and governed. To date, however, PCCs have retained a largely state-centric perspective on policing and its governance. But just as the private security industry successfully lobbied central government to have external regulation imposed on it as a political strategy to enable economic expansion (White, 2010), we may soon see the same forces pursuing a similar agenda with PCCs. In these circumstances, and if PCCs survive as an institution over the longer term, then they are likely to become key players in future developments of both plural policing and its regulation and oversight.

Bibliography


Pluralisation of Local Policing in Germany

Security Between the State’s Monopoly of Force and the Market

ABSTRACT

The article starts with an overview of the role of the police within the German political system and sketches recent developments and tendencies towards structures and processes of plural policing. Plural policing in this context is understood in the sense of ‘the expanding role of non-police service providers in policing, and the variety of different public, private and voluntary bodies now engaged in the activity’ (Wakefield, 2009, 227), with a special focus on the local level.

In addition, the most prominent stakeholders in plural policing are introduced, followed by a description of the current forms and patterns between these stakeholders and the police. After analysing some relevant chances and obstacles of plural policing, the author focuses on local safety and security governance before ending with considerations upon plural policing and the changing role of the state.

Keywords: police service, local security, interagency collaboration, security governance

1. Introduction

In contrast with the framework of plural policing in the other countries presented in this issue, a distinctive feature of Germany is its federal political system with significant powers devolved to 16 member states (so-called Länder) and thus a strong tradition of local self-government. The Länder have responsibility for the police, and therefore there are 16 distinct police systems to be considered, in addition to the Federal Police and Federal Criminal Police Office (Groß, Frevel & Dams, 2008). While the police have the responsibility for different aspects of law enforcement, threat aversion, traffic policing and crime prevention, the local authorities have their own duties in the field of public safety and public order (Bogumil & Holtkamp,
2013, 17). This short sketch already shows that the need for collaboration between police and municipality is generated within the very structure of the German political system.

Against the background of a changing security framework and new developments in the security culture (Daase, 2012), upcoming private security companies, new risks and threats and complex changes in local societies have detected and urged plural policing to be a potentially fruitful approach for dealing with the changing requirements.

However, plural policing in Germany has evolved less fundamentally in recent decades than in other countries, e.g. the UK, USA or Canada, even if serious trends of neo-liberalism can be seen. Applying the words of Bayley and Shearing (1996, 585), Germany has not (yet?) ‘reached the watershed in the evolution of their system of crime control and law enforcement’.

The paper puts the thesis that whilst there are some significant changes in local policing and interagency collaboration, this ‘plurality’ of policing has enhanced rather than reduced the role of the state in policing – at least for the time being. The reasons for this conclusion will be explored in the following chapters. This article focuses on the description and analysis of this specific character of German plural policing; the assessment of the current situation and potential future developments is due for further discussion.

Plural policing in this paper is understood in the sense of ‘the expanding role of non-police service providers in policing, and the variety of different public, private and voluntary bodies now engaged in the activity’ (Wakefield, 2009, 227). The focus of its analysis is on the local level and we concentrate on policing in the sense of operative action rather than strategies or comprehensive conceptualisation.  

In the following section, the most prominent stakeholders in plural policing are introduced in forms of various settings with different aims, legal bases and forms, followed by a description of the current forms and patterns between these stakeholders and the police. After analysing some relevant chances and obstacles of plural policing, the article focuses on local safety and security governance before ending with considerations upon plural policing and the changing role of the state and a short comparison between plural policing in the Anglo-Saxon hemisphere.

2. Stakeholders’ involvement in plural policing

The growing number of involved players characterises the current state of plural policing in Germany. Just as there is a broad range of ‘policing’ action, from prevention to control and intervention, there is also a diverse field of actors. These stakeholders not only differ in their legal and institutional backgrounds, they are

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1 Besides this understanding of pluralisation there could, of course, be put several additional perspectives on this feature. However, this would overstretch this paper as well as the publisher’s intentions with this publication.
also involved in specific areas of plural policing. They are playing specific roles in different fields of plural policing, like

• public order and safety,
• crime-fighting and law enforcement,
• threat aversion and emergency management and
• crime prevention.

As it would go beyond the scope of this article, not all of the aspects can be described intensively, but some – especially recent – developments and forms shall be discussed.

2.1. Plural policing and the police

Of course the police bear the main responsibility for visible policing, but they constantly collaborate with other stakeholders and players in all aspects of plural policing.

As mentioned above the police in Germany are the responsibility of the Länder and only in a few fields are defined by the Federal Constitution (see art. 73 Grundgesetz). The federal state with its Federal Police and Federal Criminal Police Office has its own policing competences. The 16 Länder have quite different police systems and slightly different responsibilities. However the main tasks in the context of law enforcement, crime fighting, traffic policing etc. are based on federal law and are thus mandatory for all police forces. Differences between the Länder police forces can be seen more clearly in the functions of threat aversion and public order, in the distinction of police duties from the tasks of the cities’ public order departments, the fire brigade, trade supervision and some other public policies (Groß, Frevel & Dams, 2008, 27-28).

Until the early 1990s the police referred to their statutory responsibilities to legitimate the services they provided. They could – more or less reliably – differentiate their work from other authorities in that they were not experiencing competition from private security firms and had overall sufficient resources to fulfil their tasks. Changes in the crime and risk situation, however, an altered reception of crime and risks, a decreasing sense of safety in communities, increasing economic problems and new challenges to provide safety, security and order led to extensive reforms, an altered role in the security structure and new interpretations of the police duties with a controversial review about the core tasks of police (John, 2013, 20-21).

While the police forces were rather reluctant to change and tried to maintain a traditional position, wider political developments encouraged the pluralisation of policing. A further important factor to establish collaboration in policing can be seen in a changing ‘security market’. Citizens, enterprises and other players identified the constricted faculties of the police and assigned private security firms to grant their safety and security (Hirschmann, 2013, 39). So the market and politics pushed the idea of plural policing and the police learned (or had to learn) to collaborate with other stakeholders and to develop the idea of synergy, but still fulfil their sovereign
responsibilities. John (2013, p. 24) analysed that the police are not the losers in the process, but are able to delegate missions, work more efficiently in some fields and – most importantly – enrich and enlarge their position as core players and coordinators of plural policing in an extended field of safety and security.

2.2. Plural policing and municipality

As a result of German federalism the role of the cities as authorities for matters of public order can vary quite substantially. In 12 of the 16 Länder a so-called ‘separate system’ is installed, which means that the police concentrate on public safety and security, while other public authorities, mainly the city governments, are responsible for public order and (non-criminal) threat aversion. Only Baden-Württemberg, Bremen, Saarland and Saxon have an integrated system, which gives the responsibility for public order also to the police, who have a specialist administrative branch for this task (Hirschmann & Groß, 2012, 16 ff.).

So the municipalities have – depending on the Länder law – more or less extensive duties in aspects of public order and safety. The local authorities have specialised public order departments, which deal with most of the public order issues, such as control of pubs and restaurants, veterinary and food supervision, trade supervision etc. But in addition other departments such as the welfare department, parks and gardens department or building authority department, have some responsibilities in matters of public order.

Most of these tasks are fulfilled in a bureaucratic way: receipt and assessment of application, notification of licence etc. But of course licensing and compliance with regulations have to be controlled, and field staff of the local authorities are assigned for these tasks. Some of these are uniformed, when they work within the public space. The public order departments have to deal with the problems in an administrative way, they can give orders, they can fine, they can withdraw licenses etc. – but they are not allowed to use force. If a situation needs the use of force the city wardens call the police.

In some cases it is difficult to differentiate properly between public order, safety and security and it is also difficult to assess the grade of risks, to separate administrative offense and crime, to distinguish anti-social behaviour from minor criminal offences; so the distinction of police tasks and local authority duties is often unclear. In everyday practice staff deal with these problems pragmatically, and quite seldom are there conflicts between the authorities. More often the collaboration, also in institutionalised versions like ‘public order partnerships’, have developed as forms of plural policing.

2.3. Plural policing and private security firms

While in other countries it is quite normal to see private security firms (hereafter PSFs) operating in public spaces, for many years this has not been the case in Germany. Until the late 1990s these firms were mainly engaged by enterprises and responsible for plant security, gate keeping, cash transport and sometimes
bodyguarding (Braun, 2012). They also took care of burglary alarm systems of businesses, organisations and citizens or carried out patrols within premises. Increased feelings of insecurity of citizens in a new security culture, the development of semi-public spaces (such as shopping malls etc.) and limited capacities of the police forces have combined to provide PSFs with significant opportunities for expansion. In 2013 PSFs employed about 185,000 persons (continuously risen from 140,000 in 2000) (BDSW, 2014a) and had a business volume in the sector ‘security service’ of about 5.4 and – including security technique – of 12 billion euro (BDSW, 2014b).

These private security firms still have major activities in their traditional fields of activities mentioned above, but they are also increasingly visible in the semi-public and public space and are integrated in plural policing. In aspects of plural policing PSFs participate in different levels of integration:

- **Their own claim and tangent fields**: Especially in semi-public spaces like shopping malls, shops, railway stations, cinemas or in the context of events like concerts, sport games or city festivals etc. the entrepreneurs or organisers have their own interest in engaging PSFs or are committed to ensure security (Klauer, 2012; Kötter, 2012). In these cases the guards and watchmen exercise the property rights of their clients so they can deny access, exclude undesirable people or seize offenders for a short period until the police can record a charge. But the competences of the watchmen are constricted to self-defence and help in need. Legally they are not allowed to search someone, to collect personal data or to use force. If such actions are necessary they have to call the police. In everyday practice the responsibilities of PSFs, the police and the public order departments of the local authorities merge and the boundaries of duties are often not clear to the acting people but also to the citizens who are affected by their activities. While the legal framework of the collaboration is widely clear, the operational arrangements are often rather nebulous, especially when it comes to deciding about the claims or about the differentiatiion of public- and semi-public space.

- **Public-private partnerships and police-private partnerships**: Generally on the basis of contracts or codified agreements PSFs are integrated in plural policing in public-private partnerships and/or police-private partnerships. If the co-contractors are the local authorities the PSF activities concentrate on public order aspects e.g. in the context of city festivals, parking enforcement, supervision and surveillance of public property. In police-private partnerships the PSFs help the police with ‘observe – discover – report’ (Koch, 2002). So if PSF watchmen see anything problematic in the context of public order, safety and security they report to the police and/or to the municipality. The public-private contract in Berlin for example was agreed between the police and the regional association of PSFs. Via this association, 11 mainly medium-sized PSFs with about 7,000 employees were integrated in the information and communication network with the police. Together they communicate through the ‘Joint Information and Contact Centre’ (Hirschmann & Groß, 2012, 112 f.)

- **Conferment**: Only in very few cases does the PSF receive ‘conferment’, which means that they are allowed to fulfil sovereign tasks and with this can curtail
personal rights or even the fundamental rights of persons. Such conferment is handled very rarely in Germany but can be seen for example in speed limit enforcement, airport security or passenger screenings. The PSF act on behalf of public authorities, have to act in the specific legal framework and are under control of the authorities.

Plural policing, therefore, including private security firms, covers a wide field of activities and different

- grades of integration into policing strategies,
- types of clients,
- provisions with allowances and
- intervention laws.

2.4. **Plural policing and other societal agencies**

On the face of it, it would seem that societal agencies are not engaged in policing. However, their role greatly influences policing, as this activity does not exist in a vacuum, but is influenced by and influences all societal agencies. These agencies have their main role in very many other fields like welfare, leisure, culture, sports, integration etc. But seeing policing in a broader sense and especially integrating prevention on the one hand and follow-up care (e.g. for victims of crime) on the other hand into the concept of policing, it is clear that societal agencies influence policing and therefore can be seen as actors in plural policing. Especially some health and welfare organisations can play a crucial part in policing strategies when it comes to dealing with juveniles in the public space (e.g. truants, runaways, gang members) or with alcohol or drug addicts (Kaup, 2012, 132; Voelzke, 2012, 98 ff.). Policing reduced to control, deterrence and law enforcement would not solve the problems but would bear the chance of worsening them.

Given that the provision of safety and security as well as victim protection and the support and re-integration of offenders are key functions of the probation service, they too need to be seen as part of plural policing. Societal agencies work on these tasks and it is a challenge for plural policing to understand the non-policing character of them as well as benefit from their doings and integrate in smooth policing strategies. But collaboration in plural policing is not without difficulties and risks, as the aims, perspectives on the problems and culture of these organisations are different to the police and public order departments, which can lead to controversial discussions about the correct way of resolving joint problems.

2.5. **Plural policing and volunteers**

The employment of volunteers in policing such as Special Constables in England and Wales or the Vrijwillige Politie (voluntary police) in the Netherlands is not common in Germany. Only in four of the 16 Länder are volunteers – more or less – integrated in the police force.
• Baden-Württemberg implemented the ‘Voluntary Police Service’ in 1963 and gave their members legal powers to the point of carrying and using firearms. The volunteers often patrol together with police officers and are clothed similarly. The 2011 elected Green Party/Social Democratic coalition agreed to dissolve the service until 2016 (Hirschmann & Groß, 2012, 26 ff.).

• The Voluntary Police Service in Hessen (installed 2000) and the ‘Sicherheitswacht’ (safety watch) in Bavaria (since 1996) and Saxon (since 1998) are equipped with less competence than in Baden-Württemberg. They do not carry firearms (only pepper spray for self-defence) and are not allowed to use force. They mostly patrol in low-risk neighbourhoods, pedestrian zones, at schools or nursery schools; they assist with events or protection of objects (Hirschmann & Groß, 2012, 19 ff.).

The purpose of police volunteers is to provide high visibility presence and thus reassure citizens, to offer low-threshold police service and to relieve police officers of lower level tasks that do not require full police training.

The minor importance of voluntary police services in Germany is shown in the numbers of volunteers. Hirschmann & Groß (2012, 19) point out that in 2010 there were about 2,200 people in the four organisations mentioned above, while the police forces in these states employed about 70,000 police officers. In contrast there were more than 15,000 Special Constables in England and Wales in forces with about 143,000 police officers (Home Office, 2010).

Other Länder see the topic of volunteers in the police force with reservation. Also the police unions often warn against a decrease of professionalism in police service. This reservation has to be seen against the background that people in Germany have to undertake at least a 30-month full-time professional education or a three-year Bachelor study to become a police officer, while the courses for the volunteers consist of 40 (Bavaria) to 60 lessons of 45 minutes each (Saxon). So the required knowledge in law, the psychological skills and the operational abilities etc. are then very slender.

Less important in Germany are models of neighbourhood watches or town watches with volunteers. In some cities so-called ‘Nachtwanderer’ (night walkers) are active and aim to be present and accessible in the night for young people. With their activities they (want to) strengthen informal social control, increase the inhibition threshold for violence or vandalism, reduce victimisation and improve the sense of safety in the public space. The Nachtwanderer do not have any police competence and act strictly ‘civilian’, but call professional assistance if needed.

Forms of vigilantism are viewed critically as they are often inspired by right-wing extremists. These activities have to be distinguished from e.g. the burglary prevention programme ‘Achtung! Wachsender Nachbar’ (‘Attention! Watchful neighbour’) that prompts people to have a watchful eye on the street and the neighbour’s house and to alert the police when they are suspicious of a crime.
3. Forms and patterns

The previous section, regarding the role and involvement of different players in plural policing, already shows different forms and patterns of plural policing in Germany. On the one hand there is plural policing as collaboration, like public-private partnerships or the work of social agencies and police in crime prevention. On the other hand there is coexistence, especially most of PSFs’ work and services. So there are two different basic and ideal categories of plural policing:

- collaboration and
- coexistence.

3.1. Collaboration

There are different occasions resulting in plural policing as collaboration. These are mainly focused on situations or problems perceived as not sufficiently resolvable by one actor alone. Often these collaborations regard occasions and problems beforehand handled by sole actors, especially the police, like policing of drug scenes and fighting crime. But changing approaches and situations lead to plural, respectively collaborative forms of policing. The following examples represent different forms of collaborative plural policing.

- **Events** often require complex plural policing. Local authorities permit the events and give instructions to the organiser e.g. regarding the required level of securities and guards, the marking of escape-ways, the entrance- and exit-control etc. The police are responsible for the public space including threat aversion, traffic control and law enforcement. The organisers have to ensure the presence of security guards at least on the requested level. After the disaster during the ‘Loveparade’ in Duisburg in July 2010, where 21 visitors died and more than 500 were injured in a stampede (Still, 2011), the rules about the collaboration of police, local authorities and event organisers were sharpened and the licensing regime restricted.

- **The plural policing of drug scenes** is based on the collaboration of the local authorities (public order department, parks and gardens department, health department, social department) and the police with its drug squad and patrol service. They often work together with social workers of welfare organisations. The aims of this plural policing are heterogeneous, as they include help for addicts, control of the drug market, hindrance of dealing, law enforcement, prevention, reducing dangers for those uninvolved e.g. through used syringes and reducing disturbance and harassments by addicts influencing the sense of fear at these scenes. The collaboration is often organised in so-called ‘Ordnungspartnerschaften’ (public order partnerships), which coordinate the activities of the different authorities (Kaup, 2012).

- **Crime prevention councils** have steered a type of plural policing since the early 1990s. Depending on the local problems and the willingness to cooperate of different...
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players like the police, local authorities, health system, education system, judicial system, welfare organisations et al., safety and security matters are discussed, measures agreed on and the co-operation installed (Schreiber, 2007; Frevel, 2012; 2007). The development of these councils can be seen as an expression of the shift in the crime policy in which the proactive measures gain more importance.

3.2. Coexistence

In contrast to collaboration, coexisting plural policing often deals with problems formerly not regarded as ‘real’ security or policing issues. This form of plural policing is frequently based on changed public or private security perception and concerns, resulting in higher demands for security.\(^2\) Often this form of plural policing is evolving into an economy, serving a market with unlimited demand.\(^3\) In some cases coexistence can be linked to competition between different actors in plural policing.

- **City patrol with private security firm**: As described above the public order department of the local authorities is in duty for maintaining the public order. Beside the work done in the offices also city patrols in the public space belong to this task, which is mainly delivered by civil servants. But some cities assign private security firms for this task (Arning, 2012) because this service seems to be cheaper than the delivery by civil servants. The firms have to patrol selected city areas (pedestrian zones, playgrounds, fairgrounds etc.), be the contact persons for citizens and have to keep contact with the municipality as well as with the police in matters of public order, safety and security.

- **Most of the bigger shopping malls** engage private security firms to conduct the safety matters. They exercise the property rights and collaborate with the police in cases of crime (shop lifting, assaults etc.). They also arrange agreements with the local authorities regarding the intersection of public and semi-public spaces in matters of order.

