

Police Governance – Community, Policing, and Justice in the Modern UK¹

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Abstract

The British police have always had the advantage of their image as a predominantly non-violent force which policed by consent. In reality, of course, this image has obscured a significant amount of violence, which was acceptable to the public at large because it mainly concerned marginalized individuals. Yet as the twentieth century witnessed an ever-greater revulsion against the use of violence in everyday life, this police practice came under increasing scrutiny.

This article will use a historical account to analyse the tension between police power and social legitimacy. It will note a series of crises of legitimacy which occurred in the mid-twentieth century and culminated in the 1960 Royal Commission on Police, and which demonstrate the limited extent to which this Commission addressed the problems which had precipitated it.

It then examines the consequences of the on-going legitimacy challenge which, I argue, had a two-stage effect. The first was to create an unprecedented degree of disconnect between police and the communities which they served in the 1980s – a problem exacerbated by racism and economic decline. The second, though, saw the police engage with a new rhetoric of 'community safety' and move towards closer relationships with other public authorities, and smaller organizational units. Nevertheless, these units remain politically unaccountable to the areas that they serve, and connection between the police and the community is institutionalized rather than intimate.

Introduction

Policing, *per se*, has been best defined as the application of the state's claim to the monopoly of force (Bittner 1975). Yet the mandate which the police enjoy to preserve order through force often comes into conflict with the rule of law. This is particularly the case when the norms of the black-letter law contradict social norms. This article will give a brief historical account of the British police institution, looking carefully at the roles of violence, governance, and legitimacy – and also

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the ways that in society at large, the ground rules for all three of these factors were changing during the twentieth century. It will concentrate its historical account on policing in the late 1950s and early 1960s, because it is there that a watershed was reached in policing practice, when the space granted to 'unwritten law' significantly contracted. Following this, it will consider how the reaction to this in terms of structures of police legitimacy, first through the issue of racial discrimination, then through the response to a sustained rise in the fear of crime and disorder, have combined to create today's British police style. There is little explicit comparison with Taiwan, but it is written with an awareness of Jeffrey Martin's work on the social and legal habitus of the Taiwanese policeman (Martin 2007). This discusses the dual value systems – of formal law and informal community relations – which dominate the lives of Taiwanese police. In many respects this dichotomy parallels that in the UK between the law in books and the law on the streets.

The Nature of British Policing

From its beginning in the nineteenth century, Britain's new police were there to protect property (notably at night) and to keep the streets clear. They were not especially good at policing private violence, or the crimes of the respectable (Emsey 1996, 71). One key new function of the new police was the attempt to impose order on unruly workers (Storch 1976). The pioneer police advocate Patrick Colquhoun had made it clear that one of the main aims of police reform was to help create a docile body of men and women who could be relied upon to be industrious (Neocleous 2000: 51-53). Their instructions to keep the streets clear and 'move on' groups of people led to many instances of friction with various sections of the public, especially young working-class men (Brogden 1991: 98). This was not total of course; policemen (usually patrolling alone and relying on a rattle or a whistle to summon help) often avoided conflict (Steedman 1984: 151). Nevertheless, the constant pressure to 'move on', often accompanied by summary violence when the targets were juveniles, appears to have made an impact on the way that people behaved on the streets (Storch 1976: 496).

The UK's police and courts had a vast reach by the mid-nineteenth century: for example, it is likely that by the 1870s a third of working-class men in an industrial city like Sheffield had been arrested at least once (Williams 2000: 77-93). The reach of the 'policeman-state' was largely directed towards the poor, most likely to commit offences related to public order on the street, and it was extended when legislation such as the 1880 Education Act – which made it a legal obligation to send children to school – began to impact further on traditional standards of behaviour (Gatrell 1990: 269, 279-281). The police were the institution whose threats underpinned the nineteenth-century view that society could be moulded and reformed: they were there to deal with those who refused to comply. Their particular attention was fastened on the very poorest and on the most mobile: the vagrants. If anything, the perceived threat (financial as well as criminal) from vagrants loomed larger in the countryside than in the towns, and it was one of the factors that mobilized support for rural police reform in the 1830s (Storch and Philips 1999: 56-57).

Often, police power was directed more against those seen as outsiders: these were often strangers to the area, but in many cases particular police attention was fixed on ethnic minority groups: from the Irish in the nineteenth century to immigrants from the Commonwealth and Eastern Europe in the late twentieth. Close attention was rarely pleasant, and often led to friction between the police and some sections of these communities (Swift 1997: 399-421). The traditional police style of the nineteenth century 'new police', therefore, was often couched in terms of hostile interactions on the street. Meanwhile, the society of 1829 had not stayed static. First, the working classes and lower-middle classes were gradually admitted to membership of the political nation – by 1890, most working men had the vote, for example. But as far as policing was concerned, democratization had limits: in the counties, police were controlled by committees dominated by unelected justices of the peace (Emsley 1996: 85). Even though the police in the cities were controlled by elected watch committees, the local urban franchise depended on the payment of property taxes and thus excluded most of the poor. The established pattern of police governance was that policing, although on the face of it locally responsible, was a core state function which needed to be kept further from the hands of the people than did other functions such as welfare, housing, or education (Williams 2004: 96-120).

