

# The Police in Evolution

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## *Vision on Policing*



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# **The Police in Evolution**

## *Vision on Policing*

Project Group Vision on Policing  
Board of Chief Commissioners  
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## Preface

“Will we dwell in what our forefathers bestowed on us; will we not do anything ourselves; will we resist timely advance; well then, rather than advance, we will face decline. Each era has its own principle of motion; if one lets this lie, the following era will suffer commotion”, said Thorbecke in his 1872 Historical Essays.

This is the quote that formed the introduction to the 1977 report *Politie in Verandering* (*The Changing Police*). And these words uttered by the great Dutch politician and philosopher still apply, in equal measure. The report written by the Project Group *Organisational Structures* sprang from various developments, including the police service’s identity crisis in the 1960s. After the 1993 management crisis (the reorganisation) and the 1995 crisis of authority (Van Traa), it now seems necessary to check whether the new course our ship is sailing is clearly lit. If we fail to do so, we run the risk of getting stranded in an increasing pressure to perform, in asking too much of the job and fragmenting it. If we let that happen we would be unwittingly heading directly for a crisis in 2005. That is why we need to change course before it is too late. Or, to phrase it more positively: we must make a number of drastic changes now that the time is ripe.

Ten years after the formation of regions the police services together reached the conclusion that we needed to change our course. Not because the reorganisation would otherwise be unsuccessful. Quite the contrary. But since *The Changing Police* and the 1993 reorganisation there have been so many changes in the world that it has become necessary to refocus our mission, vision and strategic objectives. This means that we are not concerned with the existing order. Changing said order does

not say anything about the tasks of the police and the profession. And it is the latter that we have very much at heart.

In the vision set out in *The Changing Police*, the police service was to focus on people in local communities on a small-scale, integrated and self-managing basis. The police did not make an instrumental but an independent contribution to safety and quality of life. The 1993 reorganisation, the largest governmental merger and efficiency operation in history, did not alter that vision at all.

The Netherlands now has a police service that is strongly integrated into society. Because of its regional organisation, the police service has a strong focus on its own environment, and particularly on the people in villages and local communities. At the same time it is capable of providing adequate support during large-scale events, whether alone or in collaboration with other parties. The Netherlands is becoming a safer country. That is important to note.

Needless to say, there have been changes made to the original model over the years. For example, the organisation has become more businesslike and there are more obligations. The police services now operate much more professionally, with a strong focus on increasing efficiency, as becomes apparent from the results of the different services and the developments within the quality model.

But if things are going that well, why would we need to 'change course'? The answer to that question is evident: because circumstances demand that we do!

What do I mean by this? In short, the situation is as follows: the time for putting up with things ended around the turn of the century; repressive enforcement is now in the air. There are a number of other issues, too. First of all, the number of regulatory authorities and investigating officials outside of the police has increased substantially (horizontal fragmentation). Secondly, the private security industry has entered the public domain, either in collaboration with the police or independently (vertical fragmentation). And finally, domestic and global developments have led to politicisation of the safety domain. The tensions that arise as a result of immigration/migration are cause for concern, especially in the larger cities. Terrorism and the threat of terrorism are spreading fear and raise the question whether society is sufficiently protected. The question whether society has become too vulnerable due to lowering its level of defences is heard more and more frequently. The open borders, the explosion in mobility, the mass take-up of the options offered by mobility and open borders and the related anonymity have increasingly shown themselves to be incentives to crime. All of these developments will be discussed in the memorandum and it is important that they are discussed.

The project group would like to stress that the police must continue to play above all a dominant role in the public domain, for that is the arena in which the rule of law manifests itself most emphatically. In addition to this role, the small-scale yet evident presence of the police in villages and local communities also remains appropriate.

What's new is the notion that the alert presence in the main infrastructures can make an important contribution to increased safety and a reduction of crime. We need to investigate even more intensively, smarter and in a more integrated fashion.

Gathering information needs to feature even more prominently and needs to be stripped of functional interests. The rule that applies to the police as a whole is that information has to function as a non-normative ‘means of production’.

To reinforce the public function of the police, we need to improve the coherence between all government agencies involved in dealing with the transgression of standards and tackling crime. In doing so we need to be even more focused on intensifying international collaboration. Improving the collaboration on the infrastructures could be a good first step. The Dutch police service wants to serve with the authority it derives from its professionalism and its constant availability.

Once again, the Dutch police service was ready for a change of course. Because we know that Thorbecke was right: our quest for our ‘own principle of motion’ is not an irrefutable truth, but rather a process of permanent interaction between the police service and the environment in which it operates. This is how we chose to call this memorandum ‘*The Police in Evolution*’. Changing our course will bring further changes. The best way to deal with that fact is to be making these changes ourselves.