- **Public transport**: In public transport a complex plural policing can be witnessed. The responsibility for policing on the railway and stations of Deutsche Bahn belongs to the Federal Police; outside these trains and stations the Länder-Police are in charge. The bigger transportation companies, which deliver bus services, metros or trams, keep their own safety and security services, whilst the smaller ones engage private security firms – or rather have no personnel for this task. Often policing activities tasks are embedded alongside other services and duties such as ticket inspection, bus and train conducting (Döring, 2010).

- **Night-time economy**: Especially in the bigger cities with an extensive night-time economy with pubs, bars, discotheques, brothels etc. the plural policing of the nightlife districts is normal often with more than three partners. On the one hand the police and the public order departments are in legal charge, they control the

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\(^2\) Daase et al. (2012) discuss the changing understanding, perception and interpretation of security.

\(^3\) This unlimited demand is a consequence of security as an ‘unsatisfiable basic need’ (Frevel, 2013).
public space, intervene in cases of crime (mainly fights), assert the closing time etc. On the other hand landlords engage doormen and security and they often pay for additional patrols by private security firms. In most cases the collaboration of statutory agencies and enterprises works well without problems. But in some quarters gangs like Hells Angels or Bandidos have captured this market – and they do not bother to collaborate with the police (quite the opposite) and rather implement a competitive system of ‘order’.

4. Chances and obstacles of plural policing

The idea of plural policing seems very positive at first sight. The authorities in charge of public order, safety, security – i.e. primarily the police and the local public service – fulfil their duties and collaborate with other authorities, organisations and citizens in a collaborative effort at the practical level. This relieves the authorities, leads to synergy effects, activates people, broadens the sense for safety matters and seems to create a win-win situation. Sounds nice!

Plural policing seems to provide the answer to the current questions about security in times of changing security structure. Daase, Offermann and Rauer (2012) and Lange, Wendekamm and Endreß (2014) show in their work how this security structure has changed. The consideration of different risks (humanitarian, ecological, economic, military), different reference objects (state, society, individual), different levels (national, regional, international, global) and different jeopardies (threats, risks, vulnerability) lead to a widened understanding of security (Daase, 2012). Dealing with this complex setting requires the collaboration of heterogeneous actors, as these are in particular responsible for only particular but often interdependent risks. Further, besides the upcoming security framework there are changes in the security culture to be considered. Daase (2012, 8) defines this as the ‘transformation of beliefs, values and practices of individuals and organisations, which decide about what is to be considered as jeopardy and how and with which methods it should be encountered’. Most of the European societies (not only German) undergo this transformation and the process of securitisation can be retraced on all dimensions mentioned above. The growing demand of security puts pressure on the state as a warrant for security and opens a market for further security firms and safety actors. The states’ and firms’ promise to produce security on the one hand and the empirical fact of insecurity (crime, terrorism) on the other increases the demand. But security may not be a satisfiable and achievable promise. In this setting plural policing wins the support of citizens and politicians as a viable way and also finds acceptance by security stakeholders.

But plural policing is confronted with several difficulties and uncertainties, which make the task difficult:

- **Interaction of different professions**: The stakeholders of plural policing have very different tasks, attitudes and traditions in the broad field of policing. The unequal authority, competences and skills, the sometimes controversial accountability to
the citizens as a whole or to specific purchasers, the diverse value orientation e.g. to civil rights and integration vs. property rights and segregation of undesirables such as beggars or addicts from semi-public spaces are not easy to integrate. For example while police, public order departments or private security firms often see young people as a group that causes problems, social workers of welfare organisations see them as people with problems. This different view on target groups causes difficulties in collaboration, as the aims of intervention and the sorts of activities are different.

- **Education and training of employees and participants**: The people involved in plural policing have a broad spectrum of qualifications, ranging from higher educated police officers, public servants or social workers to semiskilled workers in private security firms or interested laypeople without proper training. This variety can cause problems in interpreting situations, weighing the necessity of action, estimating the adequate intervention and evaluating the consequences.

- **Iconography of the services**: Hirschmann and Groß (2012, 132 ff.) point out that the iconography of players in the field of plural policing converges – up to the point of indistinguishability for ‘normal’ people. A ‘uniformity of uniforms’ appears in which the Federal Police, the police of the Länder, voluntary police, private security firms, the workforce of the local public order department and plant security of the public transport firms look similar in their blue uniforms. How can a citizen find the proper contact person when he/she is in need? How can someone, who is being policed, estimate whether he has to present an identity card or let the person have a look in the bag or briefcase, or whether the person is authorised to demand this?

- **Accountability**: Plural policing as a sort of collaboration, a variation of shared duties and a targeted synergy can be unclear in the aspects of responsibility, judicial foundation of action and legitimation of intervention. In these cases also the accountability has to be questioned. Can the police be made accountable for actions taken by partners; and who is in charge to supervise plural policing? What about the responsibilities in the public or the semi-public space and how can public order, securing property rights and law enforcement be differentiated – both by the players and the citizens?

- **Financing the local safety and security**: Security matters in public spaces are to be dealt with by statutory agencies, especially the police, and also the protection of citizens against crime, which is primarily their duty. The increase of plural policing, which is often inspired by personal and financial shortages of the police and local authorities, releases the state budget and shifts tasks to private players – either citizens or the market. But as ‘he who pays the piper calls the tune’ this movement of financing partners in policing also strengthens their chance to define safety and security problems according to their perception, which does not always equate with the ideas of equality and civil rights.

This short and incomplete sketch of possible problems shows that the idea of plural policing is convincing but has to be implemented carefully to preserve order, safety and security in a complex setting.
5. Local safety and security governance

The discussion of plural policing, their form, patterns, chances and obstacles are closely related to the theoretical concept of ‘governance’. Discussions in political science within the last 10 to 15 years in terms of collaboration of statutory and non-statutory agencies are connected by this term.

Although ‘governance’ has gained quite a degree of esteem within the international scientific community, it is still not clearly defined. Especially the German discussion about the term shows some vagueness and indifferences. Jann (2005, 21) describes ‘governance’ as a ‘central catchphrase of the modernisers of state and public administration’ and von Blumenthal considers it as an approved ambiguous term (2005, 1150). After a differentiated discussion of several lines of sight, e.g. regarding the narrowness vs. wideness of governance, the role of state or the normative vs. descriptive analytical understanding, Schulze (2013, 214) defines governance in the policy of safety and security as follows:

_A descriptive-analytical approach with a wide understanding of governance safety and security governance means the guarantee of Internal Security on the basis of a widened perception of Sicherheit, in which security refers to a narrow understanding and safety on a broader understanding of Sicherheit. In this diverse statutory and non-statutory agencies interact, which are standing to each other in a non-hierarchical relation, use different means, instruments and methods, in order to achieve a common aim on the basis of shared norms, attitudes and/or interests. This happens against the background of different topics and problems in a regime of governance, which is coined by negotiations in networks and act in the framework of a ‘hierarchy in the background’. With this the sovereignty of the policy and the character of the topic Internal Security build the specific parameter of this governance-approach and coin the specialness of the use of governance in this policy._

The reference to the ‘hierarchy in the background’, brought into the discussion by the German political scientist Renate Mayntz (2004, 72), in this definition is one important connecting component between the debate of safety and security governance and plural policing. If any collaboration happens to steer different activities in the field of public order, safety, threat aversion or crime prevention, non-hierarchical forms of interaction very often work well between the stakeholders involved. But the borderline to fields of action in clear cognisance of the state is sometimes fluent and halting. Certain aspects of policing are reserved to the state’s agencies when they interfere with the fundamental rights of people: use of force, arrest, formal interrogation etc. ‘Soft’ policing can be executed by different (state and non-state) actors while ‘hard’ policing is privileged to the police and particular departments of local authority. The police have the prerogative of interpreting

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4 In German the term ‘Sicherheit’ has different meanings; in English it can be translated as safety, security or also certainty.
crucial situations and base themselves on hierarchy if needed. Consequently, they may interfere within a particular situation and take action alone, they may restrict the other players or they may use a veto if the majority in the network wants to act against the state’s agencies’ ideas, which are provided with special competences.

In sum plural policing can be seen as a way of dealing with different problems in the fields of order, safety and security. The plurality covers several stakeholders from the state (police, local authorities, other public authorities), the economy, private parties and NGOs, up to civil society and citizens as volunteers. But in particular situations the plurality can be minimised and the police officer fulfil their duties on their own – but in accountability to the public. This opens the chances to deal with the inherent or potential problems of lacking legitimacy of security and safety governance and of plural policing.

6. Plural policing and the changing role of the state

While the previous sections of this paper focused on the practical side of plural policing, forms and patterns, political steering, the chances and obstacles, the points of contact between plural policing and ‘governance’, the final section looks at theoretical aspects and discusses the contemporary impact on the monopoly of force and the role of the state.

The core question of plural policing is about the impact on the legitimacy of force and the role of the state. Especially the German discussion refers in this context to the fundamental thoughts of the German sociologist Max Weber. In his essay ‘Politics as a Vocation’ (1994, 10; 1919) he sees the monopoly of the legitimate use of physical force as a prerequisite of the state. Weber assigns the duty to uphold the claim on this monopoly to the administrative staff – and here especially the police. Weber’s position strengthens the police and also other state authorities in matters of threat aversion and law enforcement. In combination with the quite strict constraints of other agencies, e.g. private security firms, the idea of plural policing does not really fit this state concept. Safety and security, public order, law enforcement are the matters of the state. And the authorities follow the jurisdictions and competencies, which are mainly clear and distinguished from other players.

Weber’s concept of the monopoly of force is part of his idea of bureaucracy and legal authority. So if non-statutory agencies gain competences, which affect the monopoly of force, the competence of the state is questioned and eventually undermined. In significant contrast e.g. to the USA the German tradition postulates the state’s authority in most aspects of order and security in the public space. The police force watches every adjustment and shifting in the security matters as a core of sovereignty carefully and with mistrust.

6.1. A changing concept of state

But this basic idea of the state, which was created at the beginning of the 20th century, is the subject of discussion. In the context of the neoliberal movement
around the turn of the century and its ideas and approaches regarding the increasing national deficit, the idea of the ‘activating state’ evolved (Behrens et al., 2005). This concept questions the old concept and proclaims a shift from a ‘performance state’ (Leistungsstaat) to a ‘warranty state’ (Gewährleistungsstaat). The basic idea is that the direct delivery of certain goods and services is not necessarily the duty of the state. The stately duty is reduced to ensuring its delivery – even by non-statutory agencies. So in a warranty state it is not important who delivers goods and services but that they are available for the people. This debate also includes the matters of safety and security, as Pitschas points out (2004, 99).

While this debate led to changes in many policy arenas, the domain of internal security was only partially and slowly affected for many years. In the activating state the pluralisation and the privatisation of services becomes normality and this is also – even in a reduced scale – a fact in internal security. The collaboration of the state’s main actor, the police, with other agencies e.g. private security firms, volunteers and non-statutory players is implemented as plural policing. The contemporary state of plural policing can be seen as a result of the political debate regarding the activating state. The question is: What are the implications for Weber’s monopoly of force?

In contrast to the Weberian perspective, advocates of the neoliberal ‘warranty’ state mean that there aren’t any consequences regarding plural policing and the monopoly of force. Pitschas (2004, 99) says that the state must not carry out this monopoly, but must be able to possess it. In his view legitimate force is not necessarily reserved for public services, i.e. police. The state has to keep the Kompetenz-Kompetenz to control and regulate the use of force. With this the legitimate use of physical force persists as a core of authority and is still a feature and defining characteristic of the state (Stienen, 2011, 29). This neoliberal concept of internal security and the monopoly of force implies a kind of ‘withdrawal of state’.

At first glance plural policing in Germany seems to match these neoliberal ideas and a resulting ‘withdrawal of state’. But taking the changing security structure, the broader changing security culture and the governance structures into account, Tobias John (2013, 24) emphasises that at this moment the police and therefore the state are not losing power and competences. They rather have to deal with job enrichment and a resulting double-role. On the one hand, the police act as the state’s force implementing the monopoly of force when it comes to law enforcement and dealing with serious hazards. On the other hand, the police act as coordinators, supervisors and partners of non-statutory and private players in the fields of crime.

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5 This idea of an activating state has a different perspective on the role of state, the role of economy and also the role of citizens. While the state (on all levels) shall reduce its own services the other stakeholders should be more active to achieve their own and the common goals. The state can shift the steering of society away from sovereign duties and the offer of delivery of goods and services and strengthen the indirect steering e.g. by providing financing, procedural steering or information (Braun & Giraud, 2009, 162).

6 Kompetenz-Kompetenz is as well a political as a judicial term. Judicially it means an arbitral tribunal is allowed to make a decision on whether it has jurisdiction over an issue that needs to be settled and whether an arbitration agreement is valid (see: http://www.bukisa.com/articles/27372_what-is-doctrine-of-competence-competence). In political science it means the authority of the state to decide about its own and the competences of other public and/or private institutions.
Pluralisation of Local Policing in Germany

prevention and public order or safeguarding private interests. The second aspect refers to the major portion of plural policing in Germany, steered by a safety and security governance with a ‘primus inter pares’ role of the state.

The steering of plural policing seems to belong to the state and its police. But they have to acknowledge the interests of the other partners and to recognise their abilities and competences. This affects the police strategies, which will have to consider the preconditions of the partners, the occasional contrasting aims and the heterogeneity of instruments.

But this current strong role of the state and the police is not without question. On the one hand there is the uncertain future of further developments in plural policing. On the other hand there is the question of the influence non-statutory and private players can already utilise to affect particularly the agenda-setting process in safety and security governance resulting in questionable input-legitimacy and further consequences regarding the legitimacy of force.

6.2. The German position vs. the Anglo-Saxon liberal idea

Following Loader’s differentiation (2000, 326 ff.), Germany still conforms primarily to a model of ‘policing by government’, recently increasing reliance on forms of ‘policing through government’, but to date has seen little development of policing ‘beyond’ or ‘below’ government. Governing security in the public space is still the responsibility of the state and the public police, although collaboration and coexistence with other bodies is possible, especially in the borderland of public, semi-public and private space. Co-operation between police, local authorities, welfare, health, educational and judicial systems in crime prevention has been commonplace since the early 1990s. So whilst patterns of plural policing have evolved, they at least seem to remain primarily organised and controlled by public authorities.

The police are a relatively well-regarded institution in Germany, and for several years have gained the highest ratings in citizen polls on institutional trust (e.g. GfK 2013; 2014). At the same time, there are some serious reservations about private security firms, who often receive low ratings in such polls. Citizens’ expectations about professional performance of public services are based on understandings about the quality and amount of training and education of police officers and civil servants. This same point increases reservations about the idea of security services that are delivered by volunteers, or the private sector. These positions support the conservative, state-oriented approach of policing, which ‘allows’ plural policing but wants the state in control. Even if the government sees the restrictions of financing the public safety it sticks to the idea of the priority of delivering services by the police. The importance of legitimacy (and accountability) is – in the tradition of Weber’s concept – fundamental for this state model.

Despite the debate concerning the role of the state, the German approach regarding private security differs from the distinct (neo-) liberal concept of the Anglo-Saxons as it has developed since the late 1970s (White, 2010). On the basis of Gosta Esping-Anderson (1990) it could be said that Germany still favours a higher grade of decommodification and a lower grade of privatisation not only as a welfare state and in social policy, but
also in the field of safety and security. The liberal welfare state – with its prototypes USA, UK and Canada – in Esping-Andersen’s (somewhat aged) concept of the Three Worlds of Welfare Capitalism is in contrast marked by a higher grade of privatisation and weaker decommodification. This analogy as well fits the differences of etatism and corporatism: Germany tries to keep the state in a stronger role and would rather incorporate non-statutory agencies in state activities than keep the systems apart. This fundamental difference leads to a specific way of steering policing with a ‘primus inter pares’ role of the state in safety and security governance.

Bibliography


Plural Policing of Public Places in France
Between Private and Local Policing

Abstract
This paper analyzes the changing public/private as well as central/local relationships for the provision of public security in public places in France. It describes the emergence and development of a now frequent public-private mix in policing, based on the hot issue of regulating social behaviours in public places. The significance of the French model in terms of the nature of privatization and pluralization is then discussed and compared to international trends. The rise of a local level public-private mix, while not unique in Europe, appears as a major shift in a French environment traditionally characterized by the structural centralization of its public forces.

Keywords: France, public security, privatization, plural policing, public space, governance of security

Introduction
In 2010, the regional branch of the Court of Auditors (Cour des comptes, the highest public body in charge of overseeing public spending) issued a report on the security
policy of the city of Lyons. The Court declared it illegal for the mayor’s office to outsource patrols on the shores of the Rhône River to private companies. In October 2013, in Meru (a small town in the region of Picardie), a social housing organization contracted with a private security company to patrol its halls and cellars. This project triggered a chain of public reactions on the status of such spaces and the role of the private security sector: should private guards be allowed to patrol the urban public space (la voie publique), hitherto a monopoly of police authorities?

These events must be viewed in the wider context of the changing public/private as well as central/local relationships in the area of policing and security provision in France. We endeavour to analyze the meaning of such trends. In this paper, we first provide a brief research update on the private security sector in France – since the situation varies from one country to another. Second, we describe the emergence and development of a now frequent public-private mix in policing, based on the hot issue of regulating social behaviours in public places (the very nature of the activities of staff tasked with surveilling such spaces is heatedly debated these days). Third, we discuss the significance of the French model in light of the current questioning of global privatization and pluralization trends by the international academic community. The development of a local level public-private mix, while not unique in Europe, appears as a major shift in a French environment traditionally characterized by the structural centralization of its public forces.

1. Private Security Research and Controversies in France: a Brief Overview

In this section, we first provide context about the private sector of policing, before reviewing the French literature. 9,625 private security organizations were operating in France in 2012. Almost 6,000 were in fact self-employed individuals, while 11 employed more than 2,000 staff – 31.5% of the total workforce (I+C, 2013). Between 2005 and 2012, there has been a 29.5% increase of the number of private security companies. The total revenue of the private security sector in 2012 was €5.45 billion, 68% of which was captured by the 217 companies (2.5%) employing more than 100 staff (I+C, 2013). Between 1998 and 2010, the sector’s revenue has grown at the annual rate of 5.5% (Robin & Mordier, 2013). Since the early 2000s, public buyers (hospitals, administrations, etc.) have accounted for less than 25% of the total market for private security (23% in 2012) (I+C, 2013). In 2012, the total number of private security workers was 148,350, stagnating since 2001 (I+C, 2013). In 2010, the National Institute of Statistics and Economic Studies (INSEE) counted 131,000 FTE workers (Robin & Mordier, 2013). Most of these jobs are concentrated in urban areas, with the Paris metropolitan area being the biggest employment zone (I+C, 2013). The high turnover materializes in a hiring rate of 60.5% and a

1 See ‘Rapport d’observations définitives de la chambre régionale des comptes concernant la gestion de la commune de Lyon - Enquête sécurité publique au cours des exercices 2003 et suivants’, released in 2010 by the Cour Régionale des Comptes.