Another important long-term development in the nineteenth century was the decline in the acceptability of violence as a means of social interaction. Customary violence – which was characterized by physical retribution, expressions of community autonomy, and the maintenance of domestic and public norms – declined throughout the century. A society which had seen violence as an essential prop of the social order and source of social power changed into one that condemned most of its manifestations and sought to limit their effect. As the upper and middle classes withdrew from 'what previously had been a shared culture of violence', the notion of violence became increasingly problematic, and attitudes to it became bound up to the process of differentiation known as 'civilizing'. Thus, concern about violence increased rapidly at a time when actual violence was in all probability static or decreasing slightly. Civilization in its various forms was not necessarily non-violent: it espoused a definition of the limits of acceptable violence which was different and contradictory to those deriving from the 'traditional' view. By the end of the century, even the call for a return to the infliction of pain as a punishment 'had to be clothed in the language of refinement' (Carter Wood 2004: 44). Violence was also seen increasingly as a problem with social causes which could thus be tackled, rather than an inevitable aspect of life. As violent actions became taboo, the portrayal of violence grew more vivid, and was more likely to be seen as a fixed property of the 'unrestrained' lower orders (Carter Wood 2004).

The police system of the nineteenth century changed little in the early years of the twentieth. It was still based almost entirely on foot patrol, delivered by a disciplined bureaucratically-controlled force. This came under strain though from social and economic change. Dispersed settlement in suburbs, and the advent of widespread car ownership, challenged a policing paradigm which had been designed for monitoring and controlling densely-packed and largely static populations (Klein 2007). One way that they dealt with this was by turning to technological solutions: but this in turn created other problems. Police were quick to adopt radio in the interwar period; in the 1930s the modern scheme of control

rooms responding to calls from the public directing officers in cars was introduced (Bunker 1988). The widely-copied 'Unit beat policing' system originated in Aberdeen in 1948, as a mixture of cars and foot patrols (Weinberger 1995: 41-44). In the 1960s, the Lancashire force, faced with the problem of policing the new dispersed suburb of Kirkby, was among the first to move to a system where every police officer patrolled in a car (St. Johnston 1978: 169). For a time this was hailed as the way forward for policing, but soon voices from within the police service as well as outside it began to complain that these new systems had separated the police from the public, and created a new dynamic for police officers who, rushing from problem to problem, were distanced from the community at large, and more predisposed to aggression (Weinberger 1995: 73).

In a process that was sometimes justified with reference to technical change, but appears to have owed more to the fact that 'politically unreliable' Labour members were becoming increasingly powerful on police authorities, the structures of police governance also changed. Before 1914, towns in England and Wales had almost complete autonomy over the way that they policed themselves, subject only to having a force that was large enough to qualify for a government grant. The police authority was the Watch Committee, a sub-committee of the town council, which had the power to hire, fire, discipline and direct its police force (Williams 2007). The First World War had instigated a trend towards more involvement by central government in local policing. National security issues such as the threat of espionage had redefined the police role as national rather than local, and yet the national government preferred to maintain a degree of control over the police whilst evading ultimate responsibility for its actions (Emsley 1996: 138). During the 1920s the Home Office also began to intervene in the appointment of chief constables, with the aim of creating a reliable group who would not be beholden only to a single police authority. From 1934 they funded the training of a police 'officer class' for the first time at Hendon. Thus local autonomy was gradually eroded by Whitehall. The increasing provision of common police rules and conditions of service culminated in the 1964 Police Act, which in effect merged the city forces with their surrounding counties, and universalized the less-democratic county police model (Williams 2007; Critchley 1978: 293-295).

In the twentieth century, police exercised informal control of the social environment: one anecdote can illustrate this, taken from oral history research carried out by Barbara Weinberger into policing during the interwar period:

Barrow boys were a bit of a nuisance causing an obstruction, and that was an offence. But we used to have a working arrangement that if they saw you coming, they would move on, or just lift the handles of their barrows to make a show. I remember one who didn't lift his handles when I came, so I said 'Come on' so he just lifted his handles and I went on my way. (Weinberger 1995: 33)

This is highly similar to a situation revealed by Martin's observation of the contemporary Taiwanese police at work: the police have to be seen to be keeping the paths clear, but do not actually keep the paths clear. On the ground, policing in the interwar period, as before, was often very rough. Backing up orders to move on was the threat of arrest for adults, or force for juveniles. Weinberger identified one

very important element of the task of policing: violence. Often this was against any men who challenged their authority, who were usually drunk:

The worst things we have was a shemozzle with drunks on Friday or Saturday. We knew how to handle them, if you couldn't handle a man in them days you were no good as a PC in them days... I know it's wrong, but we used to give 'em what they give us, and that was the only language they understood, the blaggards. (Weinberger 1995: 158-159)

Sometimes it was retaliatory, in lieu of punishment. In the words of a policeman talking about Norwich in the 1930s:

A PC went to a domestic disturbance. A man had been knocking his wife about, so the PC gave him a hiding. The man said, 'I'm going up to the Guildhall about you'. The PC said 'Alright, you know the way'. Of course, the policeman went out and rang up the station and said, 'Look, there's a man coming in to complain about me giving him a hiding.' And the Inspector met him at the door, and took him round the corner, and gave him another one. (Weinberger 1995: 158)

Police demanded and expected signs of deference from juveniles, and 'knocked their heads together if they didn't get it' (Weinberger 1995: 156). So, violence between police and, usually, young working-class men, and by police on working-class boys, was a key element in the way that the streets were policed.