*Amsterdam, May 2005*

On behalf of the Project Group *Vision on Policing*

**Bernard Welten**  
*Chairman*

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# 10

Management Summary:

## Ten Points on the Horizon

The police service plays an important role in promoting the safety of civilians. In order to properly fulfil that role in a society that is undergoing profound changes, the police constantly strive to improve their performance. Part of that process is the formulation of a shared, coherent view of what helps to promote safety. The memorandum entitled 'The Police in Evolution' intends to put the principles of this view into words by setting out a mission, followed by a vision and then a strategy for the coming years.

#### **Context: Public Safety is Essential**

The police service operates in an environment that is very subject to change. The modernisation process within society has drastically changed the relationship between government and citizens. This has had radical consequences for the objective development of public safety as well as the perception of public safety. The murder of Fortuyn, the Madrid attacks, the murder of Van Gogh and the threat of terrorism have resulted in polarisation, a reduced level of tolerance and a hardening of society. Due to the increased mobility of people, goods, money and information, public safety at the local, interurban and international level has become increasingly intertwined. Moreover, new forms of crime have arisen over the past few decades. The safety issue has become more complex.

With the increased threat of crime and terrorism, the lack of safety has become a fact of life. People are prepared for this and take account of it or try to do so. It is therefore not surprising that crime and the lack of safety are the problems most mentioned by citizens as social problems to which the government should give the greatest priority. It is therefore logical that the authorities and politicians have a greater interest in safety issues and that the media have a considerable interest in any police activity.

The perceived lack of safety and the complexity of the issues involved have resulted, among other things, in increasingly broader and increasingly tougher demands being placed on the police. Not only society at large, but also the authorities, administrators, politicians and partners in safety have (increasingly) different expectations

and visions as regards the desired performance of the police. The general perception of the police is becoming more diffuse: what should and shouldn't the police stand for?

### Objective and Structure

The memorandum *The Police in Evolution* is intended to point the way for future developments in the profession. The intention is that the document should convey a clear message to those involved outside the police as well as to the police's own internal organisation. This will make the most concrete and more urgent problems regarding the police tasks and organisation manageable both for the police and for citizens, the authorities, administrators, politicians and partners in safety. This also includes a structuring of the large number of ideas and visions regarding particular areas of police work in order to clarify the overall context. Another aspect is to provide direction for the corporate architecture being developed by the police, in particular as regards the Dutch police's process model.

In this vision memorandum we shall focus on the desired performance of the police. This does not mean that the police think they are the main player in the safety field. The police realise all too well that promoting safety is only possible if all parties contribute: politicians, administrators, the Public Prosecution Service, public and private organizations and, last but not least, citizens themselves. Active and involved social organisations and citizens who can live independently in society play a vital role in making our country a safer place. The role played by the police in the safety field as a whole is relatively modest. It is very important, though, that this role is fulfilled as well as possible. This vision memorandum does not seek to do more – or less – than offer a course for developments to follow with a view to tailoring police tasks as closely as possible to society's requirements.

After an introductory chapter, Chapter 2 will present the mission of the police. The mission clarifies the identity of the Dutch police and affects the positioning of the police and the working methods of the organisation. Next, the current position of the police is analysed (Chapter 3). Key notions in this respect are the politicisation of safety, the fragmentation and privatisation of police tasks, too much being asked of the police and the pressure to perform. This analysis will form the basis for the vision, which will indicate how the police, now and in the future, wish to give substance to their mission (Chapter 4). The strategy will present and explain the concepts involved as regards the tasks, the organisation, the issue of public safety, and operations (Chapter 5). Chapter 6 will discuss managerial aspects and collaboration. In Chapter 7 the starting points for the administrative embedding of the police are addressed.

### Ten Points on the Horizon

The main components of this vision memorandum have been expressed below as ten points on the horizon. These are the directions in which the Dutch police service wants to develop in the next few years.

# 1

## *The Dutch police want to contribute to safety*

The description of tasks as stipulated in the Police Act is as clear as it is general in nature: enforcing the law, investigating and providing aid whenever necessary. The specific interpretation of these tasks varies over time and results from the interaction with administrators and society at large. During periods in which the threats to public order and safety are not perceived as very pressing and in which society is considered to be relatively stable it is usually easy to reach consensus on the content of police tasks. Current times, however, are different. The specific interpretation of the tasks is a matter of discussion and the extensive range of matters on which the police are called in has resulted in a discussion in the last few years about the 'core tasks' of the police.

In order to contribute to public safety, the Dutch police service must take up a clear position in the administrative, societal and even the operational fields of influence. The police protect the agreements and institutions that bind the members of society and link them together. The police make the greatest possible contribution to the safety of citizens given their responsibilities, powers and capacity. At the same time, the police represent the rule of law. This means that the Dutch police embraces a twin set of responsibilities.