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departure rate of 59% (I+C, 2013). 41.2% of private guards under the age of 30 have no educational degree at all (Bauvet, 2007). Wages are among the lowest of all sectors (Robin & Mordier, 2013). Women account for 15% of the workforce (I+C, 2013).

Private security in France has been studied along a number of lines. Economists and business scholars study the economic growth of the market for private policing, emphasizing the job-creation potential of the sector (Konadje, 2011). The sector is a polarized one: while a handful of big companies – many of them foreign, such as Securitas (Hassid, 2010) – employing thousands of agents are profitable, many very small entities struggle for survival in a competitive context that drives prices down (Brajeux, Delbecque & Mathieu, 2013), engaging in borderline illegal business and labour practices (Tournyol du Clos, 2006). Under French law, any individual with a clean criminal record may start a private security business (Konadje, 2011). However, existing mechanisms have been described as lenient with regard to ‘unclean’ criminal records (Ocqueteau, 2013).

Legal scholars focus on legislation and regulation (Latour, 2009). While the legal context had been stable since the 1983 Act regulating private security activities, changes were introduced in the 2000s: private agents are now allowed to perform more policing activities, especially in airports (Ocqueteau & Warfman, 2011), and a new national regulatory body (the CNAPS) has been created (Ocqueteau, 2013). The CNAPS brings together public authorities (from the police and the judiciary) and representatives of private security employers, and delivers accreditations for private security companies. The inter-ministerial delegate for private security, Prefect Blanchou (2012), argues in favour of replacing the 1983 Act with a new general law regulating private policing. Gohin (2012) analyzes constitutional obstacles standing in the way of a complete privatization of policing.

Political scientists and legal scholars have a shared interest in private-public partnerships (Chevallier, 2011) and the demonopolization of security (Roché, 2004), showing that tax and budgetary constraints force public authorities to hand down security policies to the private sector (Latour, 2012). Loubet Del Bayle (2012) has concerns about the very ability of private policing to contribute to the common good. More specifically, there are concerns about the training, skills, and professionalization of agents (Brajeux, Delbecque & Mathieu, 2013).

Sociologists who study work conditions and labour relations note that private policing in France yields low-skilled, low-pay, high-turnover jobs, often held for just a few months or years by young men – few women, except in positions where interpersonal skills are considered important (Bauvet, 2010) – from ethnic minorities and/or immigrants in wait of better employment opportunities (Péroumal, 2008; Scheepers, 2012). The involvement of visible minorities in private policing has triggered discussions about racial politics (Arpagian, 2010; Hug, 2000; Scheepers, 2012). All this makes unionization unlikely (Péroumal, 2007).

Private guards are particularly conspicuous in mass private properties such as shopping malls and railway stations (Bonnet, 2006; 2008; 2012; Mongin, 2008), where they perform ‘public’ policing missions in spaces which are legally private, but practically public. This blurring of the private and the public is a key theme of the literature.
2. Empirical Examination of the French Experience of Plural Policing

In this section, we document aspects of the empirical reality of plural policing in France based on a number of scholarly works excerpted from a rather limited literature. By design, we provide a broad and simplified account of these works, which pertain to several large French cities. Precisely because our goal is to give a broad sense of the French case of plural policing, we focus on identifying general patterns rather than detailed, city-specific findings. Readers in search of more substantial empirical material are invited to consult these works.

2.1. Private Security Guards and the Policing of Public Spaces

The growth of the private security sector is largely fuelled by the demand for security guards in public spaces or mass private properties. This raises a number of concerns. Department stores, shopping malls, and railway stations have been around for decades in France, so why the sudden rise in private security employment in the 1990s and the 2000s?

Since the police officer population has steadily kept up with demographics, the rising numbers of private guards can only be explained by the emergence of some new security issue in these particular spaces. Commercial entities buy security because they feel they need to: for the business sector, security is an extra cost, and plays a less symbolic role than it does for government authorities. This security issue may originate in the decline of informal social controls and/or in the rise of new behaviours requiring a security response. A plausible explanation in France is the rise of antisocial behaviours since the 1980s. Conventional wisdom associates these antisocial behaviours to minority youths from deprived neighbourhoods. In Bonnet's (2006) shopping mall, typical antisocial behaviours consisted in petty theft and minor disturbances such as youths running, being loud in groups, harassing girls and so on. Such antisocial behaviours do not require heavy-handed (i.e. armed) policing tactics to be managed.

Bonnet's (2006; 2008; 2009) study of the relationships between public and private security in two mass private properties in Lyon (France) shows that public and private actors rely on different policing styles. Daily activities of public police officers hinge on bureaucratic, public administration priorities. One of their duties is to maintain availability to the public at all times at the station. Because of labour laws, manning the desk during business hours is a human resource intensive requirement. Police officers also have to perform the judiciarization of public and private security work: even mundane incidents require some type of paperwork, which eventually builds up to consume more human resources. Police officers are tasked to focus on certain types of criminals, such as undocumented aliens, as part of the national governmental crime-fighting rhetoric. Because mass private properties attract a lot of people (up to 100,000 daily visitors at some railway stations), police officers are instructed to look for wanted persons. Drug dealers are also a target of the French national police.
Most of these priorities do not suit the specific interests of the commercial entities that manage railway stations and shopping malls – these are in the business of retail or transportation, not crime-fighting. The railway company and the mall’s management aim at making a profit and see security as part of their commercial strategy. These companies want guards patrolling the premises, sending the message that ‘security is present’. While drug dealers are not necessarily a concern, they do care about drug addicts, whose appearance disturbs commonly-held notions of *doux commerce*. Undocumented aliens or wanted persons are not perceived as a problem, as long as they behave as normal customers. Hence, the security needs of these businesses are not perfectly met by the security offer of the public police. The retail industry needs a security that walks the fine line between accommodating the customers’ perceived needs (for instance, to get rid of Roma panhandlers) and respecting the customers’ perceived sense of fairness and justice (for instance, to avoid the use of violence in getting rid of Roma panhandlers). Above all, retail businesses need a security that avoids antagonizing customers or their children. For instance, while the police tend to perceive minority youths as a criminal threat, businesses perceive them as future customers and children of current customers. They want to avoid the escalation of conflicts at all costs, and hire private guards with minority backgrounds with the belief that better cross-cultural communication will thus be enabled. In the shopping mall studied by Bonnet (2006), commercial activity had been disrupted, in 1998, by a riot that broke out on the last day of the month of Ramadan and involved hundreds of minority youths. Memories of this riot have shaped how security is provided. The heavy-handed approach came to be perceived by the management as a threat to business, since customers would increasingly associate the mall with urban disorder. To avoid further conflicts with minority youths, the management hired minority guards and a mediator. The security strategy is to avoid another riot, even if that involves letting a few petty thefts go unpunished.

The evolution of the security division at the French railway company (SNCF) also illustrates these dynamics (Bonnet, 2006). For decades, SNCF internal security had been focusing on employee theft, internal fraud, anti-union activities, and warehouse protection. It was nicknamed ‘the Fifth Column’ inside the organization, in reference to General Franco’s army during the Spanish Civil War. With the rise of antisocial behaviours and fear of crime in the 1990s, the SNCF entirely remodelled its security division. Instead of working in plain clothes, looking out for employee crime, SNCF security guards now patrol railway stations and trains in uniform, in an ostensible attempt at reassuring both customers and their fellow co-workers. The evolution of the SNCF security division shows how security priorities are contingent to company interests. For decades at the SNCF, security had meant ‘employee surveillance’. When the context changed, SNCF adapted its definition

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3 The French railway company (SNCF) is a public entity placed under the authority of the Ministry of Transportation. For most intent and purposes, it acts as a private company with commercial objectives. Under French law, railway stations are private spaces, owned by the SNCF (except for the platform and railway, which are owned by Réseau Ferré de France – RFF).
of security, and security now means ‘reassuring customers’. For the SNCF, security is a component of a commercial strategy.

This creates conflicts with the public police. Socially speaking, the fact that security guards are not strictly regulated by public authorities and that most of them belong to minorities sets them apart from police officers. Police officers are mostly white French individuals, with some education (civil servant exams are very competitive, even for low-skilled jobs like police officer), and being a civil servant is an important part of their professional identity. They tend to consider private security guards as mercenaries, possibly as a professional threat (because of the cost difference between public and private security), but certainly not as security professionals. Indeed, some police officers have been known to make veiled accusations that private guards might side with offenders.

2.2. New Jobs in Urban Tranquility

Concurrently with the above-mentioned privatization trend, housing estates, local authorities, and transportation companies have been providing an increasingly visible presence in public spaces (or in spaces with a private status but a collective usage, such as buses and hallways) by hiring agents of a new kind – not quite police officers. As is the case in other European countries – see the English ‘wardens’ (Crawford, 2006) or the Dutch ‘Stadswacht’ (Hauber et al., 1996) – this might be referred to as the emergence of a new nebula of activities dealing with the treatment of petty disorders and the daily mediation of conflictual situations in urban areas. These new jobs have risen in a context marked by recurring criticism towards traditional professions – the public police, especially, are perceived as cut off from the field – and the disappearance of secondary social control occupations.

Depending on the local context, these new actors are given a profusion of denominations (mediators, night correspondents, stewards, etc.). Their social/professional status may differ as well: while some of them are local public employees, most have private, temporary job contracts. They may work for various kinds of employers (social housing estates, transport companies, municipalities). Some of them even work for voluntary organizations subsidized by public authorities. Despite these differences, they share similarities that are particularly interesting for our purpose, insofar as their activity always consists in regulating public spaces by assuming a role that verges on policing. Their missions, relations with other actors, achievements, as well as their weaknesses will be illustrated below through the example of Parisian ‘night-time mediators’4 (Maillard, 2013).

4 Indeed, the city set up a nightwatcher scheme (‘correspondants de nuit’) in 2004. This directly-run scheme was gradually extended and now employs 135 civil service agents in neighbourhoods within 9 districts. They will hereinafter be called ‘night-time watchers’ and ‘night-time mediators’ (the French name is ‘correspondants de nuit’). The following developments are based on interviews conducted with nightwatchers, their partners and some members of the public, as well as direct observations (see Maillard, 2013).
2.2.1. New Jobs on the Fringe of Policing

In all these cases, public officials have considered that public spaces may be regulated by these actors without coercion, and that security may be promoted without – at least primarily – resorting to formal police powers.

The emergence of these new actors stems from the idea that public spaces should not be regulated through repression alone. While not playing on the register of prevention in the usual sense – any more than repression – these actors do seem to fit in an ongoing trend toward the professionalization of the monitoring and disapproval of uncivil conducts. These new jobs contribute to blurring the boundaries between formal and informal social control. If, by ‘policing’, we mean ‘attempts to regulate the distribution of security by actual or potential use of force’ (Bayley & Shearing, 2001, 2), these agents are at the outer edge of such an activity. Although unable to arrest or even fine offenders, they do regulate behaviours in public spaces. The question, then, is whether this represents another way of policing cities and enforcing peace and order, not performed explicitly by criminal justice professionals or directly by the community, but instead by new practitioners attuned to their neighbourhoods (Maillard & Faget, 2002; Roché, 2002).

These practitioners, also called ‘mediators’, are thought of by their sponsors as intermediary actors between public institutions and civil society and may reinforce community cohesion within the public (Baillergeau, 2008). They are associated with the idea of strengthening ties both within neighbourhoods and between people living in these neighbourhoods and public institutions. They are supposed to help bridging the gap between institutions and underprivileged populations, as well as fostering ties within neighbourhoods. In various countries – especially in England, where policies have been influenced by neo-communitarian thinking – this debate has been linked to the need for cohesive communities, able to defend themselves from crime (Crawford, 2006). Since these actors usually are mere intermediaries, they are not endowed with specific competences and depend on other institutions and professions to deliver actual services. A closely related issue is their ability to integrate local security partnerships (see below).

2.2.2. Regulating Public Places and Tackling Low-Level Disorders

To fulfil their missions, these mediators must build relationships with the local population and make themselves both accessible and visible on the street. The first basic rule is to avoid displaying ‘bad’ relationships in the public space – i.e. direct ties with the police. Not only should public displays of complicity be avoided, but nightwatchers should strive to stand out from the police in their appearance and attitudes, always emphasizing their affiliation to the municipality and their ‘serving the community’ spirit.

They have to engage with a huge variety of cultural and social backgrounds. The skills and mind-sets required for establishing contact with a homeless man who does not speak French, explaining what their job involves to a passer-by, or trying to make contact with indifferent or even hostile youths from ethnic minorities are
extremely varied. It is by using various resources, drawn mainly from personal experience (charm and charisma, linguistic and cultural proximity, authority conferred by age, performing minor favours, shared tastes, humour, etc.) that these mediators manage – with greater or lesser ease – to make contact with the public. Clearly, these mediators’ individual attributes (ranging from their ethnic origin to the neighbourhood they were born in) are an integral part of this process, as these attributes are often shared with the public (Divay, 2004). What all these skills have in common is an overarching ability to adapt to conditions on the field, detect potential sticking points, and find the right register, which will vary according to both the circumstances and the available repertoire of resources. This involves constant juggling between proximity and distance: knowing how to foster a certain friendliness with young people on the one hand, while avoiding any overfamiliarity on the other. The fact that these skills are difficult to ‘institutionalize’ and ‘professionalize’ raises the question of how mediators are trained: while they do benefit from a three-month course that includes modules on conflict management, the gap between the content of the training course and the skills actually required on the field is a source of concern.

On this basis, these actors provide a service which consists in regulating and monitoring public spaces. Three major aspects of their activity can be distinguished. Firstly, their continuous patrolling and the high visibility offered by their uniforms mean they offer a calming presence in public spaces at times of day that can be a source of unease for the wider population. Some areas known for being drug-trafficking spots or high-risk zones are identified in which they must provide this visible and reassuring public presence.

Second, they monitor public spaces, especially looking for signs of physical decay, thus enabling public bodies to remain responsive with regard to degradations. A significant part of their patrols is spent identifying litter ‘hotspots’ and broken facilities, and sending this information, on a daily basis, to competent municipal services. This activity also means that mediators pass on some general information about the state of the neighbourhood, exchanging with partners about potential public order disturbances, circulating specific information about local nuisances, reporting such environmental blemishes as unauthorized dumps, and so forth.

Finally, the emphasis on compliance with rules, which Sebastian Roché (2002) describes as respect for ‘usage rules’ (rules taken for granted regarding usage of public spaces) or for ‘order maintenance’ is at the heart of their repertoire of actions. Their tasks include intervening at skate-parks to keep the noise level down; accompanying young female students or elderly people who don’t feel safe; maintaining a dissuasive presence in sensitive areas at problematic hours; reminding people of the rules that apply in public spaces; mediating conflicts taking place in public places. Such are the night-time watchers’ main activities, as far as regulating the public space is concerned.

Given the particularly tense scene in some of these neighbourhoods, with the police circulating mostly in motor vehicles, night-time correspondents constitute a response located between non-response (authorities making no move despite repeated requests from residents) and over-reaction (police using violence over
minor incidents). Their interventions aim at making sure that the rules for using public spaces are respected, so that these – often very heterogeneous – spaces can be attended by all kinds of people. At the very least, they facilitate the coexistence of different ways of using public space, and at best they help weaving a social fabric by making contact with somewhat marginalised groups such as the homeless, not to mention the isolated, such as some elderly people. No doubt their action can only be successful provided they achieve the difficult reconciliation of these two terms – making sure the rules are respected without being perceived as pure law enforcement officers. Whatever the case may be, such success will always remain precarious.

2.2.3. An Uncertain Position

These new practitioners are struggling to establish a clear role for themselves in the urban environment, for reasons related to both the nature of the situations they have to deal with (e.g. major confrontations between residents and young people; conflicts over the use of some facilities) and their scope for action. Four uncertainties may be noted.

First of all, their position is an ambiguous one. The line between ‘doing nothing’ and ‘doing too much’ is a fine one to tread, especially in Paris, where the security field appears rather crowded – from National police officers to Paris municipal security officers through the agents in charge of the surveillance of social housing estates, not to mention social educators. For instance, several facilities managers have mentioned that they do not call the correspondants de nuit when there is a problem, either because it doesn’t occur to them, or because they feel that this role should be performed by other bodies, within a logic that may be stated as follows: ‘If it isn’t serious, I take care of it, and if it’s serious, I call in the police or the City security officers’.

Secondly, we know that these areas are beleaguered by significant generational, social or even ethnic divisions, and that, therefore, expectations towards public authorities differ greatly. This means that, even in areas where mediators are successful in establishing solid, peaceful day-to-day contact with disaffected young people on the streets, their work is not viewed favourably by some of the local residents who observe their actions and consider that mediators do not put enough distance between themselves and young people, leading to overfamiliarity. Their social proximity with parts of the public may in fact contribute to their structural professional uncertainty. In other words, remembering the distinctions made in the introduction, we might say they have difficulties in developing ‘bridging social capital’: rarely able to favour connections between generations or between cultural and ethnic groups, they don’t foster mutual understanding between groups of people with contradictory expectations. In fact, mediators stand on a tightrope, surrounded by territorial antagonisms that must be dealt with.

The third of these uncertainties pertains to the difficult task of mediation itself, which involves enforcing rules without resorting to coercion. It could be said that mediators exercise a rather fragile authority, being typically faced with only one
alternative: reprimanding, albeit unsuccessfully (e.g. when someone rides a scooter in a pedestrian area), or not reprimanding (e.g. by not asking someone to turn down loud music that is annoying residents) so as not to jeopardize good relationships that may have taken a great deal of effort to establish. This difficulty is even more pronounced in places affected by relatively long-standing antisocial behaviour problems (e.g. sports facilities, public gardens, social-housing areas plagued with a mistrust of public authorities). In extremely tense situations, intervening to enforce a rule is not an easy matter if one does not have the official authority to sanction antisocial or criminal behaviour. Mediators are faced with a cruel dilemma. On the one hand, being entrusted with more enforcement powers (for instance to give tickets) would consolidate their authority, potentially at the cost of being seen as agents of repression. On the other hand, the lack of any coercive powers leads to their being perceived as useless, powerless, and not respected by the public, which some of them often complain about.

The fourth issue is related to partnerships. As mentioned earlier, these actors are mainly intermediaries, producing information for other actors, establishing contacts between the public and social services, etc. A central issue is therefore their ability to integrate local partnerships (Terpstra, 2008). While some arrangements do exist and conflictual situations are few and far between, cooperation remains low and at least partly asymmetric, and relationships are largely based on avoidance. Typical information exchanges occur at a level of generality that cannot foster any collective strategy. The police never direct noise complaints toward night correspondents, who in turn very rarely inform the police of failed attempts at mediation. Such is the predicament facing these new players: having to cooperate with professions whose mandate is clearer and accreditation long established, mediators actually tend to work in their shadow (Demazière, 2004).