The Emerging Legitimacy Crisis of Police Power on the Streets

The 1950s occupy a special place in the indulgent tradition of the British police constable, eulogized as the era of *Dixon of Dock Green*. McLaughlin has pointed out the significance of the fictional character of PC George Dixon, first in the film *The Blue Lamp* and then in the TV series *Dixon of Dock Green*, which ran from 1955 to 1976, in creating an imagined England. In this, a consensual police officer both upheld the law and was an integral part of the fundamentally cohesive community which he served. The policeman knew the people on his beat, and knew where they stood. Petty criminals deferred to him and would even co-operate with him in investigating serious crime (McLaughlin 2007: 15-23). This aura of policing as a symbol of the consensual society is important: it feeds into an imagined history which has great importance in debate about policing and society in the early twenty-first century (Loader and Mulcahy 2003). But the 1950s did not look like halcyon years to those who lived through them. The 'golden age' perceived a crime problem. This consisted of rising reported crime, and fear of the erosion of respect and the young out of control (Jackson 2008: 289-308). Some of this was the perennial fear of crime and disorder, but some of it was new. There are several reasons why these changes in the level of crime and the level of respect may well have been real. There was a genuine increase in the disposable incomes of teenagers. They had an increased measure of economic self-sufficiency, and with full employment, fear of the sack for misdemeanours was no real deterrent. The disposable income of under-25s had doubled in real terms between 1939 and 1958. This income was predominantly spent on goods related

to display and sociability. Jobs were more likely to be similar to those of adults, and the purchasing power of youth was concentrated disproportionately in the working class (Abrams 1959: 7, 11, 13). Linked to this, one sociologist ascribed 'trouble' among Scottish youths in the early 1960s to the fact that 'better health and physique, less exhausting jobs and shorter hours mean they have a great deal of steam to let off' (Jephcott 1967: 140). Also, large scale re-housing put them in environments full of young people, less able to learn by observation how adults conducted themselves.

This potential real change in disorderliness was accompanied by a heightened sensitivity to it, deriving from the specific circumstances of the post-war era. There was no 'peace dividend' of lower juvenile crime. Not only that, but the higher expectations associated with the interventionist and expensive welfare state added to this climate of disappointment. So on one side, we had both higher 'real crime' and heightened sensitivity to 'social disorder'; but simultaneously, on the other side there were developments that called into question traditional ways of dealing with both. Many influential sections of the population were demonstrating that they were less willing to tolerate low-level violence against juveniles by the police and others. In 1960 a correspondent to the semi-official journal *Justice of the Peace* noted that:

The salutary cuff with the glove and order to 'move on' may result in subsequent legal proceedings against the policeman today, whereas in days gone by it was accepted as commonplace and profited by. (Breaks 1960)

Informal 'street justice' was losing its legitimacy.

Police officers active in the mid-century tended to see this tendency as manifesting itself in a general reluctance of other people to sufficiently discipline children. This led to the children not accepting their position in the general scheme of things, at the same moment when the police were increasingly prohibited from using the method that kept them in their place: low level informal violence (Weinberger 1995: 153-156). Police surveyed in 1960 seemed to back this up: about a third of them who thought that the relationship with the public had deteriorated put this down to one or more of the following reasons:

Public more knowledgeable: they know more about law. Young people are more antagonistic to authority, lack parental control. Barristers make PCs look foolish in court, court sentences are too lenient. Enforcement of petty regulations in general antagonizes the public. (Home Office 1960c: e.1: 15)

The public agreed, in 1960:

79.4% of public think that police's job has become harder in recent years. 28% blaming more organised and sophisticated criminals but 26% blaming 'more trouble with teenagers and young people, that more crimes were committed by young people, parents did not control them properly, and the police did not have sufficient powers for dealing with them. (Home Office 1960d: e.2: 68)

The idealism of the 1940s was increasingly replaced by cynicism in the 1950s. The Christian institution the London Police Court Mission had issued an annual report in 1947 which hailed the gradual advance of humanitarianism:

public opinion no longer tolerates legalised brutality. This change has come about, not by chance or through the operation of some natural law, but through a few people seeing more clearly than the majority. (LPCM 1947)

But the few began to have doubts by the late 1950s: by 1959 the LPCM report complained that modern youth was being spoiled by 'modern adults' such as psychiatrists, and 'the modern boy has lost his fear of the law' (LPCM 1959).