The Dutch police service does not want to fail when the going gets tough. Amidst many different parties that play a crucial role where the integrity of society and the safety of citizens are concerned, the police service is the organisation that people can always call on, even when other players do not deliver. As an authority in the public arena it is present where and when necessary and keeps the peace. The fact that the police want to and can fully play this role has to do with their importance as a representative of democracy and the rule of law, their special powers in that context and the fact that they aim to operate without any personal interests based on a professionalism that guarantees integrity.

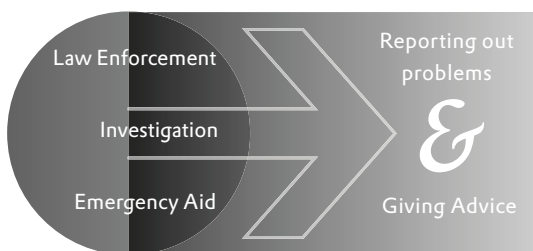
The Dutch police service considers it to be its responsibility to make the greatest possible contribution to public safety. Its contribution involves interaction with administrators and society at large. The police want to do what achieves the most. They are accountable for the added value that they provide. This added value sets out the direction for classifying activities and for answering the question as to whether a given activity should be considered a police task at a particular time and in a particular place. Furthermore, the police choose to constantly update the specific interpretation of their tasks in an interactive relationship with administrators and society at large. Thus, the deadlock of a constant debate about 'core tasks' is broken.

## 2 Reporting and giving advice is an explicit task of the Dutch police

With a view to its legal responsibilities, the Dutch police fulfils a variety of different tasks. The Dutch police want to fulfil these tasks in a coherent manner, to ensure maximum legitimacy, efficacy and efficiency. Within this broad, coherent execution of tasks the following tasks can be distinguished: law enforcement, investigation, emergency assistance, reporting and giving advice.

The task of reporting and giving advice results from the three tasks stipulated in the 1993 Police Act, namely law enforcement, criminal investigation and emergency assistance. Reporting and giving advice means that the police indicate the areas where they feel that administrators, the Public Prosecution Service and partners could and should contribute to the improvement of safety. The police therefore do not want to be a passive player in their relationship with these parties, but they consider it their responsibility to draw attention to safety issues and give advice on those issues, both in a domestic and an international context.

### Police Tasks



## 3 Subordination WITH authority determines the direction of the Dutch police

The Dutch police want to be a professional organisation with their own area of responsibility. They perform their profession in an expert way and with a level of independence that befits their professionalism. This professional space is filled with due observance of the responsibilities of the authorities. The situation can be characterised as: *freedom in restraint*. Based on their professionalism, the Dutch police strive for an authoritative position in relation to their environment.

The Dutch police are convinced that they can make an independent contribution to safety, as subordinates to the competent authority. They can make this contribution as a result of the professional capabilities of their staff and their organisation and because of their authority as a frontline governmental organisation operating within the public domain. This makes the police an ally of the administrative authorities and

of society at large when it comes to improving public safety. The police want to act in a way that helps to improve safety within the boundaries defined by and in compliance with the rule of law. To this end the police organisation as a whole needs a certain measure of professional freedom. The emphasis where this freedom is concerned is not on prior directives but rather on (horizontal) accountability afterwards regarding the results that the police have promised to deliver.

## 4 *The community focus will remain a guiding principle for the Dutch police*

The Dutch police chooses to continue to work in close proximity to citizens and to provide basic safety on behalf of the authorities in that way. Efficacy supersedes efficiency in this respect. The added value provided by the police is founded on its permanent presence (24/7) in the *frontline* of society, where the police seek to settle conflicts and help solve safety issues. This requires a substantial measure of expertise from the individual police officers on the streets. They must use their professional backgrounds to arrive at an assessment of the situation and they basically determine themselves which of the alternative actions open to them is the most appropriate in a given situation (*discretion*). This does not necessarily have to be a strict law-enforcing action. The appropriate metaphor for the police in residential areas should be *your best friend*, the supervisor, who can act as a *referee* in the public domain, who knows the situation and becomes well known, and who uses relatively few formal powers. This variation in the type of action taken (*being friendly if possible, being firm if necessary*) carries more weight in this position than in other tasks. Finally, the local police should be capable of organising social action to promote safety and of mobilising other parties if necessary. The community focus is part of territorial units based on which the police organises its permanent availability for interventions, project-based work and supervision of the infrastructure.

## 5 *A nodal orientation is a necessary supplement to the local orientation in the community focus*

Traditionally, the Dutch police mostly focuses on *locations* (areas, territories). Social processes, however, are more and more defined by *flows* of people, goods, money and especially information. The same applies to crime and terrorism, for example. This operational area is also referred to as the *space of flows*. The *space of flows* is becoming an increasingly important notion, in addition to the *space of places*. The *space of places* is the area-specific, physical surroundings where people live, including important locations such as the neighbourhood, the town, the 'market place' and other places where people meet. The interaction between the living environment and the space of flows increasingly determines the nature of safety problems, while at the same time offering pointers for combating those problems.