3.1. Definitions and Issue Framing

Private security boundaries have been blurred to the point that the field now potentially includes all policing activities, ranging from for-profit to private non-profit to purely volunteer policing. It also includes public/private hybrids, which might be labelled a ‘policing mix’. In their assessment of the private policing concept, Kempa, Carrier, Wood and Shearing (1999) reassess the discovery of the private sector in North America based on the studies of Farnell and Shearing (1977) and Spitzer and Scull (1977). These works are described as a shock for liberal thinkers, whose basic assumption is that government should take responsibility for public safety and security. In the liberal view, security should be equally distributed under government auspices and through public mechanisms. In the U.S., the initial research focused on formal private policing organizations, with men in uniform on
the payroll of private companies. This triggered a debate about which organizations should be categorized as providing policing.

Another approach of private security emerged a few years later. Reacting to the narrow definition of the early U.S. studies, Bayley and Shearing (1996) later expanded the concept of private policing so as to include all non-paid forms of crime prevention in the community, including vigilantism and public-private partnerships. In today’s terminology, the expanded definition of private policing would be labelled ‘plural policing’. De Waard (1999) unveiled and measured the importance of for-profit policing. Despite stark differences across E.U. countries, he observed a growth of the private security sector in Europe. While Europe is nowhere near the U.S. or South Africa in terms of its level of privatization, the fact that it is not immune to privatization is interesting since the E.U. is composed of firmly established, ancient nation-states, with large public forces centrally or locally organized (very often at sub-state level).

The expansion of for-profit security is noticeable in several domains in France, ranging from cash/valuables in transit services (armoured-car transport of cash for banks, art pieces for museums ...) to the securing of privately-used buildings or publicly-used facilities (airports, train stations, shopping malls, see above). While private guards are typically tasked with securing the entrance of premises, other forms of private or public-private mix initiatives take place at the local level, often called ‘mediation’ (see above) and under the auspices of City Hall or of public housing and mass transit agencies.

How does France in general – and the problem of order maintenance in the French public space in particular – figure in the discussion of ‘government vs. private entities in the design and distribution of security in society’? Is any ‘demonopolization’ of legitimate violence (Roché, 2002) taking place in France through privatization and pluralization? Privatization may be depicted as a collapse of our political organization under neoliberal attacks – and as such, denounced by academics (Nogala & Sack, 1999) –, but also as a pluralization of security providers (Crawford et al., 2005).

In France, the regulation of small disorders and petty crime is usually distributed under the auspices of local government or public service agencies by agents that do not belong to a well-established professions, such as the night watchers described above. In our examples, they contributed to pacifying public places, as opposed to imposing heavy-handed policing by the uniformed police. Although the scope of such mediation practices is not exactly known, case studies show that they can be found in many major French cities. The French case is therefore not one of pure privatization in the sense of non-government organizations assuming for-profit responsibility of public safety. Neither is it about professionals of security understood as police officers carrying out investigations or managing crowds. Rather, it is about the emergence of mediators or peacekeepers who might become full-blown policing professionals in the longer run, should that trend go uninterrupted. It is also about restructuring in-house security services so that agents reassure clients. Finally, vigilantism remains small-scale and episodic (even non-existent in the field research we conducted in Paris). The notion that communities, and therefore community members, should be strong and defend themselves is not common
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in France, where public authorities even have trouble mobilizing neighbours in neighbourhood watch schemes. Limited research suggests that the scope of vigilantism is limited in France and possibly in Southern Europe. While instances of vigilantism were punctually observed after large rioting events, they did not spread to other neighbourhoods or cities and did not last beyond a couple of months.

Notions of privatization and pluralization are difficult to define, in part because the meaning of these words tends to change over time. Nonetheless, our conceptualization for France seems to break apart from the U.S. literature published over the last decade. France does not experience tensions between central or local government and vigilant citizens or private firms, but rather:

a) a new division of labour between central and local government; local government increasing its influence and tending to redefine both how public order needs to be addressed (increased physical presence on the streets, conflict resolution, informing the public about risks), and the personnel who carry these new missions (mediators rather than police officers);

b) private companies tending to deliver ‘public services’ in mass private properties, with policies aimed at reassuring their clients.

The U.S. and Europe differ greatly in how plural policing is organized, and various countries in Europe also vary significantly, while western continental European countries seem to share a lot. However, at a higher level of generality and when it comes to political symbols and imagery, common ground does seem to exist between the U.S. and Europe (including France) as far as issue framing is concerned.

The U.S. debate about the meaning of privatization can be best illustrated by the discussion between Brian Forst and Peter Manning (1999). This debate occurred at two different levels: the symbolic and the service dimension. Forst, an economist, came in defence of efficacy/efficiency and accountability through competition and market forces. Peter Manning, a political scientist, advocated the uniqueness of the policing sector and the relationship between coercion and government. According to Forst, the key factor to decide which policing mix is best should be ‘value for money’ (what service for what cost?), whereas for Manning, the symbolism of (good) public police should prevail: only a public body can aim at justice and cohesiveness.

In France, the public debate also hinges on the ‘nature’ of ‘internal security’ and ‘policing’, albeit in a slightly different way. Such a symbolic approach does exist, and advocates of the public view claim that security should be enforced by the government in charge – as part of the so-called ‘regalian’ duties. Others, in the name of cost efficiency, push toward the development of private activities and proper regulation mechanisms at the national as well as the E.U. level – openly so

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5 The ‘voisin vigilant’ (alert neighbour) scheme was launched in 2006 in rural areas, and was supported by a directive in June 2011. No comprehensive evaluation of this scheme has been carried out. The head of its national association boasts membership of 2000 municipalities (probably small ones in rural France, out of a total of 36,000 in France) in the media (see http://www.bfmtv.com/societe/securete-voisins-vigilants-surveillent-quartier-605578.html).

6 ‘Régalien’ is a difficult to translate word that is associated with the rise of the central authority and powers of the King of France over local or regional warlords. The concept includes the right to exercise the sole legitimate violence through the means of the army, the judiciary and the police.
since the release of a White paper by the then French Minister of Interior Michèle Alliot-Marie, with a foreword by the President of the Republic, Nicolas Sarkozy (INHESJ, 2008), a trend that was to be pursued later by socialist Minister of Interior Manuel Valls, see for example his speech of November 20137.

3.2. The Theoretical and Practical Importance of the Distribution of Order Maintenance in the Public Space

After acknowledging apparent similarities (in the framing of the issue of privatization) and dissimilarities (in relation with the actual role of central government and the involvement of citizens) between countries, we need to focus on why a new model of policing is emerging in France.

Why are public police authorities not stepping up in reaction to the rise of private and semi-private forms of policing? The explanation is twofold. First, and obviously, the fiscal crisis has restricted government investments in public security, and the subsequent lack of manpower has forced the private sector to buy its own security to compensate for the shortcomings of the official police. This explanation is certainly valid, but only partially.

The other explanation is that both private guards in private spaces and mediators in public spaces offer new styles of public space regulation that strongly differ from police practices—a different policing style. Most private guards are unarmed, and mediators are never armed. They patrol mainly on foot. Their activity relies on contact and dialogue with the public. Use of force during their activity is almost absent. Mediators, as suggested by their job title, seek to establish a relationship with the public, by mobilising relational skills. The ethnic identity of agents may be one of the aspects of their recruitment and action, even though this is denied officially (Bonnet, 2014): they often belong to the same minority ethnic groups as the public they should regulate. All these aspects depart significantly from the characteristics of the French public police. In a nutshell, private guards or mediators are not merely a cheaper version of police officers: they are qualitatively and symbolically different, and they enforce a different type of security, more attuned to the needs and priorities of customers (Bonnet, 2006; 2008; Wakefield, 2003).

The emergence of these new jobs affects police forces as a profession. Mediators take on activities of street patrolling, daily contact with the public, and order maintenance, all of which could be performed by the police. As a result, police officers, who also have to fulfil bureaucratic and procedural duties, often end up filling out paperwork relative to operations carried out by others. Therefore, French pluralization contributes to opening up police forces as an organization: although coordination with mediators might be weak, these new jobs do contribute to making the production of security more diverse and imply that the police have to negotiate and exchange information with other actors. Another aspect is that it reinforces a

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tendency towards the bureaucratization of the police and tends to widen the gap with the citizenry.

How do these various actors coordinate their action on the field? Do they exchange information, define the limits of their respective roles in a more or less explicit manner? While conflicts do happen – police may criticise private guards for not disclosing information, mediators may criticize the police for not offering them support —, they seldom happen. While competition between these actors is limited, cooperation and shared strategies remain sporadic. While some networking procedures do exist (how and when to call the police, for instance) and some information does get exchanged (Parisian nightwatchers send daily reports to their partners, including the police), relationships remain weakly integrated. Police officers may sometimes be wary of private guards, whom they regard as not entirely trustworthy, especially when they are from a minority and perceived as too close to the population they have to police.

The regulation of public behaviours in mass private property and enforcement of order maintenance in public spaces by non-public police personnel should attract theoretical attention, and has done so to a certain extent. Two overlapping questions can be raised here: What are the theoretical implications of such a shift on the legitimation of state power? And how to explain such a rise in continental E.U. countries such as France, that do not lack a strong state backbone, as opposed to post-communist Russia or post-apartheid South Africa, where the private security boom finds an easy explanation?

What can be observed in France is not only a pluralization of policing in the sense that private companies perform a ‘public duty’ (a duty that used to be the monopoly of government agents, i.e. civil servants), but also a ‘de-police-ation’ process: work that used to be done by the police is being taken over by agents which are neither central nor local police and sometimes not police at all, such as the French mediators. They are non-police actors, working outside of police organizations (municipal or national), possibly under the joint management of mayors and public utility companies (public transportation, housing).

The theoretical reading of the expansion of non-public policing is therefore twofold: central government is pulling back, and police forces are not the only means for ensuring tranquillity at the local level. In the context of southern continental Europe, this is not a benign remark. In fact, in these particular national contexts, the largest policing forces are not local, but national by status, i.e. they are affiliated to the central government and the agents are statutory national civil servants who operate under national laws. While security is almost universally conceived of as a kind of social right to be distributed under government auspices and by public agents, crucially, in France its distribution is centrally designed and orchestrated, as opposed to locally organised in other nations, such as the U.S. or the U.K., where public policing forces are mainly local (municipal in the U.S., regional in the U.K.).

This aspect should fundamentally inform any interpretation of such frequently referred-to phenomena as ‘pluralization’ or the ‘multiplication of agencies’. Obviously, ‘a complex of interlaced systems of agencies’ can be observed everywhere (Kemp et al., 1999, 199). But expressing such principles in highly general terms and
contexts makes them unclear and uncertain in their application. What matters as much as the status of the organizations (public or private) are the auspices under which they work (public or private, local or national).

Taking into account the governance, missions, and staffing of local security mechanisms might shed light on these issues. First of all, if pluralization is defined by an increase in either the number of organizations that are assigned to producing security in a given place, or by the types of agencies in charge of delivering such a service, then France is definitely embarked on a pluralization process. However, the pluralization that is occurring in France when it comes to public spaces has a dual meaning that we mentioned above: it is both a pluralization in terms of the balance between central and local leadership under public auspices on the one hand, and a hybridization of penal and non-penal approaches (and therefore police and non-police personnel) on the other.

The rise of local leadership at the level of municipalities has been one of the striking trends since the early 1980s. It is backed up by the decentralization of a whole series of former central government prerogatives, such as public transportation, social benefits allowance, roads, primary and secondary education – even if policing is not among them. Mayors have highlighted the political importance of daily security (the deputy mayor is often in charge of this dossier), have become players in local prevention of crime along with the police and the courts (Douillet & Maillard, 2008), have strengthened their organizational capacities – revamping organizational charts; creating security directorates, prevention directorates, prevention and security directorates; increasing municipal police headcount and hiring other personnel in charge of public peace; mobilizing technology, often including CCTV (Roché, 2004) ... In addition, and importantly, mayors have shifted the border between policing and non-policing tasks for the purpose of order maintenance (see above the observed renewal of ‘policing styles’, if we may say so for non-police agents). This does not seem to be a ‘French’ approach, in the sense of an idiosyncratic way of dealing with urban disorders. Instead, it may be interpreted as the plural way in which European cities have dealt with petty urban disorders, mobilizing a vast array of both repressive and non-repressive resources.


Rather than explaining the rise of private security in terms of personnel or turnover8, we have focused on how the security of public places or quasi-public spaces is governed in France. We have done so because of the centrality of spaces open to public

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8 This can be categorized into six viable explanatory factors: (1) rising crime and related problems, (2) growth of mass private property, (3) economic rationalities, (4) government policy toward private sector participation, (5) an overburdened police force and (6) professionalization of private security, according to Van Steden, 2007, 35.
in political debates. Do our observations and analysis feed the interpretation that France is undergoing such related processes as demonopolization and pluralization?

While we do conclude on the existence of overall demonopolization and pluralization processes in France, we still believe a closer look is required. That pluralization is happening can be seen in the rapid growth of private companies that are assuming a new role by servicing new needs or taking over some police duties, although not in public places (streets, parks and the like) so far. These are times of fiscal restraint, which is likely to put more pressure on all form of governments in the short run, as has been the case in the recent past. However, demonopolization mainly impacts the central government, which ends up having to share with local authorities what was believed to be its prerogatives and responsibilities. Central demonopolization is accompanied by a reinforcement of local public authorities, in particular for managing the public spaces of large metropolitan areas. Therefore, the overall picture is more complex than a mere privatization shift from public to private, and includes a move from the central to the local level. In addition, local authorities tend to reinterpret local security in ‘non police-personnel only’ terms, making use of non-police personnel to undertake typical peacekeeping missions in public places. Pluralization happens at the organizational level (central and local governments) as well as in terms of means to an end (tranquillity). From this perspective, the French situation would be close to what Terpstra & al. (2013) call the ‘local government as the coordinator’: municipalities have reinforced their resources to regulate public spaces in a social and political context dominated by a growing concern for low-level physical and social disorders. To what extent an actor clearly playing a coordinator role will be established remains to be seen. In French localities, coexistence is often observed with a combination of central police personnel (a peculiarity of centralized policing systems), local police personnel, and local non-police personnel – the latter two reporting to the mayor. In the eyes of the national police, municipal officials do not enjoy sufficient legitimacy to act as ‘the’ coordinators.

On the whole, this gives a rather complicated image of the current pluralization of policing in France9. This conclusion tends to contend against the view, at least in France, of a neoliberal tide washing off the shores of the public design and provision of daily security, without acknowledging slow and major transformations in the provision of public security. The dynamics of Europeanization on the one hand and decentralization on the other are currently contributing to major reorganizations of the policing landscape in Europe. It is therefore no surprise that European conceptualizations come off as more complex than U.S. ones.

Bibliography


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9 See, for the case of Paris, where plural policing oscillates between monopoly, delegation, coordination, and joint action, Maillard and Zagrodzki (2015).


Plural Policing of Public Places in France


Abstract
This article increases the body of knowledge on the origins of plural policing in a continental setting, more specifically in Belgium. Compared to other European countries, Belgium occupies a unique position, which can be explained by its particular constitutional setting. While non-police public actors execute police surveillance tasks in the public space, private security companies have no more competences than any ordinary citizen. Today maintenance of social disorder in the public space presents itself as a municipal patchwork, delineated by municipal autonomy and by political choices against privatisation. In this article we formulate an answer to the central research question ‘How did plural policing processes in Belgium originate and what is the current situation?’ By means of a multiple case study with triangulation of methods, 27 years of security policy (1985-2012) are analysed. Contrasting with neo-liberal policies in the UK from the 1970s on, Belgian policy was shaped by the powerful presence of socio-democrats who occupied key ministry positions in the federal government, such as the minister of the Interior and the minister of Big Cities, throughout the entire time period. Political bargaining processes explain the ongoing investment in prevention and in ‘purple vests,’ and the choice to exclude private actors in the public space.

Keywords: police, public space, plural policing, incivilities

1. Introduction
Pluralisation tendencies in Western European countries can be embedded in a broader theoretical framework of historical evolutions in late modernity. Throughout most of the 20th century, security was seen as a core function of the state, both normatively and empirically (Shearing and Wood, 2003). During the last decades of the 20th century, however, highly formalized state control failed to answer the challenges of public order problems (Prins, Cachet, Ponsaers & Hughes, 2012), and politicians outsourced surveillance tasks to other, non-state actors (Loader, 2000; 2006; Jones & Newburn, 2006; Crawford, 2002). The rise of non-police public and private surveillance actors in the public space can be seen as the logical consequence
of late modern indices of change (Giddens, 1991, 1996; Bauman, 2000; Garland, 2001; Bayley & Shearing, 2001; Johnston & Shearing, 2003; Crawford, 2004; Boutelier, 2005, 2007; Hughes, 2007; Young, 2007). The previous 30 years are characterized by economic globalisation, a neo-liberal body of thought, individualisation, fragmentation, privatisation, market fundamentalism, the decline of the welfare state, increasing feelings of ontological insecurity (Giddens, 1996), and the exclusion of deprived groups from public spaces (Johnston & Shearing, 2003; Cachet, 2008; Crawford, 2006; Hughes, 2007). Global cities arose in which the social-economic status and the development became more determined by their role and position in the world economy than by their own local priorities (Barber, 2013).

As petty crime and disorder increased (Killias & Aebi, 2000), and public space became more scarce (Hope, 2005), citizens asked for a growing visible presence and number of uniformed police officers, viewing such as reassuring (Terpstra, Van Stokkom & Spreeuwers, 2013). The ‘quality of life’ discourse gained more interest, wherein citizens expressed their need to feel comfortable in public space and protected against dangerous people and signs of ‘moral breakdown, poor formal and informal social control, or other indicators of community fragmentation and moral decline’ (Mackenzie et al., 2010: 8). To restore the legitimacy gap between the citizen and the state, a strict ‘politics of behaviour’ was introduced in the UK (Field, 2003; Millie, 2009). The presence of wardens and surveillance agents became important in order to protect places that became easy targets for offenders (Crawford, Lister, Blackburn & Burnett, 2005; Felson and Clarke, 1998). This protection was often installed with the focus on commercial benefits and economic perspectives (Crawford, 2002). The theoretical perspective of plural policing as a consequence of economic motives, commercialisation, neo-liberal thinking, market fundamentalism and the scarce public domain is a common used framework in the United Kingdom. In this article, we will analyze if the same framework can be used for the Belgian case, based on empirical research.