There were several cases of police violence or corruption which led to the 1960 Royal Commission on the Police. One, which became known as the case of the 'Thurso Boy', is worth exploring, because it sums up an important change in attitude towards police violence. John Waters, a 15 year old boy, was sitting in a café in Thurso, Scotland, in December 1957 when two PCs – Harper and Gunn – entered to check the premises. After some words in the café, Waters was beckoned or led outside by the police. On his return he noticed that his jacket was slightly torn and went back out after them. Words were exchanged, and he allegedly referred to them as 'Gestapo bastards'. They took him into an alley, where Gunn apparently punched him in the face. Harper does not seem to have approved of this. Waters complained to his parents, who told their MP, who asked questions in Parliament until an Inquiry was convened under the 1921 Tribunals of Inquiry Act. Meanwhile, Waters was not charged, and the police were not disciplined. During the interlude, both sides accused each other of trying to drop the case on payment of a sum of money. This kind of informal resolution has a long history, and one of the other factors which prompted the 1960 Royal Commission was the revelation of the amount of money that the Metropolitan Police had been paying out to settle similar cases out of court (Waters Inquiry 1959).

The Inquiry found that Gunn had committed a minor assault on Waters, though also that Waters had used foul language and provoked him. Parliamentary reaction to the Inquiry focussed on the anomalies produced by the use of the 1921 Act: chiefly the fact that the law of evidence did not apply to the constables' testimony. The reluctance of the Inquiry to deal with the refusal of the Scottish Procurator Fiscal to press charges against the men also appeared to limit its effectiveness. But the key point is that for almost the first time, police violence towards juveniles was seen as legally questionable: it had moved from the sphere of the unwritten to that of the written. The Thurso Boy case was not representative, in that it got taken up nationally. But it was an indication of a wider social trend; police tended to see young people in cafes as problematic: part of a youth culture that they did not really trust (Jackson 2008). At the same time, the police themselves were also subject to the suspicion that they were above the law.

The 1960 Royal Commission on Police

As well as a crisis in confidence over police violence exemplified by cases like the Thurso Boy, the public were also aware of a rolling crisis in police accountability. In

1957 the chief constable of Brighton was implicated in a corruption scandal, and in the summer of 1959 the chief constable and watch committee of Nottingham fell out publically over the investigation of allegations of corruption. Consequently, in December 1959, Prime Minister Harold Macmillan announced to the Commons that a Royal Commission on the Police would be formed, under Sir Henry Willinck, who had been an MP, minister and judge in his time. It would look at (*inter alia*) 'the relationship of the police and the public and the means of ensuring that complaints by the public against the police are effectively dealt with.' (Hansard 1959). This was a chance to bring out into the open the contradiction between a police service working on the basis of 'the law on the streets', and a public which increasingly was demanding that they stick consistently to the methods of 'the law in books'. What stands out from a study of its history, though, is the way that this opportunity was missed. The members of the Royal Commission, and the crucial posts of chair and deputy, were vetted to make sure they were reliable. Hence the post of deputy was given to a former general rather than to a trade unionist, on the grounds that the former could be 'impartial', and the latter could not. (Home Office 1960a).

The outcome of the Commission was a report about administration and structures of accountability. The civil service made a big thing of accountability to the House of Commons, which tended of course to place the Home Secretary and thus his staff in the centre of it all. From the start, the Association of Municipal Corporations, representing the elected Watch Committees, was seen by the Home Office as the opposition. The Commission avoided the issue of dealing with the public by taking as given that the 'general public' could be safely divided into innocents (who in the main liked the police) and villains (whose testimony was disregarded). More to the point, the RC was less an exercise in dispassionate evidence-gathering, than one producing a desired outcome. Its Secretary revealed this in a letter to the Chairman about their proposed public opinion survey in June 1960. To the draft list of questions he added another:

do you think that we have the finest police forces in the world? is suggested in the hope that the answer might give the police the vote of confidence which they sorely need. But there is, of course, a risk that it might misfire! (Home Office 1960b)

The image of the British police was being actively maintained. Once the opinion survey was produced, the published analysis revealed that it was deliberately presented to show the police in the most favourable light possible (Home Office 1961). First, the questionnaire itself contained a leading question with regard to police violence, which played down the possibility. The second way results were distorted was by aggregation of people who had had past experience of the police. One section cross-referenced the correlations between people's opinion of the police and their past experience of them, in three categories 'no encounter', an 'unsatisfactory encounter', and a 'satisfactory encounter'. The categories of 'no encounter' and 'satisfactory encounter' were aggregated together: thus it is impossible to compare the opinions of those who had good with bad encounters. The majority who had no dealings with the police were included in a way that makes it difficult to examine the main findings of the survey. The people who had

no dealings with them may have been satisfied with the police, but those who had the most to do with them had a far lower opinion. The concept of the 'general public' was thus defined as to dilute criticism. The third way that the survey was distorted concerns conclusions drawn from the under-representation of youth. The survey designers asserted that their sample was representative in all respects, save only that of age. This *non sequitur* was used to discredit the opinions of the youngest age-group, whose opinions of the police were consistently the worst. Alongside these sleights of hand went a refusal to draw any unwelcome conclusions from the survey. The implications of 2 per cent of the UK's population claiming first-hand knowledge of major police misconduct were not taken on board by the Commission or by most of the people who commented on its report (Weinberger 1995: 202).