2. Methodology: multiple case study

The case study was conducted to detect the broader social and political context of the period of 1985 through 2012 and the reasons for installing non-police actors to conduct surveillance tasks in public spaces. Belgium became independent in 1830. Nowadays Belgium counts 11 million inhabitants and 3 language regions (60% Flemish speaking, 40% French speaking, and a very little amount of German speaking). Since the state reform of 1970, Belgium has consisted of these 3 regions, 27 judicial districts, 11 provinces, and 589 municipalities. After the state reform of 1988 and the New Communal Law,¹ the municipal autonomy became even larger, and the local levels have played a vital role in security policy. The authority over administrative police functions has stayed in the hands of the minister of the

Interior, while the minister of Justice is in charge of judicial police tasks. The police force on the local level has a two-fold task: the administrative police keeps order and peace, and the judicial police (also present on a local level and financed partly by each mayor) has to execute tasks provided by the public prosecutor. Political consultation between the federal and the regional level is problematic, causing main problems for an integrated safety policy on the local level.

As the current situation in Belgium regarding police and non-police actors in the public domain has not yet been researched, a multiple case study design was set out to ‘reconstruct in a retro-active way’ (meaning going back in time to grasp political and societal processes that shaped 27 years of security policy) the origins of plural policing. This research method seemed suitable because, according to Aberbach & Rockman (2002), ‘In a case-study, the respondents are selected on the basis of what they might know to help the investigator fill in pieces of a puzzle or confirm the proper alignment of pieces already in place’ (p. 673). The case-study was conducted with triangulation of methods. We studied security policy by means of a total of 72 semi-structured interviews with policy experts (elite-interviews) (Aberbach & Rockman, 2002), consisting of face-to-face-based interviews of all of the ministers of the Interior, ministers of Justice, and the ministers of Big Cities who governed in this time period on (a total of 10), as well as of interviews with representatives of their cabinets, members of parliament, mayors, political advisors, public prosecutors, governors, police commissioners, civil servants and other experts. A recognition of the specificities of the constitutional-legal settlement of the Belgian state prompted the inclusion of an additional analysis of regional governmental policy. The regional governments — based on their own ideological political agendas — develop appropriate approaches to urban security problems, which sometimes oppose national politics. So policy makers and civil servants from the regional level were also included in the case study. Finally two nested cases were added in the research design, namely the cities of Antwerp (Flemish speaking) and of Liège (French speaking) in order to analyse the origins and consequences on plural policing in big cities. All of the interviews were completely transcribed, and some quotes will be used in this article. The presentation of the interview data is anonymous, and each respondent received a unique number, which will be presented beneath the quotes.

Secondly, an extensive document analysis was conducted. On the federal and regional levels, 432 documents (governmental policy plans, national security plans, acts and preparative documents for acts) were explored. In each city a local document analysis was conducted, taking into account political documents, local safety plans, expert documents, reports, and police statistics. The data about six topics were analysed. As the central research question was divided into six sub-questions, the analysis of the interviews was oriented towards these six sub-questions, each clustering a number of questions from the questionnaire. In this article, we do

2. The aim of the study was to understand the political context and security policy carried out over these 27 years, and not to analyse opinions of citizens on plural policing; so citizens were not included in this research.
not provide the findings of all of the sub-questions, but only of those that provide
information on the origins and the context of plural policing.

3. Findings

In Section 3, we present the findings of the case study. In the first two subsections
(Historical background and Origin), we respond to the first part of the research
question: ‘How did plural policing processes in Belgium originate?’ A third subsec-
tion (the current situation of plural policing in Belgium) provides a response to
the second part of the research question: ‘What is the current situation of plural
policing?’

3.1. Historical background

The historical background subsection provides the analysis of two sub-questions
of the questionnaire, namely (1) ‘What has been the political and societal context
in the period from 1985 onwards that shaped security policy?’ and (2) ‘What
were, according to you, the most important triggers for the policy of security in
the early 1990s?’ The historical background and context are crucial to answering
the research question ‘How did plural policing in Belgium originate?’ We cannot
separate the origins of the emergence of non-police wardens in public spaces
from broader social, political and economic context factors that could possibly
have influences on them. The data from the interviews were supplemented with
document analysis.

Many experts have pointed to the constitutional settlement of Belgium as a
federal country, leaving much opportunity for regional and local security policy
formulation as the most important context subject. Specifically, a former cabinet
officer of the Ministry of Interior said:

‘Local democracy is considered important for the maintenance of public order
in terms of public tranquillity, safety and health. Mayors are not appointed in
Belgium but locally elected, based on election results. Municipal authorities have
wide discretion to establish their own local public safety policy and can just adapt
federal regulations according to specific local needs as they please. The shift in the
balance of power from national to regional and municipal authorities, installed
by the federal constitution in 1988, gave the municipalities even more autonomy
to steer problems of security on the territory. Leaving only a few policy domains

3 For these sub-questions, documents were analysed, such as the government plans from all 4 suc-
cessive federal governments, as well as the Flemish and Walloon government, the Act of the State
Reform of 1988, the Communal Law of 1988 (and later adaptations), reports of the parliamentary
research commissions (Commission Wyninckx on Private Militia, 1980; on the Gang of Nivelles
and Organized Crime, 1988, on the Heysel Incident, 1989 and on Dutroux, 1996-1997), reports of
cabinet meetings, letters between ministers and other policy documents.

4 Numbers 2, 3, 5, 6, 9, 10, 11, 12, 14, 15, 16, 17, 20, 36, 38, 41, 56 and 70.
exclusively within the power of the federal government, namely the maintenance of public order (police) and law enforcement (justice), local mayors are personally considered the authority of the local police. Those competencies relating to social policy, more specifically education, employment, health, living conditions, culture, housing and spatial planning, etc., became the responsibility of the regional governments. This settlement established a tension between the federal government policies on law enforcement and regional government responses that privilege social policy responses to the perceived causes and prevention of these problems. Whilst federal and regional authorities retain responsibility for formulating these contrasting policy responses, security policy implementation is up to the municipal authorities, and this is not always an easy task'. (Number 14)

Federal and regional regulations come together in the nodal point of the municipality. Drawing upon a common distinction between ‘steering’ and ‘rowing’, regional authorities steer social policy responses to quality of life issues, federal authorities steer law enforcement and the maintenance of public order, whilst municipal authorities are obliged to row both the maintenance of public order and social policy approaches within the municipal territory. As budgets for security differ strongly in the Flemish- from in the French-speaking regions, these differences have consequences for tackling local crime and disorder. In Flanders, the extra funding from the Flemish government towards municipalities is significant, but in Wallonia the costs for crime prevention are being paid mainly from federal resources, as the region is not contributing. The mayors in both regions pay a flexible part of the local police personnel, and they can foresee extra community workers being needed to assist the police in control and surveillance tasks.

The minister of the Interior lost his grip on steering the cities as budgets for policy domains on the possible causes of crime were — with the State Reform of 1988 — allocated to the regions (New Communal Act 1988). Police remained a federal competence but were (with the three different police forces) too fragmented and dispersed to be easily managed on a federal level. The mayors disposed of their own police forces, the ‘municipal police,’ while the gendarmerie operated on a national territorial scale (Ponsaers, 2013), with competition and withholding criminal information (which came to be called ‘The Police War’ — ‘la Guerre des Flics’) as a consequence. All respondents mentioned the three central waves of incidents as key triggers for reforms in security policy. The first wave, in the early eighties, included the raid on supermarkets by the ‘Gang of Nivelles’ from 1982 to 1985, in which many innocent people were killed (Ponsaers & Dupont, 1988). The years 1984 and 1985 were marked by the terrorist attacks on banks by the ‘Cellules Communistes Combattantes’ (CCC). After the Heyzel Stadium
Disaster\(^5\) in which the police force was not able to stop violence and protect citizens, according to the respondents\(^6\), Belgium was ‘internationally known as the country of a failing police system.’ One explained as follows:

‘The Police War made cooperation between the three police forces impossible. Police failed to solve important international organised crime issues. No attention was paid to local petty crime and disorder offenses. In 1989 with the fall of the Berlin Wall, more migrants from different origins populated the cities, creating feelings of insecurity and fear. Brussels became the epicentre of migrants’ riots [Vorst and Saint Gillis], challenging police forces and using violence. The exodus out of the dangerous cities to green rural areas left the cities with slums, litter, and migration tensions, and led to a massive electoral shift towards the extreme right on Sunday 24, 1991 [Vlaams Blok]. This dark event in our Belgian democracy will always carry the name ‘Black Sunday’ [Zwarte Zondag]. Policy makers had to take security issues seriously, the shift to ‘Vlaams Blok’ was a serious warning’. (Number 68)

Being appreciated as a legitimacy problem, this electoral shift finally evoked political consciousness for problems of social disorder and petty crime in deprived neighbourhoods (van Limbergen, 1995). The last wave of incidents occurred in the mid-to late nineties with the 1996 arrest of Marc Dutroux, a paedophile who locked up children in basements and murdered them. His arrest was accompanied by a massive solidarity reaction to support the parents. The ‘White Balloon March’ (1996), in which 300,000 citizens marched the streets of Brussels, was a public statement against the incompetence of the police and justice system. In April 1998, Dutroux escaped during a transfer to consult his file in Neufchateau, leading the country to moral panic. Dutroux was captured in the Arden woods by an (unarmed) forest guard some hours after the escape, not by the police. Faith in the Belgium police force completely vanished. Some months later, all political parties suddenly agreed on the police reform -- a major reorganisation of the Belgian police -- which involved integrating the former three separate police services (gendarmerie, municipal police and judicial police) into one police system, which was structured at the federal and at the local level.\(^7\)

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5 The Heysel Stadium Disaster occurred on 29 May 1985 when escaping fans were pressed against a wall in this stadium before the start of the 1985 European Cup Final between Juventus of Italy and Liverpool of England. Thirty-nine people — mostly Juventus fans — died, and 600 were injured. Approximately one hour before the Juventus-Liverpool final was due to kick off, a large group of Liverpool fans breached a fence separating them from a ‘neutral area’ that contained mostly Juventus fans. They ran back on the terraces and away from the threat into a concrete retaining wall. Fans already seated near the wall were crushed, and eventually the wall collapsed. Many people climbed over to safety, but many others died or were badly injured. The game was played despite the disaster in order to prevent further violence.

6 Numbers 1, 4, 5, 6, 7, 9, 10, 12, 14, 16, 17, 18, 20, 36, 38, 41, 56, 70 and 71.

7 Law of 7 December 1998 on the integrated police on 2 levels, BS 5 January 5 1999.
Conclusion

The findings also revealed constitutional-legal settlements as incidents that shaped Belgian security policies. The period under study was very turbulent and characterised by incidents, mass manifestations, and a shift in political voting behaviour. These circumstances made socio-democrats alert to the fact that a visible policy had to be developed concerning the public’s feelings of insecurity.

3.2. Origins

In this subsection, the findings are disclosed on the origins of the policy changes, which have been placed in three different topics.

3.2.1. Persevered federal investment in prevention on a local level

The state reform in 1988 and the incidents mentioned before were two core elements in the introduction of non-police surveillance wardens in the cities. In particular, the electoral shift to the extreme right led to the political awareness that ‘something had to be done’ to reform the cities in regard to feelings of well-being and social cohesion. From 1988 through 1999 the ministers of the Interior were all social-democrats (socialists), for four governmental periods in a row. This fact created the possibility of developing a long-term security policy, with a continued investment in prevention. Based on sociological insights prepared in the socialist think-tank SEVI (De Witte, 1988), social-democrats reacted to the police and justice malaise with a preventative turn. In June 1992 the federal government approved the policy document L. Tobback (Minister of the Interior) proposed, which document was called ‘Security of the Citizen, Police and Security.’ One of the main projects was a massive funding for crime prevention8 (Glorie, 1997; Willekens, 2008). Because the minister of the Interior had no formal competences on steering municipalities, L. Tobback invented ‘prevention contracts’ as an instrument to steer cities from a distance. One of our expert witnesses, a civil servant of the Flemish region, spoke on this saying:

‘It is the socio-democratic ministers of the Interior that have set attention on frequent disturbing and undermining forms of petty crime and disorder that led, when not addressed, people to vote for the extreme right. They realized that the problems they would like to solve in the cities, like vandalism, theft, drugs, alcohol abuse and violence, could not be solved because it was not their competence, but that of the minister of Justice. They could not get a grip on the Minister of Justice and make him act. At the same time, they feared extreme right voting behaviour as a subversive danger to democracy. So they made ‘pacts’ with cities, because

8 Directive of the Minister of the Interior of 12 November 1990 to the mayors on the prevention of crime and Directive of the Minister of the Interior of 30 November 1990 to the mayors on the security and prevention contracts.
they could use them to solve these disturbing urban crime problems. Why are socio-democrats so strongly involved with local municipal policy, and why do they invest so much in cities? Because they have more grip there than on the Minister of Justice to solve problems, and because they believed, and this is debatable, that a mayor had to prove himself. All mayors of the five big cities in Belgium were socio-democratic, and the Minister of the Interior wanted to strengthen his own political party by supporting them. (Number 55)

Prevention contracts were signed between the minister of Interior and the five largest cities in Belgium. In order to receive funding, the Minister of the Interior financed ‘prevention workers’ in the cities, introducing unemployed, low-skilled citizens in ‘prevention units,’ executing ‘starting’ jobs like football coaches, stewards, city coaches, park guards, parking lot guards, and prevention officers for the cities. As most of these workers were housed within police offices, some were staff of the local authority. Starting with an investment in prevention of a global amount of 123 million euro in 1998, the marks left by these social-democratic policy have fundamentally remained until the present day, with an ongoing investment in these prevention contracts. In the year 2000, the Minister of Big Cities (a socio-democrat) followed his colleague at the Interior and invested in the five big cities (prevention and social cohesion projects).

In 2004 the concepts of ‘integral policy’ and ‘integrated security’ arose, obligating different actors at the local level to cooperate. An extra subsidy within the contracts in 2006 led to a massive increase of non-police public surveillance officers in the streets. Confidential letters between the Ministers of the Interior and of Big Cities indicate that the positioning of citizens as guards in public spaces — an important part of the prevention contracts — was the essence of what became the ‘Incivility Act’ of 1999. The main goal of this act was to increase the visibility of wardens in public spaces, on the one hand, and to counteract the impunity for offences against municipal ordinances because of a non-functioning justice system, on the other.

One of our French-speaking experts of the Walloon government said:

‘I am sure that the social-democratic Ministers of the Interior (principally L. Tobback) but also J. Vande Lanotte have tried in a second phase to develop a social preventive policy where they were, to be honest, no longer the authority. These competences went to the regions. Anyway, they took this domain back in their social policy. They thought this was not an ‘exceeding competences’ issue but

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9 These are Antwerp and Ghent (Flemish speaking), Charleroi and Liège (French speaking) and Brussels (mix of both languages).
10 Act of July 17th 2000 on the requirements municipal authorities have to fulfill in order to get financial support by means of contracts with the Ministry of Big Cities, BS 04-08-2000.
simply a ‘social-democratic’ policy, the core matter of their party’s political agenda. But these competences were transferred to the regions, and afterward, the state reform welfare policy boomed in Flanders, not in Wallonia, because of a lack of money’. (Number 12)

The document analysis shows indeed that Flanders invested in the Flemish cities by means of the ‘Social Impulse Funding,’ contracting cities to execute a social policy of city renovation and social cohesion projects, in exchange for Flemish funding.13 In Wallonia,14 this incentive for cities (contracts in exchange of funding) was only installed in 2003.

By the end of the nineties, most of the municipalities had a team of prevention workers -- the first non-police wardens in Belgium -- executing tasks of surveillance and control in the public sphere. They were called the mayors’ ‘ears and the eyes’ and were additional supports for mayors, financed by the federal government, and served both in the Flemish and in the French speaking parts of the country (Devroe, 2008). Mayors could use these non-police surveillance officers as they wanted because of their municipal autonomy. These officers only had a small degree of accountability duties towards the federal government, such as handing over an annual activity report to the Ministry of the Interior. In Flanders, because of the extra investment by the ‘Social Impulse Funding,’ more professions15 were present in the public sphere.

3.2.2. Police reform (1998)

Secondly the respondents16 mentioned the prominent role the police reform of 1998 played in the expansion of non-police surveillance officers in the streets. The Police Reform Act integrated the municipal police, the gendarmerie and the judicial police into one integrated force, with, on the local level, a blend of the former municipality police and the gendarmerie. The system of this integrated police consists of two levels, federal and local, in which both forces have to cooperate in order to assure integrated policing. The main model in Belgium is the community-oriented police model, which requires one police community officer per 4,000 residents. One of the Mayors commented on this issue:

‘This new police apparatus should act closer to the citizen, integrate the community-oriented police model and function in a multi-agency approach. Police patrolling

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13 Decree of the Flemish government of 14 May 1996 on establishment and regulation of the functioning and distribution of the ‘Social Impulse Funding’ (Sociaal Impulsfonds), BS 1 June 1996. Model agreement with cities, Decree 14 May 1996.


15 In order to improve the infrastructure in cities, a special point of interest to the Flemish Minister of Cities, many workers were occupied in the Flemish cities with the execution of construction of housing projects, parks and traffic mobility plans.

16 Numbers 1, 2, 4, 5, 8, 19, 23, 24, 25 and 26.
the streets became—as after the reform police agents’ salaries increased—a very expensive police task. While the most striking demand of the citizen during the White Balloon March was to have ‘more blue in the streets,’ only 10% of the police capacity was visible in the public space at that time. Being completely focused on their core-tasks, and occupied with organisational issues, police left the maintenance of order and peace on the streets, in these starting years, to other municipal actors, such as these prevention wardens. They found control and surveillance not their core tasks anymore, although they had performed these tasks for years. After the reform, every officer was so keen to become a crime fighter, and neighbourhood policing and street patrolling were tasks of minor importance, according to the police. (Number 13)

This situation led to alternative solutions, leaving the control of semi-public space (shopping malls, football stadiums, etc.) to private organisations. Enterprises outsourced surveillance tasks to the private sector, as police would no longer provide it. Although the reform left the mayor without his own police force, the local police in Belgium is still 60% financed by the municipality, leaving the mayor the possibility to steer his own security policy. This blend of the new local police remains mainly (60%) financed by the mayor, offering steering opportunities to install his or her own local security corps. The evaluation of this reform ten years later indicated the need for supplementary non-police security providers (Bruggeman, Devroe & Easton, 2010).

3.2.3. Tackling disorderly behaviour: Municipal administrative sanctions Act (MAS) (1999)

In order to avoid privatisation, the federal government provided an extra incentive to recruit non-police surveillance officers in the public state. Citizens complained about impunity of incivilities in the community not being dealt with by police and public prosecution. Only one year after the police reform, the Incivility Act (Municipal Administrative Sanctions Act: MAS) 1999 was passed in parliament. The social-democrats of the Interior, working closely together with the social-democratic Minister of Big Cities, formed an alliance against the deterioration and disintegration of the cities.