The Commission's terms of reference kept it away from the issue of police power over suspects. For this, the Home Office's Permanent Secretary Sir Charles Cunningham was wheeled in to meet the Chair, the Deputy and the Secretary, who later summarized his boss's position thus:

following a series of incidents... public confidence in the police appeared to have been shaken. It was on this account that the terms of reference centred on relations with the public, necessarily touching on questions of the police officer's accountability and the arrangements of controlling police forces. It had not been intended that the Commission should go into questions relating to the operational work of the police, in their technical efficiency, or the methods which they employ in e.g. searching premises, arresting people, and interrogating suspects. (Home Office 1960e)

A contentious concept of the public is also here advanced as self-evident: these 'arrested people' and 'interrogated suspects' are obviously not the same people as the 'public', and were ruled as not being part of an investigation of 'the public'. Cunningham accepted that 'examination of relations with the public might well involve some examination of allegations that the police have abused or misused their powers.' But in practice the Commission did not do this, steering clear of allegations of abuse.

The Royal Commission reported, and the 1964 Police Act was drawn up. It got rid of elected watch committees, consolidated a national profession of senior police officers, increased the power of the Home Secretary, and reduced the Police Authorities to the role of quartermaster. The 1964 Act also allowed the Home Office to set up common services without any involvement from the police authorities and to amalgamate boroughs and counties – a process that eventually produced 43 territorial police forces (Williams 2007). This centralization went hand in hand with a close attention to central control of police training and accreditation. All these outcomes, it is reasonably clear, were what the Home Office wanted to happen. They moved the system of British police organization further from institutional accountability to the public, and towards a more centralized system, with the positive aim of further professionalizing the service. But the 1960 Royal Commission did not alter the relations between the police and the public, and this continued to be a source of on-going controversy, because the underlying trend for

more people to be less sympathetic to breaches of the formal law by the police had not gone away.

The Racialization Of The Policing Debate In The 1980s

The immediate catalyst for most of this controversy in the 1970s and 1980s was the role of racism in policing and in the wider society. When substantial numbers of West Indian immigrants arrived in the UK after the Second World War, they tended to collect in areas, which made them prey to discrimination and harassment (Pryce 1979). They rapidly realized that the police were no help to them. Despite many attempts on the part of West Indian diplomats and community groups to raise the alarm, relations deteriorated, until by the 1970s a young generation which had seen their parents systematically discriminated against came of age in an era of high employment and a policing style which, while only rarely racist in its intent, was felt as harassment (Whitfield 2004). Those black youths who turned to crime brought down an indiscriminate police response on the community as a whole, which further soured relations. In wider society, the threat of the 'mugger' was seen as a proxy for a whole host of social ills. Criminologist Jock Young described the situation as 'Military policing', characterized by

policing without the consent of, and with the hostility, active or otherwise, of the community. The community do not support the police because they see them as a socially or politically oppressive force in no way fulfilling any protective functions... the police force under such circumstances will not be in a position to receive the type of information from the community which would enable its activities to be characterised by the principle 'certainty of detection'. The crucial consequence of this situation is that an important part of police activity will come to constitute the random harassment of the community at large irrespective of involvement in crime. (Young and Lea 1984: 172-173)

It was in this kind of atmosphere that, faced with high figures for street robbery, the Met launched operation 'Swamp '81' in Brixton in April 1981. One hundred and twelve officers stopped and searched youths (around half of whom were black) for evidence of wrongdoing. Many were convicted under the 1824 Vagrancy Act for acting suspiciously: the infamous 'sus laws'. Of 943 stops, just one resulted in an arrest for robbery, and one for burglary. This operation was the cue for three days of anti-police rioting in the area, which shocked many observers who had failed to realize the extent to which consensus between police and community had broken down.

Lord Scarman's subsequent Inquiry concluded that although the riots were to be condemned, the police could make significant changes to the way that they went about their work. Notably, they ought to put into place permanent consultation schemes with representatives of local communities, and police training ought to be designed so that police officers were aware of the reactions of the communities that they were policing. Scarman did not, though, recommend that the police shift to the idea of 'community policing' which was being advocated at the time by some senior officers such as John Alderson, who called for greater community cooperation between the police and other elements in society so that the police

could help to halt their growing alienation from the public (Alderson 1984: 229). Scarman's 1981 report problematized policing, and presented would-be reformers with a great number of standards against which to test it (Scarman 1982).

From the 1980s, 'best practice' and 'performance indicators' were increasingly set by the government. These meant that although the various objectives of the police were often described in terms of proximity to the community, the local police forces themselves lacked the operational flexibility to interpret them themselves. As Loveday sums it up:

In place of major reform, police services were instead made subject to an increasing range of performance measures which were to be formalised within the Police and Magistrates Courts Act 1994. This provided the Home Secretary with the power to determine national police priorities. These would be published thereafter within every 'Local Police Plan' produced by the police authority and chief officer. (Loveday 2006: 284)

Power was moved to central government, but simultaneously diffused in the direction of the periphery as well – initially to a much lesser degree. The focus of police organization shifted towards the local, as a result of increased government intervention. An Audit Commission report written in 1991 pushed for powerful 'basic command units' (BCUs) below the level of police, and these were set up in 1994 following legislation in 1992. There are over 200 of these, compared to the 45 traditional forces, and they are usually led by a Chief Superintendent with wide powers over uniformed staff, and 200 to 1000 of these under his or her command (Loveday 2007: 325).