This act broadened the communal competence to tackle incivilities and left the mayors with sanctioning possibilities for offences against police ordinances (the gaining of the fines going to the community). In fact, one of the main objectives for the MAS Act was to give the mayors back their own ‘light-blue’ personnel, leaving police officers with their core business -- investigation. The public space was left to the community guards and to the community guard-recorders as foreseen in this act in 1999. Strongly believing in the autonomy of the municipalities and in the tailormade policing, the social democratic majority handed the tools to determine, report and sanction local offences over to the local authorities. As the elections in 1999 made an end to the social-democratic majority, and formed a ‘purple’ government where liberals came in (‘red’ representing social democrats and ‘blue,’ liberals) (De Ruyver, 2008); this act was the concluding statement of the social-democrats after
ten years of politics of prevention. If prevention was no longer working, sanctioning could complete the security policy. With the enlargement of formal powers came the enlargement in professions that could determine offences and report them to the administrative civil servants who defined the sanction. As the amendments of the MAS-Act have consequences for the growth of non-police surveillance officers, we summarise in Scheme 1.

Scheme 1: Origin of non-police surveillance officers

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<td>First wardens and city coaches in prevention contracts with cities (goals of social employment)</td>
<td>Sanctions for incivilities becomes competence of Mayor Determination and reporting of incivilities only done by public police</td>
<td>First amendment (broadening the group of non-police surveillance officers to ‘community guards’ and broadening the determination and report of incivility offences to ‘community guards-reporters’)</td>
<td>Second amendment fines for minors &amp; mediation included Broadening the category of determination and reporting to private officers engaged by the municipality</td>
<td>Act on community guards and community guard-recorders (regulating licence, training and core tasks and competences)</td>
<td>Act on possible integration of community guards within police force lowering the age of minors that could get fines</td>
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The act on the ‘Municipal Administrative Sanctions’ led to installing two extra categories of non-police public providers of policing in the public space. The first MAS Act (1999) left determination and reporting of incivilities exclusively to police officers. In 2004 (the first amendment to the MAS), this task was broadened to include community guards and community guard-recorders.

3.3. The current situation on plural policing

In this sub-section we provide an answer to the second part of the research question: ‘What is the current situation of plural policing?’

3.3.1. Community guards in public space

In addition to adding the prevention workers (like city coaches, line spotters, park wardens, street corner workers, etc.) who had been patrolling public spaces since
1992, ‘community guards’\textsuperscript{17} were also installed by the MAS-Act,\textsuperscript{18} joining this municipal swarm. MAS officers do not include private surveillance companies, but only public personnel such as swimming pool supervisors, library supervisors, neighbourhood watchers, park wardens, and public transport supervisors. They can only operate in public space,\textsuperscript{19} leaving the semi-public space (shopping malls, stadia, etc.) to the private security officers. The main tasks of the community guards are patrolling and surveillance, promoting citizens’ feelings of insecurity, and preventing public disorder and crime. In executing these tasks, they have no special powers at their disposal. Community guard-recorders consist of enforcement officers who are entitled to record a violation of municipal regulations and ordinances that are included in the category of ‘strictly municipal infringements’ (minor offences)\textsuperscript{20} in an administrative report that was to be sent to the municipal administration (the sanctioning officer), who is entitled to apply a sanction (a fine) or to propose a mediation.\textsuperscript{21} Due to legitimacy reasons, the community guard-recorders and the sanctioning officer can never be the same person.

Document analysis showed that recruiting these low-skilled community guards was the result of an employment plan to create jobs for the long-term unemployed. The requirements for these groups were minimal;\textsuperscript{22} community guards needed a diploma of primary school; community guard-recorders of high school. On the street, citizens were faced with a scattered, non-transparent, fragmented multitude of non-police surveillance officers, and they did not know who was qualified for what.

Data on the number of municipal wardens present in Belgium could not be found. Because these wardens are engaged at a municipal level, no statistics are collected on the federal nor on the regional level. One of the respondents (Head of the Integral Security Department for the Minister of the Interior) stated that in 2009, Belgium had 3,300 community guards (including the community guard-recorders).\textsuperscript{23} Their number drastically decreased in 2010 to only 1,814, of which 1,183 were financed and installed by the Ministry of the Interior.\textsuperscript{24} In order to streamline this diversity

\textsuperscript{17} The Flemish nomination is ‘community guards’ (\textit{gemeenschapswachten}), while the nomination in Wallonia is ‘peace keepers’ (\textit{guardiens de la paix}), which has another connotation.

\textsuperscript{18} New Municipal Act, 1999: Procedure for the non-police surveillance wardens (community guards) and sanctioning officials.

\textsuperscript{19} The 4th article of the Community Guards Act (2007), and the Circular ‘PREV 32’ (2010).

\textsuperscript{20} Article 119bis of the New Municipal Act, 1999.


\textsuperscript{22} Note to the Council of Ministers of 9 November 2004 concerning the regulation of the minimal conditions municipal officials have to fulfil, as determined in art. 119bis, second part, 1° of the New Municipal Act, as proposed by P. Dewael, Minister of Interior, and C. Dupont, Minister of Policy for Metropolises.

\textsuperscript{23} Reading of Jerome Glorie, conference ‘License to think’, Centre for Police Studies, 5 February 2009.

\textsuperscript{24} Ministerial regulation of December 29, 2010 on the allocation for the period of January 1, 2011 till June 30th 2011 of financial support in regard to the realization of a 90 FTE dispositive in cities and municipalities contracted with the state by means of a strategic security and prevention plan, BS 31 January 2011.
of surveillance officers, the ‘Act on Community Guards’ was installed in 2007,\textsuperscript{25} which obligated prevention workers (working under security contracts) as well as community guards recruited within the MAS-Act, to operate under the same flag as the community guards. According to the ‘purple’ government, which came to an end in 2007, all professions had to wear the same ‘purple’ vest (no civilian clothes anymore) and a standard, recognizable insignia or emblem on it, visible to the citizens. The law created a statute with uniform regulations for all of these 200 types of surveillance officers. Under big pressure of the private surveillance companies, who claimed surveillance competences in the public sphere, politicians began to construct stricter criteria for these ‘purple’ vests. The private sector’s position was that these private companies are very strictly controlled by the minister, require training and recognition of professional qualifications and service cards, while the non-police public surveillance officers need no requirements at all to act in the public space. Community guard recorders have to wear a bracelet with the term ‘recorder’ (\textit{vaststeller}) on the right sleeve of their uniforms. Legislation on training conditions was installed ten years after the basic MAS-Act (2009). Courses had to be held in an accredited police school (90 hours) with content such as their duties and rights, communication, incivility legislation, conflict management, police functioning, reporting and first aid.\textsuperscript{26} The police and municipal guards are legally obligated to cooperate, but police are not permitted to supervise municipal guards. Interviews in Wallonia illustrated that community guards are often located within police buildings, working under police supervision, although such is not legally allowed. The police chief of a big city told us:

‘We like to supervise the community guards because they can learn from us. Here in Wallonia, the police are very Canadian-oriented towards community policing. We do not give citizens fines. In this region, people simply do not have the money to pay fines for uncivil behaviour. Sometimes, when we see drunken people in the streets, we take their beer can and pour it out. When you pass groups of alcoholics 4 or 5 times and you always pour out their drinks, they will not buy new drinks anymore. Fines do not help for these kind of problems. Sometimes we check identities on busses, together with the police inspectors of the busses, who are public police officers. We do not want peace keepers to do control and arrests. They can, under supervision of the police, only signal problems of infrastructure, of quarrels and of other social disorder to the police and the mayor. That’s all. We know the federal MAS legislation is not set up like this, but this is Walloon practice, and we think it works best this way. On top of this, we installed in our city a specific team of ‘public peace officers’ (\textit{paix publique}). These are 70 police officers patrolling in the streets of the centre on foot 24/7. They wear orange luminescent vests, they

\textsuperscript{25} Law of 15 May 2007 concerning the implementation of the function of community guard, the service for community guards and the adaptation of art. 119bis of the New Municipal Act, \textit{BS} 29 June 2007.

\textsuperscript{26} Royal Decree of 15 May 2009 concerning the regulation of the training conditions community guards have to fulfil and also the modalities for the designation of training centres and the recognition of training programmes, \textit{BS} 12 June 2009.
can register wrongly parked cars, and they can tackle public drunkenness, and some twenty other competences. They are outside on the streets, and the private security officers are inside in the shopping malls. These ‘orange’ vests keep contact with the private guards. For the latter, the streets in the city centre are strictly forbidden’. (Number 62)

Community guard-recorders have no coercive competences (they cannot use force, cannot wear arms, nor use pepper spray, nor handcuffs). In fact they have the same competences as any other citizen but they are entitled to ask for an identity card.27 Mixed patrols of public police and community guards are not allowed, although the nested case of Liège exposed this to be a common practice. The new MAS-Act28 (2013) tries to remedy these practices by explicitly specifying that the management of these guards, the control and coordination of their tasks, is clearly stipulated to be the sole responsibility of the municipal government (and not the police). This new MAS-Act stipulates that each municipality recruiting community guards needs to set up a special ‘community guards team’, with a community guard manager, who is not a police officer, in charge. Also training became stricter, and possessing an identification card became mandatory. The case-study pointed out that Wallonia differs a great deal from the Flemish practice. In Wallonia only a few community guard-recorders are engaged, leaving this job to the public police. The findings showed an extensive difference between political values and opinions on security and crime prevention in both regions, creating pronounced implementation differences in the two nested cases. A more government-centred ideology dominates in Wallonia, whose administration believes strongly in non-intervention (and in the strength of each citizen to supply his or her own security), and stipulate that police intervention is an ‘ultimum remedium,’ and that policing should only be done by the police. As detecting differences between different cities was not the aim of this article, we do not go further into this issue.

3.3.3. Private security guards

Before presenting the Belgian case, we display some international data on privatisation. In many countries privatisation of surveillance tasks has become a lucrative business (Hope, 2000; Bayley and Shearing, 1996; 2001). In the UK, the private/public ratio is 2/5, meaning that for every public police officer 2.25 officers are working within the private sector. The ratio in the Netherlands is 0/50 (Coess, 2011). Research revealed that municipalities employ more and more private security officers for surveillance tasks in the public space (van Steden, 2007; van Steden & Sarre, 2007). In Belgium the police ratio is 1 public police officer for every 1,266 inhabitants, one private security officers for every 1,703 inhabitants (Coess, 2011:

27 They can politely ask for a passport but have to give it back immediately. If the offender refuses, they have no use of force to keep him or her, and only can call the police to perform the arrest.

28 Law of 23 June 2013 concerning the Municipal Administrative Sanctions, BS 1 July 2013, was implemented on 1 January 2014.
In 2011 Belgium calculated 220 licensed private surveillance companies and 15,411 private security officers (Coess, 2011). The document analysis showed that the requirements, tasks, uniform and education of private security in Belgium were regulated by the ‘Belgian Act on the Regulation of Private Security’ (1990) (called the ‘Tobback-Act’). All private security companies must have a licence; private security officers while on duty must carry an identification card granted by the minister of the Interior. In the year 2011, 10,815 new licenses for private security officers were delivered by the minister of the Interior. Private security officers must be at least 18 years old, be a resident of a member state of the EU, not have a criminal record, have followed the minimal level of training of 132 hours of lessons, and not have been employed by the public police during the previous five years. Private security officers have to wear uniforms at all times when in public spaces. This uniform must not resemble the police uniform and must display an established insignia. Supervision of private security officers is the responsibility of the Ministry of the Interior. Individual citizens can complain about the actions of private security guards.

Furthermore, it must be clearly stated that private guards are working in any given privately owned area, indicating this fact by a kind of traffic sign that announces the presence of private security officers. The regulation in the MAS-Act of 2004 for this profession goes hand in hand with an adjustment in the original act on private security. In Belgium, surveillance of persons in the public space by private security officers is not allowed. Surveillance is only permitted in the public sphere in regard to the surveillance of public goods. Private guards can report sacks being left in the streets, damage to plants in public parks, covered street numbers or street signs, campers illegally parked, graffiti, etc. The findings show that even after the
MAS-Act in 2004, the role of private security officers in the public domain has been kept very limited. Many respondents referred to ‘political ideological principles.’ Of course the private sector itself seeks for broadening their competences, seeing such as ‘the third way’, as one of our experts said:

‘When we included the ‘public spaces’ in the security debate, the act on private policing from 1990 was adapted [in 2004]. Private officers could register violations on goods in public spaces. When you have to put out your garbage only at 23.00 p.m., and you do it at 18.00 p.m., the private guard can take notes. But that is the only competence he has on the public domain, so it still stays very limited in comparison with the Netherlands or the UK. We notice a small expansion of their competences to registering wrongfully parked cars, jobs that became too expensive for public police officers to execute. The private sector looked at the emergence of community guards with much suspicion: Why can they and can’t we? They tried to lobby with the government to take all these purple vests in and provide training for them, a uniform and a good statute, in order to stimulate the offer of private security and to influence the governmental demand. It is all about economics, about ‘demand and offer’ and the balance between those two, and about making a profit. But the Belgian socio-democratic Ministers of the Interior still assume providing surveillance and security to be a core business of the state, and not of private actors’. (Number 3)

Private security officers do not have the authority to ask citizens to see their identification cards, and certainly not to conduct administrative arrests. Surveillance of people in regard to private security officers’ maintaining security can only be executed indoors (ex. movie theatres, disco halls, and shopping malls), and not outdoors. Since 2004, municipalities can hire private security officers to patrol events (concerts, sport events, recreation parks). If they witness an offence, private security officers have to report these immediately to public police officers, and they cannot, as any other citizen, undertake any action on their own. The use of force or violence (even to resisting citizens by entrance controls in football stadia) and of air-pressure guns are absolutely forbidden. The ban of carrying weapons was confirmed once again by the liberal Minister Turtelboom (VLD) in the Royal Decree of 15 March 2011 concerning the regulation of specific methods of surveillance (BS 2 April 2011) and the ministerial circular SPV05 concerning the surveillance during leisure time (BS 1 March 2011). Only private security officers in public transport can use pepper spray and handcuffs, and then only in cases of absolute urgency – if no less intrusive methods are available and if needed for self-defence.

Conclusion

The findings indicate an overwhelming consensus that surveillance and enforcement tasks in the public space should only be performed by state institutions.

36 Art. 1 par. 1, second part, included by art. 3, 3° Law of May 7th 2004.
Given this consensus, a public debate about the use of private security in public places never emerged. Even as private security companies are eager to take over the tasks of community guards, with and without formal powers, tackling disorderly conduct in the public space cannot, according to most respondents, be done by private security officers at all. The debate about the role of private security officers in public police tasks is an ongoing story with highlights of political attention when liberal ministers of the Interior are in charge. In the reconstruction we made, we noticed that when Minister Dewael (liberal) came to be in charge of the Interior in 2003, many policy documents were elaborated on the handing over of tasks of public police to private security companies. As Minister of Justice Onkelinx (socio-democratic party) occupied the post, these discussions did not lead to legislation. As 27 years of security policy was shaped by social-democrats (cooperating over linguistic borders), a continuous political balance in favour of prevention and of resistance towards privatisation was upheld.

4. Conclusion

The results of the Belgian case study revealed former hidden and non-transparent political processes that shaped plural policing. The results demonstrated that the plurality of policing processes resulted in an unplanned, fragmented process rather than achieving the intended result of agreed policy formulation. In response to the first part of the research question, the respondents enumerated two main contextual factors that shaped the security policy of installing non-police city wardens. These are the specific constitutional-legal settlement of the Belgian state and various scandals and incidents leading to police and justice legitimacy issues, leaving the citizen with great feelings of insecurity. We analysed these two main contextual factors in the section on the historical background. Secondly, we searched for the origin of plural policing. All 72 expert agreed that plural policing processes were a side-effect of the investment in prevention rather than the result of a weighed, common governmental policy statement. With initiatives of prevention aiming at the installation of a global social policy, the Belgian research findings do not match the British theoretical neo-liberal and economic explanation on the origins of plural policing.

In answer to the first research question seeking for key issues and political choices that led to the presence of non-police wardens in ‘purple vests’ on the streets, the results can be divided into three important causes.

First of all, the long-term social-democratic prevention policy of the ministers of Interior (especially introduced by the Flemish socialist Minister L. Tobback), and the continuous investment in creating jobs for low-skilled citizens, was the immediate cause for the presence of non-police prevention officers in the cities. Contracts between the minister of Interior and mayors of big cities were negotiated,

37 Numbers 1, 2, 4, 5, 6, 9, 10, 11, 17, 20, 21, 34, 36, 54, 55, 56, 68, 69 and 70.
promoting prevention. First in order, the new prevention workers were installed within police forces, and then later they were included within the civil servants municipal personnel, which were funded by the municipal authorities.

Secondly, legitimation issues and the results of parliamentary commissions after incidents led to the voting in Parliament of the Police Reform Act. This act sharpened the need for low-paid and low-skilled, extra personnel to executive jobs of control and surveillance in the public space. The new police had become too expensive and were keen on focussing on the core business of tackling crime and investigation tasks.

Thirdly, the legal enlargement of the autonomy of each city council not only to identify but also to sanction acts of incivilities in their municipality led to the engagement of community guards and community guard recorders in the streets. These last recruitments joined the existing group of non-police surveillance officers in the cities. Last but not least, it is surprising that Belgium remains one of the only countries not giving in to international private policing tendencies, leaving private security officers a very limited role in public space. In our analysis, the explanation for that fact lies in the continuous socio-democratic dominance in the government during the reconstructed time period.

In the last section we answered the second part of the research question: ‘What is the current situation?’ We also discussed the installation of community guards and their different practice in Flanders and in Wallonia as the private security actors. It would be very interesting to broaden, in further research, the time period. As over the whole research period of 27 years, the coalition included the socio-democrats who shaped security policy in the direction we analysed. In 2014, for the first time, this party no longer has a presence in the government; the latest Belgian elections changed the former steady political coalition. On 1 October 2014, the classic ‘tripepartite’ and the ‘purple’ coalition changed to a liberal-right government. The first minister, Charles Michel, is a French-speaking liberal, and Minister of Justice Koen Geens is a Flemish speaking Catholic. Jan Jambon, a member of the new party the ‘New Flemish Alliance (N-VA),’ is Minister of Security, Interior, Big Cities and Vice-first Minister. In further research, it could be very interesting to study changes in political choices on security policy. Will Belgium, having a liberal political landscape, now follow privatisation trends and thus approach UK’s privatisation tendencies? What will the future role on the police in the public sphere be? Another important area of study lies in citizens perceptions on plural policing (public and or private) processes in Belgium, especially as such studies have never before been conducted on a large scale. Citizens’ appreciation has (White Balloon March, Black Sunday, etc.) led to government investments in security and a mayor police reform, and this can happen again if dissatisfaction and legitimacy issues arise again.