At the same time or slightly later as these changes in the way that policing was managed were occurring, others began to alter the way that policing on the streets was carried out in Britain. Through the 1980s, in policing and Home Office circles, 'community' was usually a surrogate term for 'race', and when 'community policing' was discussed, it was seen as a panacea chiefly for the problem of the alienation of ethnic minorities (Rowe 2004: 147). By 1997 this had changed: in the 1980s and 1990s police faced criticism from the left, not merely for policing oppressively, but also for failing to protect the poor from crime (Kinsey *et al* 1986: 86, 202). A developing doctrine in criminology which called itself 'Left realism' included a critique of the democratic accountability of police, but also argued that policing should be effective. 'Left realists' were happier, though, calling for the police to stick to investigation of crime rather than engage in the kind of partnerships with other state institutions advocated by some supporters of community policing such as John Alderson (Kinsey *et al* 1986: 194).

Meanwhile, the headlines were once again about policing and race. In 1990 Stephen Lawrence was killed in an unprovoked racist attack in south-east London, but the failure of the police to catch his killers became a symbol of the Met's alienation from London's black population. The detectives' assumption that the killer(s) knew the victim would have been correct in the vast majority of murder cases: their problems lay in sticking for too long to their assumption that it was not necessarily a racist attack. In 1997, the incoming Labour government called a public inquiry into the case under the judge Lord MacPherson (Rowe 2004). The nadir of the Inquiry for the Metropolitan Police occurred when the author of an

internal report into the investigation was asked to justify it. The witness, a former head of the Yard's elite Flying Squad, was unable to reconcile his positive report with the litany of failure that the Inquiry had heard. His cross-examination by the Inquiry was unhappy, as it rapidly became clear that the internal report – an anodyne description of a routine investigation in which no mistakes had been made – was a whitewash, and his description of it was 'unconvincing and incredible' (Lawrence Inquiry 1998: 197). MacPherson concluded of him:

his value as a witness and his credibility in vital matters had been undermined, for reasons which were obvious to anybody listening to his cross-examination... Some of the answers given and assertions made... were in the full sense of the word incredible. (Lawrence Inquiry 1998: 201)

The depth of the crisis that hit the Met at this point can only be understood if we remember the nature of new policing, which concerns the creation and operation of rational bureaucratic organizations, the governance of which demands that those in charge are sure that they are being told the truth by their subordinates. The Metropolitan Police was at the time under the control of the Home Office, which has always had an interest in making it more efficient, and a tendency to suspect that it could be more fit for its intended purpose. The multiple failures of internal administration discovered by MacPherson meant that the Met was forced to implement the majority of his recommendations. As well as more community consultation, this took the shape of family liaison teams and the creation of a 'Racial and Violent Crimes Task Force' (McLaughlin 2007: 152). The major departure, though, was the admission that policing could be institutionally racist. No longer were police defending their record on the basis of a series of discrete encounters: instead they had been forced to note the extent to which their institution as a whole impacts on society. Merely being accountable to the law alone was no longer enough. The policing agenda, which had from the 1970s increasingly focused merely on serious crime in the name of impartially upholding the law, thus broadened once more to include the way that policing is more than merely reactive, but also productive of social relations (Rowe 2004: 141-142).

The 'left realist' critique of policing in the 1990s was one ingredient in the new round of reforms that followed the 1997 general election. The initial centrepiece of the new Labour administration's approach to crime control was the 1998 Community Safety Act. This set up Crime and Disorder Reduction Partnerships, on which local authorities were represented, to

carry out an audit of local crime and disorder problems, consult with local communities, publish a crime and disorder reduction strategy based on the needs and priorities of local communities, identify targets and performance indicators for each part of the strategy. (McLaughlin 2007: 127)

This was aimed at antisocial behaviour rather than at serious crime: the informal policing of such behaviour exercised in the interwar period by the coppers Barbara Weinberger spoke to has shifted to a formal mode of control. Neighbourhood policing teams now also include amateur special constables, Police Community Support Officers (PCSOs – cheaper and with no powers of arrest), local council

street wardens, and private security patrols, which between them are intended to provide a system of 'reassurance policing' (Crawford and Lister 2004). The aim of the policy shift towards an overt policy of 'neighbourhood policing', which occurred in the first years of the twenty-first century, was 'to reduce the fear of crime and to resolve local problems of crime and anti-social behaviour' by establishing more than 3,000 policing teams at the local level, staffed by a 16,000 PCSO and 13,000 police (HMIC 2008). At the same time, local authorities are restructuring more of their operations in the name of situational crime prevention. Access points are being closed off, concierge services added, warden patrols added, and housing tenancy agreements have been made stricter. Neighbourhood policing has become, in McLaughlin's words 'spectacularised' – made as visible as possible, and often features special operations against selected serious crimes which have a high level of media coverage built in to them (McLaughlin 2007: 137). But this was not zero tolerance policing, for four reasons: First, local councils did not take community safety seriously, and continued to carry out crime prevention work autonomously. Second, the Home Office remained sceptical of the value of the beat police, and focused on the problem of serious crime, wanting policing to be intelligence-led rather than responsive. Third, the police themselves were reluctant to 'expand their mandate and get involved in disputes and sub-criminal matters that were woven into the fabric of certain neighbourhoods' (McLaughlin 2007: 128). Fourth, police were content to manage antisocial behaviour in one place, rather than risk dispersing it through an attempted crackdown.

After 2004 the Basic Command Unit was made more autonomous, but important performance indicator targets were set nationally, with very limited scope for local variation (Loveday 2006: 285-286). Meanwhile, the Home Office has become yet more interventionist in police authorities, to the extent that they are very nearly cyphers, with their residual accountability functions being eroded by both the Home Office's Inspectorate of Constabulary, and the new Independent Police Complaints Commission.

Conclusions

The British police sometimes seem to be groping back towards an ersatz or cargo-cult version of the *Dixon* ideal, but have yet to reach it. Most bobbies are still in cars rather than on the beat, and the officer who is designated to look after a specific area has a lot of ground to cover, and, crucially, is meant to work as part of a multi-agency team. The informal violence that ensured compliance with police orders has become bureaucratized as the Anti-Social Behaviour Order (ASBO). Law on the streets and law in books have been brought into harmony with one another, by a process which has substantially altered the burden of proof in favour of the state at the expense of the suspect.

At this point, it is worth considering Taiwan once more as a point of comparison. First, Taiwan went through an overt process of democratization in the 1990s, one of the key elements of which was the removal of significant discretionary powers from the police (Martin 2007: 673). This was seen as moving it in the direction of the West, which had democratized centuries previously. But do we need also to recognize that the tacit exercise of arbitrary power by the police in the UK had only been gone for a generation or so? This is not to argue that there are stages of

political evolution and some countries are ahead of others – indeed, the same arguments, about the limits of the exercise of legitimate force, were being had at the same time in both countries.

What the UK did in the 1990s, faced with a crisis in professional policing, was to adopt a rhetoric of zero tolerance which moved towards the neighbourhood but never arrived there. Police engaged with other agencies of the state, notably local authority housing departments, in instituting ASBOs. They took part in 'problem-oriented policing' to resolve discrete crime waves. They grudgingly allowed Community Support Officers to appear on the streets, chiefly as a visible reassuring presence. What they failed to do was set up a comprehensive network of substations like the Taiwanese *'paichusuo'*, and they definitely did not move the police constable back onto a beat in the Taiwanese style, in which one patrolman is personally responsible for a very few city blocks. The rhetoric of policing moved closer to the neighbourhood but the police themselves remained aloof from it. A growing distaste for casual violence had opened up a gap between the desire of police to control the streets and their effective powers to do so: this gap was filled by a bureaucratized power rather than by the police moving themselves, and their accountability, closer to the actually-existing public.

Bibliography

- Abrams, M. (1959) *The Teenage Consumer*. London: The London Press Exchange.
- Alderson, J. (1984) *Law and Disorder*. London: Hamish Hamilton.
- Bittner, E. (1975) *The Functions of the Police in Modern Society*. Chevy Chase: National Institute of Mental Health, Center for Studies of Crime and Delinquency.
- Breaks, C. (1960) 'Your police are wonderful!', in *Justice of the Peace*, 15 March.
- Brogden, M. (1991) *On the Mersey Beat: Policing Liverpool Between the Wars*. Oxford: Oxford University Press.
- Bunker, J. (1988) *From Rattle to Radio*. Studley: Brewin Books.
- Crawford, A., and Lister, S. (2004) 'The Patchwork Shape of Reassurance Policing in England and Wales: Integrated Local Security Quilts or Frayed, Fragmented and Fragile Tangled Webs?', *Policing: An International Journal of Police Strategies & Management*, 27 (3): 413-430.
- Critchley, T.A. (1978) *A History of Police in England and Wales*. London: Constable.
- Emsley, C. (1996) *The English Police: A Political and Social History*. Harlow: Longman.
- Gatrell, V.A.C. (1990) 'Crime, Authority and the Policeman-State', in F.M.L. Thompson (ed.) *The Cambridge Social History of Britain 1750-1950: Vol. 3 Social agencies and institutions*. Cambridge: Cambridge University Press, pp. 243-310.
- Hansard (1959) 'Police (Royal Commission)', *Hansard*, HC Deb 16 December, vol. 615 cc1452-5.
- HMIC (Her Majesty's Inspectorate of Constabulary) (2008) *A Thematic Report on Neighbourhood Policing and Developing Citizen Focus Policing*. London: Central Office of Information.