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38 From 1985 on, Belgium has known central-left governments (social-democrats, Catholics and liberals governing together). The last federal elections (May 25, 2014) led to a completely different coalition, namely a ‘central right’ one (Flemish Nationalists: NVA; liberals: VLD and Catholics: CDV; without social-democrats in the government.)
Bibliography


Plural Policing in Comparative Perspective

Four Models of Regulation

ABSTRACT

In this article the main findings and conclusions are presented of an international comparative study on the pluralization of policing in five countries (England and Wales, Canada, Belgium, Austria, and the Netherlands). We focus on the question: what are the main differences and similarities in plural policing between these countries, and how can these be understood? In answering this question much attention is given to the position of non-police providers of policing (employed by municipalities or security companies) in relation to the regular police. To understand the peculiarities of this pluralization we paid attention to legal, historical, cultural and political aspects, to the organization of the regular police and the position of private security. This study shows that the pluralization of policing has not been the result of some goal-intended governmental policy, but more an incremental process or the effect of an accumulation of unintended consequences. In the last section we present four models of regulation of plural policing that may be relevant to imagining potential future policy developments.

Keywords: plural policing, comparative studies, private security, public good, regulation

1. Introduction

Since the 1990s the concept of plural policing has acquired a central position in the study of police, crime and control. It is increasingly recognized that the regular police lost their position as the sole organization (in reality or as perceived) that is
responsible for policing, i.e. for organized activities of order-maintenance, peacekeeping, rule enforcement, crime investigation, among others (see for instance Crawford, 2008; Crawford et al., 2005; Jones & Newburn, 2006a; Loader, 2000). Other agencies, both public and private, are now doing tasks that until quite recently were considered to be the task of the police alone, like patrolling public places and the enforcement of public order. In addition to the regular public police there are now all kinds of (non-police) guards, patrollers, wardens and officers working in the public space, under the eyes of the general public. What has arisen in a period of only two decades is a complex of bodies and agencies for guarding, surveillance and enforcement tasks, both in the public and the semi-public domain. This change was not only analysed as the rise of plural policing, but also as an increased disconnection of police and policing, or as the establishment of a ‘police extended family’ (Johnston, 2003).

Especially in Anglo-Saxon literature there is sometimes an inclination to perceive the pluralization of the police as a more or less universal trend, suggesting not only that this process is going on worldwide, but also that in different jurisdictions plural policing is more or less the same. For that reason in this paper we deal with an international comparison of plural policing in five different countries. Such an approach may also shed new light on factors and circumstances that may contribute to this pluralization and that may be overlooked in studies that focus on one country only (Jones & Newburn, 2006a). The rise of non-police providers of policing and the de-monopolization of the police may raise comparable questions and problems. It may be relevant to know what strategies are being used in different countries to cope with these problems.

Most studies about plural policing deal with Anglo-Saxon countries, especially England and Wales, Canada, the U.S.A. and Australia. With the exception of the study by Jones and Newburn (2006a) and the recent study by Donnelly (2013), there is little empirical information about this issue. It is often not clear whether these analyses of plural policing are also relevant to for example continental European jurisdictions.

In this article the main findings and conclusions are presented of an international comparative study on the pluralization of policing in two Anglo-Saxon countries and three continental European countries. We presume that the latter countries were less strongly under the influence of neo-liberal views that stress the importance of rolling back the state and creating more room for the market. This might have consequences for the extent and nature of the pluralization of policing. We focus on the question: what are the main differences and similarities in plural policing between these five countries, and how can these be understood? In answering this question much attention is given to the position of non-police providers of policing (employed by municipalities or security companies) in relation to the regular police. To understand the peculiarities of this pluralization in each country and the similarities and differences in plural policing between the countries we paid

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1 For a discussion about the issues of a neoliberal rolling back of the state see Crawford (2006b) and Reiner (2010).
attention to constitutional, legal, historical, cultural and political aspects, to the organization of the regular police and the position of private security.

For several reasons it may be important to do international comparative research on the pluralisation of policing. First, it is important to get a better view of the differences in this process. Apparently, similar developments may have drastically different meanings in other social and cultural contexts. Secondly, comparative studies may produce information about relevant backgrounds of this pluralisation process that may be overlooked in studies that focus on one country only (Jones & Newburn, 2006a). Finally, these studies may create opportunities to learn from experience in other jurisdictions. This study offers mainly empirical findings and comparative assessments. We will not explicitly deal with theoretical questions about plural policing.

This paper is based upon a study conducted in five different countries: England and Wales, Canada, Belgium, Austria, and the Netherlands (Terpstra et al., 2013). These countries were selected on the basis of four criteria. First, each country should have a minimum level of plural policing. Secondly, the study will yield more information and insights if it deals with countries that have significant differences in plural policing. We therefore decided to select one non-European country where private security guards are working in public space, and a continental European country where traditional notions about the central position of the state are still dominating. Thirdly, considerable differences in social, political and economic context would make comparison between jurisdictions difficult or even almost senseless. For this reason, countries like South Africa and Brazil have not been considered, even though both have a large private security industry. Finally, only countries were selected where we had the skills to interview and read documents in the native language so that we would not need to translate documents and use interpreters.

In accordance with these criteria, Austria was chosen as an example of a country where the state has still retained much of its strong, traditional position. England and Wales was included as an example of an Anglo-Saxon country with a larger impact of neo-liberalism than in most other European countries. Canada was selected as the non-European country because here private security companies provide surveillance and enforcement services in public places (Rigakos, 2002; Rigakos & Leung, 2006). In Canada our study was limited to one province (Ontario), given the significant differences in police structure between the provinces. The Netherlands and Belgium were chosen as examples of different combinations of neo-liberal and continental elements.

In this study we deal with non-police providers of policing who are mainly concerned with security and safety issues in the (semi) public space. Some categories of non-police surveillance and enforcement officers are excluded from this study, such as guards on public transport, at railway stations, parking enforcement officers, park-keepers, or those officers charged with the enforcement of environmental protection regulations.

In each country we collected information about plural policing and about the underlying processes and factors. First, relevant documents were studied...
like legal arrangements, policy documents, newspaper articles and scientific publications. Secondly, in each country we interviewed some key persons (in sum 25), working in different positions, like officials of the national government, representatives of the local authorities, the regular police, and of non-police providers of policing. The information gathered was reported in country reports. These five reports had a more or less similar structure, based on the research questions mentioned above.\(^2\)

The structure of this article is as follows. In the next section (2) we present a brief overview of the distinct patterns of plural policing and some unique (local) developments in each of the five countries. Section 3 deals with the main similarities in plural policing between these jurisdictions. The main differences are discusses in section 4. Finally, we present four models of plural policing based on this study (section 5). In section 6 we present the main conclusions.

2. Plural policing in five countries

In this section we present a brief overview of plural policing in each of the five countries. The description of each country concentrates on the growth of non-police providers of policing, their tasks, powers and position, and the factors that are relevant to understand their development. We also pay attention to the relation with the regular police and between public and private in plural policing. We start with Austria, a country where neo-liberal discourse had relatively a small impact. The other countries are dealt with in sequence of an increasing neo-liberal climate, with Canada at the top.

*Austria*

Austria has traditionally a relatively strong legalistic culture. Here the theme of plural policing is (almost) exclusively interpreted and analysed in legal terms, such as the compatibility of non-police policing bodies with constitutional principles or with human rights. Moreover, the belief in the state and in hierarchical relationships is still relatively strong. There is also a strong political consensus that only the state should be responsible for policing and security policies. Nevertheless, Austria also has forms of plural policing, although at a modest scale.

Austria has two kind of police forces. Since 2005 there is the Federal Police (*Bundespolizei*), with most of the officers working in one of the more than nine hundred police districts. In addition about 37 municipalities (mainly in Tyrol and Vorarlberg) have their own (often small) municipal police force. The number of municipal police forces has been decreasing since the Second World War. One of the factors contributing to this is that municipalities have to fund their own force entirely from their own resources. Large cities (like Vienna, Graz or Linz) are not permitted to establish their own police force.

\(^2\) For a clarification of research methods, see Terpstra et al. (2013).
Since 2007 in Austria at the local level there is the rise of two types of non-police providers of policing. First, about 15 to 20 municipal governments created local organizations with uniformed officers who are responsible for surveillance and (to a lesser degree) enforcement in the public space. These municipal organizations have various names, like Public Order Service or City Guard. The formal powers of these municipal officers are quite minimal and do not go beyond the so-mentioned Everyman’s right (Jedermannsrecht). In some cases (for example the city of Graz) these officers have some formal powers, like the imposition of an administrative fine for certain infringements.

Some factors contributed to the introduction of these local Public Order Services in cities like Graz, Linz, Salzburg, Innsbruck and recently Klagenfurt. First, despite the fact that Austria has a relatively low level of crime, in the 1990s in this country public safety became an important political issue. Local government felt the need for visible measures to do something about it. Secondly, since about ten years there has been a widening distance between the (federal) police and local communities. Priorities of the police shifted to national issues and fighting crime. In the years following the 2005 police reform about 120 police offices were closed, causing a local ‘security vacuum’. The governments of the cities (legally not allowed to have a municipal police force) tried to create solutions for this problem by establishing their own surveillance organizations.

Secondly, since about 2005 municipalities (mainly medium-sized cities) have contracted private security guards to work in the public places. At the moment about 40 to 50 municipalities have such contracts. These municipalities do not have a municipal police force or a municipal Public Order Service. The reason why these municipal government contract private security companies is comparable to the reasons why larger cities established the Public Order Services: to meet the need for more visible uniformed patrollers in the streets and to fill the surveillance gap left by the federal police. The formal powers of these contracted private security guards are only those of the Everyman’s right.

For the past ten to fifteen years private security in Austria has increasingly acquired a visible role in semi-public and public space (Fuchs, 2005). Austria has no special legislation for the regulation of private security, and for the possession of firearms by private security guards. As a result it is not unusual in Austria to see armed private security guards walking in the streets.

In contrast to the legalistic culture in Austria, the regulation of these new forms of non-police policing is fairly poor. There is little certainty about the powers and tasks of Public Order Services and only a rudimentary specific legal basis for the regulation of private security.

Belgium

Belgium too has its plural policing. Since the 1990s different forms of non-police policing officers were introduced. This development was fuelled by an increasing dissatisfaction of many Belgian citizens with the poor management of petty crime and social disorder. Because of the rise of the far-right political party Vlaams Blok,
especially the social democratic local governments felt under pressure to demonstrate their decisiveness in matters of security. Additional job creation programmes paved the way for new jobs of surveillance guards and community guards working in the public places. Because the police and the public prosecution agency often neglected the issues of social disorder and petty crime, the MAS-Act (Act Municipal Administrative Sanctions) was introduced to give municipal authorities more means to manage petty crime and social disorder.

However, only since the year 2007 municipal governments have been able to use this MAS-system effectively. In addition to community guards, since that moment also community guard-reporters have been introduced. Whereas community guards only had a preventive role by addressing citizens and asking them to change their behaviour, the latter category consists of enforcement officers, who are entitled to record certain offences in a so-called administrative report (Devroe, 2012: 317). This administrative report must be sent to an officer at the municipal administration, who is entitled to apply a sanction (fine) or to propose mediation (often community service).

The implementation of community guards and community guard-recorders varies a great deal. Belgian municipal authorities have wide discretion to establish their own local public safety policies and may modify federal policies according to their own local context. In Wallonia (the French-speaking part of the country) there are almost no community guard-recorders, only community guards. In Flanders, by contrast, the use of community guard-recorders is widespread and there is even fairly strong pressure to give these municipal officers more formal powers. The difference between the two regions in Belgium results from divergent views on public safety and crime prevention, and on the role of government in general. A more government-centred view dominates in Wallonia, with a general consensus that policing should be done by the police alone.

The police and municipal guards are legally obliged to cooperate, but the police are not permitted to supervise the guards. The management of these guards, as well as the control and coordination of their tasks, is the responsibility of the municipal government. In practice the relations between the police and the municipal community guards are more wide-ranging and contradictory than these regulations suggest. For instance, in Liège the police are very dominant, whereas in Antwerp the municipal administration is the central actor.

Private security in Belgium plays only a very limited role in the public space. There is an overwhelming consensus that surveillance and enforcement tasks in the public space should only be performed by state institutions. Given this consensus, a public debate about the use of private security in public places has never emerged (Devroe, 2012: 321-325). On the other hand, private security companies are certainly eager to take over the tasks of community guards, with and without formal powers.

The Netherlands

In the Netherlands in 1989 so-mentioned City Guards (Stadswachten) went into operation. Their main task was to patrol the public places, especially in the city
centres. These schemes were not only based on considerations of public safety, but were also aimed to create additional, usually temporary jobs for the long-term unemployed (Hauber et al., 1994). Since 2004-2006 the city guards have been employed by the new, much larger municipal departments of City Surveillance or Local Enforcement (the departments are known locally by different names) (Eikenaar & Van Stokkom, 2014). Since 1994 local governments have been able to appoint so-called Special Investigative Officers (SIOs) (in Dutch: Buitengewoon Opsporingsambtenaren). These officers patrol the public places, and also have the power to use certain sanctions. They are mainly deployed for combatting nuisance, social disorder and other circumstances that may have a negative impact on the quality of life. These municipal policing officers do not dispose of full police powers.

About 14 percent of the municipal governments in the Netherlands also contract employees of private security firms as wardens or SIOs working in the public space (KplusV, 2010). The main reason why local government prefer contracting private security workers is that it gives them some flexibility. They are contracted and paid only at those moments that there is a clear need for their activities. The ‘private SIOs’ have less formal powers than their public colleagues (Terpstra, 2012).

The police have the formal responsibility of the daily or ‘operational’ coordination of the municipal SIOs working in the public places. However, the municipal authorities, not the police, are responsible for the policy, budgets and the implementation of these new municipal policing schemes. Recent studies showed that this operational coordination by the police does not work well (Eikenaar & Van Stokkom, 2014). Generally there is a wide gap between the police and the municipal SIOs. The provision of information by the police is often very poor and the police rarely give concrete instructions. If the SIOs provide information to the police, as a rule there is no feedback from the police.

In the Netherlands private security guards are often used as wardens or patrollers in semi-public spaces, like business parks, malls, and at large-scale events (Van Steden, 2007). Small numbers of private security guards work in public space, contracted by private agencies. For example, in some high-income neighbourhoods residential patrol is funded by the well-to-do residents.

As a result of these initiatives and developments, the Netherlands today has a varied, but also fragmented complex of public and private surveillance and enforcement officers working in public and semi-public places. The relationships between these guards, wardens and enforcement officers and the (regular) police are often contradictory. The growth and rising importance of these non-police policing workers are closely related to the fact that since the late 1990s the Netherlands’ police have been gradually withdrawing, both from rural areas and from basic street work. Less attention was paid to policing tasks, such as public visibility, patrol, and the prevention or management of social disorder. Because in these same years public safety gained increasing importance as a social and political issue, many municipal governments in the Netherlands felt that they were more or less forced to create their own policing organizations to fill the gaps created by the withdrawal of the regular police (Terpstra et al., 2010).
**England and Wales**

In England and Wales the police are increasingly seen as only one of the agencies that are involved in the surveillance and enforcement in the public space. What is remarkable, however, is that the police have managed, with the introduction of the Police Community Support Officers (PCSOs) in 2002, to retain surveillance work in the public space for the most part within their own organization.

PCSOs work within the police organization and are managed by the police. They have less training and fewer powers than ordinary police officers and they count as ‘civilians’; they work for the vast majority of their time on the streets and give the police the opportunity to enlarge their visible presence on the streets and thus increase public reassurance. Evaluation studies (Cooper et al., 2006; Paskell, 2007) show that PCSOs spend a relatively large amount of time on alcohol-related issues, petty crime and anti-social behaviour, and the disciplining of unruly youth. Residents have proved to be more willing to speak to these officers than to police officers. They are also satisfied with the PCSOs, especially when they are known in person.

Besides PCSOs, different types of wardens (neighbourhood wardens, street wardens, and street crime wardens) have been incorporated into the landscape of local security. These are surveillance officers in the public space who have no additional powers. They are usually employed by municipalities, but sometimes also by housing associations. The findings on the deployment of wardens are broadly positive (Crawford, 2006a). However, the national funding of Warden Schemes is cut and municipalities now have to provide their own funding. Many municipalities prefer officers with enforcement powers.

Alongside the introduction of PCSOs and wardens, there has also been an increase in the number of private security guards operating in public and semi-public space (Jones & Newburn, 2006b; Crawford et al., 2005). Police and security guards usually work closely together in the large shopping malls. They also have a common interest in using CCTV images.

Although the work of security guards in semi-public domains as shopping malls entails many public functions, such as providing information to the police, they are actually seldom used to patrol the streets (Wakefield, 2005). However, security companies are ready to provide their services in the public space (residential patrols), but there seem to be few opportunities for solid growth, probably not even within the Business Improvement Districts (Cook, 2010). The police have a reserved attitude to security guards in frontline work (Noaks, 2000).

Security companies have hitherto made hardly any use of Community Safety Accreditation Schemes, which provide patrollers with a few powers (such as the issue of fines for minor infringements) (Crawford et al., 2005). Not all chief constables are willing to confer these powers on security guards because they are fundamentally opposed to their deployment in the public space. These schemes are mainly used by wardens.

In England and Wales the PCSOs largely determine the streetscape. They are the public face of the police organization and are by far the most important group of officers with whom the public has regular contact. Thus, in England and Wales
a ‘police solution’ for the regulation of nuisance, anti-social behaviour and petty crime has grown.

**Canada - Ontario**

The Police Services Act (PSA) of Ontario (1990) requires municipalities themselves to provide the police function. Every municipality is expected to pay for police services and is obliged to weigh the pros and cons of having its own police or hiring police. One of the results of these developments is that the classical formula of ‘single jurisdiction -- single police service’ has little significance any more (Rigakos and Leung, 2006). However, the large and medium municipalities all have their own police force.

In Canada, a large number of organizations and professional groups are responsible for surveillance in the public space. First, there are government-related occupations, including special constables and by-law enforcement officers. Special constables are often called ‘parapolicing officers’ and they work, for example, on university campuses (Carroll, 2004; Rigakos & Leung, 2006). Special constables are professional, sworn peace officers who are appointed by the local police services boards but employed by their own organizations. The Ontario PSA states that special constables within their territory may have full police powers, which means that as peace officers they can independently arrest and detain citizens, without involving the regular police, except for more serious offences (Carroll, 2004).

By-law enforcement officers are authorized to enforce municipal laws relating to, for example, parking, noise nuisance, and control of animals. These officers are sworn in as provincial offences officers, but not as special constables. The powers and equipment of by-law officers vary from municipality to municipality.

In addition, many (quasi) public surveillance organizations are active. These include the Corps of Commissionaires, a non-profit organization that employs former members of the armed forces. Another hybrid form of surveillance on the street is paid duty policing: sworn police officers providing services to private clients, such as policing at events and festivities. Stadiums such as Toronto’s SkyDome can hire police officers on this basis. Some local events fall under municipal by-laws whereby a permit is issued only on condition that paid duty personnel are hired. In this way the public police also operate in the security market.