- Home Office (1960a) '1960 Royal Commission on the Police', Critchley to Willinck, 18 January, National Archives HO 272/26.
- Home Office (1960b) '1960 Royal Commission on the Police', Critchley to Willinck, 23 June, National Archives HO 272/4.
- Home Office (1960c) '1960 Royal Commission on the Police', National Archives HO 272/26.
- Home Office (1960d) '1960 Royal Commission on the Police', National Archives HO 272/26.
- Home Office (1960e) '1960 Royal Commission on the Police', Notes on a meeting at the Home Office between Willinck, Critchley, Jacob and Cunningham, 14 December, National Archives HO 272/4.
- Home Office (1961) '1960 Royal Commission on the Police', Social Survey on Police/Public Relations, National Archives HO 272/24. EE. 2.
- Jackson, L. (2008) 'The Coffee Club Menace': Policing Youth, Leisure and Sexuality in Post-War Manchester', *Cultural and Social History*, 5 (3): 289-308.
- Jephcott, P. (1967) *Time of One's Own: Leisure and Young People*. London: Oliver & Boyd.
- Kinsey, R., Lea, J., and Young, J. (1986) *Losing the Fight against Crime*. Oxford: Basil Blackwell.
- Klein, J.M. (2007) 'Traffic, Telephones and Police Boxes: The Deterioration of Beat Policing in Birmingham, Liverpool and Manchester Between the World Wars', in G. Blaney (ed.) *Policing Interwar Europe: Continuity, Change and Crisis, 1918-40*, Basingstoke: Palgrave, pp. 216-236.
- Lawrence Inquiry (1998) *The Stephen Lawrence Inquiry, Report of an Inquiry by Sir William MacPherson of Cluny, 1998-1999 Cmnd 4262*.
- Loader, I. and Mulcahy, A. (2003) *Policing and the Condition of England: Memory, Politics and Culture*. Oxford: Oxford University Press.
- Loveday, B. (2007) 'Basic Command Units (BCUs) and Local Authorities: Future Mechanisms of Police Accountability and Service Delivery', *International Journal of Police Science & Management*, 9 (4): 324-335.
- Loveday, B. (2006) 'Policing performance: The Impact of Performance Measures and Targets on Police Forces in England and Wales', *International Journal of Police Science & Management*, 8 (4): 282-293.
- Martin, J. (2007) 'A Reasonable Balance of Law and Sentiment: Social Order in Democratic Taiwan from the Policeman's Point of View', *Law and Society Review* 41 (3) 665-698.
- McLaughlin, E. (2007) *The New Policing*. London: Sage.
- Neocleous, M. (2000) *The Fabrication of Social Order: a Critical Theory of Police Power*. London: Pluto Press.
- Pryce, K. (1979) *Endless Pressure: a Study of West Indian Life-Styles in Bristol*. (Harmondsworth: Penguin).
- LPCM (1947) 'LPCM reports for 1945-55', London Police Court Mission Rainer Archive, Galleries of Justice, Nottingham, Box 13.
- LPCM (1959) 'LPCM reports for 1958-59'. London Police Court Mission Rainer Archive, Galleries of Justice, Nottingham, Box 13.
- Rowe, M. (2004) *Policing, Race and Racism*. Cullompton: Willan.
- Scarman, L. (1982) *The Scarman Report*. Harmondsworth: Penguin.
- St. Johnston, E. (1978) *One Policeman's Story*, Chichester: Barry Rose.

- Steedman, C. (1984) *Policing the Victorian Community: The Formation of English Provincial Police Forces, 1856-80*. London: Routledge.
- Storch, R., and Philips, D. (1999) *Policing Provincial England, 1829-1856: The Politics of Reform*. London: Leicester University Press.
- Storch, R. (1976) 'The Policeman as Domestic Missionary: Urban Discipline and Domestic Culture in Northern England, 1850-1880', *Journal of Social History*, 9 (4), 489-501.
- Swift, R. (1997) 'Heroes or Villains? The Irish, Crime, and Disorder in Victorian England', *Albion*, 29: 399-421.
- Waters Inquiry (1959) *Report of the Tribunal Appointed to Inquire into the Allegation of Assault on John Waters*, Cmnd.718.
- Weinberger, B. (1995) *The Best Police in the World: an Oral History of British Policing*. Aldershot: Scolar.
- Whitfield, J. (2004) *Unhappy Dialogue: The Metropolitan Police and Black Londoners in Post-War Britain*. Cullompton: Willan.
- Williams, C.A. (2000) 'Counting Crimes or Counting People: Some Implications of Mid-Nineteenth Century British Police Returns', *Crime, Histoire & Sociétés / Crime, History & Societies* 4 (2): 77-93.
- Williams, C.A. (2004) 'The Sheffield Democrats' Critique of Criminal Justice in the 1850s', in R. Colls and R. Rodger (eds) *Cities of Ideas: Civil Society and Urban Governance in Britain 1800-2000*. Ashgate: Aldershot.
- Williams, C.A. (2007) 'Rotten Boroughs? How the Towns of England and Wales Lost their Police Forces in 1964', in J. Moore and J.B. Smith (eds) *Urban Corruption*. Aldershot: Ashgate, pp. 155-175.
- Wood, J.C. (2004) *Violence and Crime in Nineteenth-Century England: The Shadow of Our Refinement*. London: Routledge.
- Young, J, and Lea, J. (1984) *What Is To Be Done about Law and Order?* London: Penguin.

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