In Canada, the private security industry is larger than the public police at a ratio of about 2:1 (Law Commission, 2006: 25). The private security industry offers many services that are often related to enforcement and crime control. In Business Improvement Areas (BIAs), usually private security guards are contracted, especially to combat antisocial behaviour (Law Commission, 2006; Rigakos and Leung, 2006). Many corporations in Canadian cities hire security guards to enforce minor norms, such as nuisance by the homeless, loitering youths, and graffiti. Illustrative is that the security firm Intelligarde International explicitly presents itself as ‘The law enforcement company’. In Toronto the company has contracts with many publicly funded housing associations. In addition, the company does surveillance work in commercial districts (Rigakos, 2002: 154).
The foregoing illustrates that functions of the police and security industry in Canada have increasingly spilled over and intermixed. In many respects security guards act as police officers and not as guardians, although they do not have special powers. They stop, question, remove or secure persons who exhibit problematic behaviour, also in the public spaces where they work. Both public and private employees enforce rules and arrest citizens. Apart from the question whether security staff are always ‘intervention capable’, this raises many questions about democratic accountability. Many critics point out that it is unacceptable that the public police must answer to democratic bodies, while security guards perform the same work and are not subject to that constraint (see Burbidge, 2005; Law Commission, 2006).

3. Similarities

Despite fundamental differences between the countries in terms of legal conditions, the position and significance of the state, the police system, historical, political and social context, relations between national and local governments, in the past few decades the five countries witnessed the introduction and increasing importance of new non-police providers of policing (although in Canada the formation of plural policing has a much older history). There are important similarities in the processes and circumstances that contributed to this pluralization of policing.

In all these countries the police increasingly failed to meet the predominant expectation that they will be visibly present in the public space, where they will conduct their surveillance tasks, and enforce the norms of social order. In England and Wales this problem was partly solved by introducing the PCSOs. The specific factors underlying this process may differ. Generally, a complex of circumstances is relevant here, such as a withdrawal of the police (both from the local level and from their presence on the streets), and a shortage of resources to pay sufficient attention to petty crime and other problems that have a negative impact on citizens’ feelings of order and security. In some cases this process is prompted by budgetary considerations (police officers may be seen as too expensive compared with wardens or private security guards), the view that the police should concentrate on core tasks, or should spend their resources on crime fighting. In at least three of the five countries studied, police reform (resulting in an increase in scale and centralization) contributed to this withdrawal of the police.

The negative consequences of this development are mainly felt at the local level. Citizens (including shopkeepers and businesspeople) and local governments perceive a serious absence of uniformed surveillance in the public space. It is often assumed that this has a negative impact on citizens’ feelings of insecurity and it may undermine their trust in the police (Innes, 2014). Because these problems mainly arise and are felt at the local level, solutions for the surveillance and enforcement deficit are generally sought at that level.

These local solutions are usually implemented independently of ‘normal’ police work and (in most cases) outside the regular police force(s). Different kinds of
new uniformed policing workers, like city guards, community guards, wardens, or private security guards working in (semi-) public places were introduced. As a result, the once taken-for-granted direct link between ‘police and ‘policing’ was increasingly broken.

As a result new public and private providers of surveillance and enforcement operate alongside the regular police. In each country the introduction, organization and implementation of these new forms of non-police policing differ from city to city and from municipality to municipality. The result is a complexity and diversity in policing, often accompanied by opaqueness and fragmentation.

An important question is how despite greatly divergent contexts such a similar process could arise in all these countries. Three hypotheses seem to be relevant here.

First, it might be assumed that the similar process of pluralization of policing in these countries was the result of comparable police and security policies adopted by national governments. This explanation has only a limited validity. In most cases, the current systems of plural policing are not based on an explicit policy plan of a central government, clearly set out in advance (with the exception of England and Wales, where the introduction of PCSOs was based on central government policy). Insofar as there was some governmental policy, it usually was very incremental (like in Belgium with the MAS Act) or only an indirect process (for example in the Netherlands and Belgium with its policy of creating additional jobs for the long-term unemployed).

Secondly, it might be assumed that the similarities in the developments of the new surveillance and enforcement professions in the public space were the result of a policy transfer (Newburn & Sparks, 2004). To a certain degree, policy transfer was indeed a relevant factor. For example, the introduction of the Dutch city guards in the 1990s was an inspiration for both the Belgian community guards and the English wardens.

Thirdly, according to probably the most important hypothesis in this respect, the similar rise of non-police officers with surveillance and enforcement tasks in the public space since the early and mid-1990s was the result of parallel social circumstances in these countries. In all these countries in the 1990s public safety became to be defined as a significant and urgent social and political problem, that asked for an expansion of surveillance and order enforcement in public places. This increasing importance of public safety was closely related to changes in urban economy (like the rise of the night-time economy and of large-scale events) and the loss of informal social control. Because in most of the countries (England and Wales being the exception) the police proved not to be able or willing to fulfil this need for more uniformed surveillance, local governments often decided to take this responsibility by creating their own municipal guards or wardens. In the continental-European countries this reflected the increasing importance of local governments in local public safety policy (Terpstra, 2008).
4. Differences

There are also important differences in the ways that non-police surveillance and enforcement officers are organized and how they operate in the various countries. We concentrate on three main differences.

*Formal regulation*

The countries differ in the extent to which there is specific, formal (legal) regulation of the non-police surveillance and enforcement activities. Belgium has the most clear-cut, elaborate framework for such regulation. The position of the community guards is laid down in the Act on Community Guards. The powers of community guards-recorders are regulated by the MAS Act. On the other hand in Austria and Canada a specific legal regulation (for instance an act on municipal wards) is completely missing. In Austria municipal city guards have no special powers. In Canada special constables are appointed by the local police services boards and their mandate and powers are usually defined by agreement with the local police service board. By-law enforcement officers enforce municipal acts; their powers vary from municipality to municipality.

England and Wales and the Netherlands occupy intermediate positions. The community support officers in England and Wales are members of the police forces. This position provides them with the rules and regulations for their work. In the Netherlands, the tasks and powers of the SIOs (Special Investigative Officers) are defined in a Ministerial Circular. Despite a specific legal system of regulation, local implementation may still be highly divergent. For instance in Belgium, Flanders and Wallonia differ strongly in the implementation of the municipal administrative sanctions.

*Separation or integration*

The five countries also differ in the degree to which there is separation between the non-police guards and officers on the one hand, and the police. The greatest contrast here is between Austria and England and Wales.

In Austria there is a sharp distinction between police work and the responsibilities of the municipal governments (including the Public Order Services and City Guards). This strict separation is legally defined. In practice the police forces and the non-police municipal guards and officers often operate in isolation from each other. In England and Wales there is a high level of integration, because the PCSOs are members of the regular police forces.

The three other countries occupy an intermediate position. The situation in Canada is contradictory. On the one hand there is a close relationship between police officers and parapolice officers (special constables and by-law officers), simply because they are all peace officers. On the other hand, however, there is quite a distance between these groups and the private security guards who carry out enforcement tasks in public or semi-public space.
In Belgium the division of tasks between the police and community guard-recorders stems from the legal distinction between different categories of infringements, each with its own MAS-procedure. The Netherlands does not have such a strict legal division. The Dutch police retain their powers to operate in the domains to which the municipal SIOs are also entitled. The Dutch police are supposed to do the ‘operational coordination’ of the SIOs working in the public space, but in practice this cooperation functions poorly.

**Privatization**

The five countries differ in the extent to which the non-police surveillance and enforcement functions in the public space have been privatized. Belgium is here an exceptional case. In contrast to the other countries, Belgium has no private guards who have surveillance and/or enforcement in the public space as their main task. In Belgium a general consensus predominates that these tasks should remain in public hands (although private security companies are trying to get their share of the market).

By contrast, of the countries studied, Canada has the highest level of privatization in policing. In this country an extensive private security industry delivers services in the public and semi-public space. On the other hand, private agencies and individuals may contract public police officers. Here the distinction between public and private seems almost to have become fluid.

The three other countries have (different) combinations of public and private. In all three countries the largest part of the non-police policing officers are public (like PCSOs or municipal guards). However, they also have private security guards working in public. In all three countries private security officers may be working in semi-public places, such as large malls or industrial estates. In Austria a significant number of local governments contract private security guards who are charged with surveillance tasks. In the Netherlands local governments may contract private security guards that may have some formal legal powers, comparable to the SIOs. In England and Wales security guards may obtain greater powers through accreditation, but in practice this option is not used much. In the Netherlands and England and Wales (just like in Canada) private security officers are contracted by residents for residential patrol.

5. **The future of plural policing: four models of regulation**

Despite considerable differences between the countries, there are also significant similarities in the development and position of the non-police policing guards and officers. What the countries have in common is that policing can no longer be imagined or claimed as the exclusive task of the police. Other agencies than the police gained important positions in policing and security. With the exception of Belgium, private security now plays an important role in the public domain. These
developments resulted in a very complex, diverse and often opaque situation, which raises important questions.

Plural policing tendencies are not so much the result of planning efforts by the central state; they seem to develop themselves as an incremental and blind process. The course of these complex developments is difficult to predict. For example, it remains unclear which agency is best suited to regulate and coordinate the ‘mixed economy’ of plural policing. However, these ‘unpredictable’ developments bring along social uncertainties and may have major consequences for the police and the public. In order to make this complexity more transparent, we develop four models. Each model outlines a plausible image of coordination and regulation of plural policing. Of course the scope of this study allows only highly tentative answers to these questions.

These models focus mainly on the relations between public and private and on issues of coordination and governance of the complex multi-agency networks in policing. These two issues refer not only to managerial issues (such as effectiveness of coordination), but also to different views on citizens’ rights and other fundamental values. Although the models are inspired by the different patterns and developments in the five countries studied, they are not meant to establish order in the plural policing practices we found in those countries. The models contain fundamentally different arguments and strategies to cope with the problems that are raised by plural policing. The models may be relevant to imagining potential future developments in plural policing and to promote public debate.

Our typology builds upon Crawford’s five models (Crawford, 2008), but it deviates in four important ways. First, our study is concentrated on patrolling in the (semi)public domain, whereas Crawford and his colleagues studied broader urban domains as gated communities and theme parks. For this reason we didn’t include Crawford’s private government model (in which the public police only have a residual position as a back-up). Secondly, we didn’t include the network model. The horizontal alliances we found in our study, were all coordinated, either by the police or municipalities. Actually we think this network model does not have much heuristic value in plural policing contexts (although it has hypothetical merits). Thirdly, the model of local government as coordinator of plural policing is absent in Crawford’s typology. Fourthly, our typology has another aim: it intends to put forward fundamentally different strategies to cope with the problems that are raised by plural policing.

5.1. Integration in the police

The main assumption of the first model is that the rise of non-police providers of policing is to be regretted (see Fijnaut, 2012). This development has resulted in considerable complexity and fragmentation, making high demands on coordination and governance. In this view the complexity, fragmentation and problems of coordination imply that the system of plural policing fails to meet the standards of security as a public good (Loader, 2000). From this perspective such problems can only be solved by (re) defining surveillance and enforcement in the public domain.
as proper police tasks. Policing should go ‘back’ to the police and performed only by fully fledged police officers. In this model there is no place for private security guards in the public space. By (once again) making policing a public institution there is more room for effective democratic control and accountability. Two central considerations are that the police have a monopoly of coercive means and have relevant expertise and experience. Integrating surveillance and enforcement tasks in the police organization will make the coordination of policing less problematic. The dominating sentiments against pluralization and privatization of policing in Austria and Wallonia (Belgium) are similar to the arguments of this model.

5.2. Police as the coordinator

The second model accepts the rise of the non-police providers of policing as a given. The main principle of this model is that the police should have a central position in the plural policing complex. The arguments are comparable with those underlying the first model: the police are seen as well-equipped for such a role, because of their authority, expertise, specific means and powers. Because of the central position of the police in policing and security, this model will deliver fewer problems of coordination.

This model strongly resembles the situation in England and Wales, where the police have a central position in the plural policing landscape. Here the new surveillance and enforcement officers (PCSOs) are members of the police organization, without becoming full police officers. In England and Wales the police are also the coordinator of the (public and private) non-police providers of policing, following the structure of the Crime & Disorder Reduction Partnerships. The situation in the Netherlands partly conforms with this model: the police function as the ‘operational coordinator’ of municipal enforcement officers. However, plural policing in the Netherlands is more typical of the next model.

Because surveillance and enforcement in the public space are largely local phenomena, this model assumes that the police have a strong local position. Because of the current trend in many Northern and Western European countries to centralize or nationalize police forces, the local position of the police may be under pressure (Fyfe, Terpstra & Tops, 2013).

5.3. Local government as the coordinator

The third model also assumes a distribution of surveillance and enforcement tasks in the public space over a large number of agencies. Here it is not the police, but the local government that has the central position. Two main arguments are relevant here. First, the police lost too much credibility by withdrawing from the local level or by neglecting essential surveillance tasks in the public space. By doing so, the police left serious gaps for other agencies to fill. Secondly, the local (municipal) governments should play this role, because they are best suited to coordinate the broad, multi-agency field of local security. In countries like The Netherlands, Belgium and Austria local governments are increasingly the central
agency in and coordinator of local integrated public safety policy. From this perspective it seems evident that local governments should also have such a role in (local) plural policing. Moreover, by having their own municipal enforcement guards with sanctioning powers, local governments can use coercive means in the management of social disorder and (petty) crime, without depending on the police. In this model there is also more room for local democratic control and accountability.

5.4. Marketization

According to this model a transfer of tasks and responsibilities in policing to the market would provide opportunities to avoid top-down government steering, with all its limitations and negative consequences. In this view there is no valid reason why the public police should have a more prominent position than other agencies in policing, including private agencies and commercial companies. The police organization is viewed as clumsy, taking too much taxpayers’ money. Although in this view the state may still have a regulatory function, the market is seen as competent to arrange the coordination of surveillance and enforcement tasks, also in the public space. Criminal law enforcement and ‘high policing’ are seen as the only tasks that should remain a monopoly of the public police. Plural policing in Canada bears some similarities with this model. The current situation in the continental European countries differs greatly from this model.

6. Conclusions

This comparative study shows that despite important differences in legal and constitutional arrangements, history, political and cultural circumstances, and police system, all five countries studied have had a process of pluralisation of policing. In all these countries the police lost their position as a monopolist of policing, even if the view is dominating that policing should be a public task and not be pluralized or privatized. In most cases the pluralisation of policing has not been the result of some goal-intended governmental policy, but more an incremental process or the effect of a accumulation of unintended consequences in which many actors and agencies, not only at the national, but also at the local level are involved (Beck, 1993). On the other hand, there are also significant differences in plural policing between the five countries. These differences do not only concern the extent of pluralisation, but also the relations between public and private in plural policing, the formal regulation and coordination of the plural policing complex, and the relations between the new non-police providers of policing and the regular police organization.

The four models of plural policing we identified, also refer to different potential future trajectories in plural policing. The fundamental differences between these trajectories indicate that fundamental choices should be made about the future of police and policing. Essentially these decisions are about the question: what kind
of policing do we want? A police force that only concentrates on some supposed core tasks, a sort of minimal police, operating at a distance from citizens and local communities, defining surveillance and enforcement of social disorder and petty crime as inefficient and not real police work? Or a police force that is visible and approachable for citizens, that defines surveillance of the public domain and the enforcement of social order as its main tasks? The answers to these questions have direct consequences for the organization of policing and for the question if and how non-police providers of policing should be used in addition to the regular police.

In many respects the pluralization of policing has been a blind process, in which important policy choices and social and public values were neglected. Without a clear vision of the future of (plural) policing, it may be expected that in the future the marketization model will become more prominent. In the short run this may seem an adequate solution. In an age of austerity, it might be attractive to decrease the demands made on the state and the police. However, this may be a highly risky strategy, not only for the nature of policing and security as public goods, but also for the legitimacy of the police and the state and for citizens’ trust in these core institutions. Governments, and the police especially, cannot neglect essential tasks like policing local social disorder and petty crime without creating their own self-defeating processes. This cannot be compensated by an opaque patchwork of private and local agencies, which are considered to fill the gaps left by the police.

**Bibliography**


Country Updates

Germany

Thomas Feltes

Professor at the Faculty of Law, University of Bochum
Regional editor for Germany

The leading topic in German internal policies during the past three months was the fight against the IS. The discussion was based on the adoption of UN-Resolution 2178 by the UN-Security Council which contains various measures against terrorism and violent extremism.

The German government plans to prevent the so called ‘terror-tourism’ by tightening the criminal laws. The minister of justice, Heiko Maas (SPD) plans to punish the intent of leaving Germany to conspire in performing serious violent acts in a foreign country as well as the intent to train to perform such violence acts. The initiative is the reaction to the rise of IS in the Middle East supported by a growing number of activists from Germany. Currently over 200 IS-activists are being investigated in Germany by law enforcement agencies.

The German government plans to introduce a new criminal law against the financing of terrorism (still pending).

To prevent IS-activists from travelling from Germany to the Middle East the ministers of the interior of the Länder proposed to confiscate the identity cards of alleged activists.

The German Council of Ethics recommend to revise the criminal statute (§173 StGB) which incriminates incestuous behavior. The Council recommends that consensual intercourse between siblings should not be criminalized any more.

The criminal laws against the sexual abuse of children have been tightened. The making and distribution of photos depicting naked children and adolescents is now criminalized. In addition the statute of limitations for acts of sexual abuse were lifted and the so called ‘cybergrooming’ (comprising actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child) is more easily punishable under German criminal law.

Bulgaria

Dobrinka Chankova

South-West University ‘Neofit Rilski’, Blagoevgrad, Bulgaria
Member Editorial Advisory Board EJPS

A dynamic development of legislation, politics and practice of policing has been registered lately in Bulgaria. In the middle of 2014 a brand new Ministry of Interior Act was promulgated¹, establishing new principles of structuring and functioning of the Ministry of Interior (MoI) and police, in particular. However, this law was not universally accepted. The political turbulences during the previous year led to preliminary elections and a new ruling coalition. One of its first legislative initiatives was the submission of a Bill for amendments and supplements of the Ministry of Interior Act. Currently this bill is approved on a first reading by the Bulgarian Parliament.

One of the aims of the bill, according to its authors, is ‘to restore the balancing role of the President of the Republic’ to appoint the highest professional in the MoI – its Chief

¹ State Gazette No 23 from 27th June 2014.
Secretary, and the Chair of the State Agency of National Security, at present appointed by the Council of Ministers and the Parliament, respectively. The next objective is to re-establish the Chief Directorate 'Combating Organized Crime' in the system of MoI, nowadays a part of the State Agency of National Security. The bill envisages re-introducing the competitive principle for career development in the MoI and re-creation of the Chief Directorate 'National Police' as a part of the ministry. Many other changes and amendments in related acts are under scrutiny. So, an interesting development in policing is expected in the near future in Bulgaria.
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