The police consider the infrastructure used by the flows to be one such pointer. The infrastructure can be subdivided into a number of different levels:

- intracity infrastructure (e.g. thoroughfares through cities);
- intercity infrastructure (roads, waterways and railways);
- international infrastructure (the European road network, international air traffic, ports);
- virtual infrastructure (e.g. computer networks).

People, goods, money and information move from place to place using some form of infrastructure. The police will intervene at points where the flows using the infrastructure come together, i.e. at the infrastructure network's *nodes*. At these nodes the police can carry out checks on people, goods, money and information that are aimed at identifying potential and current threats to public safety. This differs from the local orientation in terms of the actions open to police officers being limited to more or less routine forms of checks. This calls for a firmer attitude by the police and for using powers that in a community context would only be acceptable in exceptional cases.

The importance of police action in the space of flows partly concerns the link with the safety of locations. Wherever the safety of locations can only be guaranteed through checks in the space of flows, police attention focused on the flows seems warranted. The *explicit* attention the police pay to flows, where the nodes in the infrastructure serve as the point of intervention, is a new approach that calls for an appropriate new term: *nodal orientation*.

## 6

### *The Dutch police are focused on policing of communities*

The Dutch police want their work to be integrated in society. The work not only concerns the enforcement of rules (task-oriented), but also the provision of assistance (demand-oriented, problem-oriented). In this respect nothing has changed relative to the philosophy presented in *The Changing Police*. What is crucial, though, is the recognition that contributing to safety is not just the responsibility of the police, but of society as a whole. In the 1980s and 1990s the aim was to increase the involvement of citizens and of public and private organisations, e.g. in the form of social self-help or collaboration (networks). We must ensure that these developments were not in vain. A lack of safety and the perception thereof are mostly local in nature and should thus be tackled at a local level.

So far, local action as a form of *community policing* has been mainly focused on geographic units (districts and neighbourhoods) and on local authorities. The police service wants to interpret the notion of a 'social environment' more broadly and also focus its attention expressly on other communities. This could involve such as the (organised) business sector (shopkeepers' associations, business centres, and trade organisations), social groups and social organisations (e.g. health care organisa-

tions, schools, cultural organisations, Amnesty International, the Dutch Automobile Association (ANWB) and the Dutch Consumers' Association). *The new style of knowing and being known* also applies here. The police are dealing with a variety of target groups, which calls for a differentiation in their approach (similar to product-market combinations). Not all contacts with society are necessarily best handled by the home beat officer.

## 7

### *The Dutch police want to work in an information-driven manner*

Police work is to a large extent knowledge-driven. Knowledge about people, situations, standards and processes determines what needs to be done. The police aim to have information and knowledge play a more central role. Observation and collecting information are the foundation not just of the daily operations of the police at local level, but also of analysis and refinement of information for other safety purposes. Thus, the day-to-day performance of police tasks forms the extremely crucial basis for the general responsibilities of the police. The concept of *Information-Driven Investigation* (IDI) forms a strong link between the investigation process and the information process. Data and information must lead to management at the strategy level for formulating policy on crime fighting and management at the tactical level for making concrete choices in investigations. The analysis of data and information form the core of this decision-making process. The quantity and quality of data management largely determine its efficacy and efficiency. The work begun to move from *Information-Driven Investigation* to *Information-Driven Policing* (IDP) will continue.

## 8

### *The Dutch police consider programme management as an adequate means of collaboration*

Within the general safety policy, the police service is a crucial link because of its added value in terms of improving safety. Other parties, however, share in these responsibilities as well. There is a need to clearly define responsibilities and the connections with these other parties in order to avoid any overlap of working areas. Collaboration is not something that will automatically occur: it must be organised. That is why the Dutch police service feels that this collaboration must be defined in joint programmes. The police service considers programme management to be an adequate means of establishing safety policy coherence between the police and its various partners. Programme management has a horizontal effect, without there being a mutual hierarchy between the parties. Programme management can only be effective if the programmes are administered in such a way that the goals to be achieved and each party's contribution to those goals have been laid down. This ties in with the view that all parties should contribute to improving safety. They each do this based on their own responsibility, whereby the administrators feel that they are ultimately responsible and direct the process.

The police want to participate in a broad safety programme that is based on the following:

- **Administrative responsibility.** The administrators are responsible for safety policy. This includes integrated safety policy at the local level under the responsibility of the municipality as well national safety policy.
- **Safety programmes.** The administrators fulfil this responsibility by devising a safety action programme that includes all the relevant parties.
- **Agreed results.** For a programme like this measurable objectives will be drawn up for all the parties involved. The sum total of all the activities and results of all the different partners ensures that the ultimate objective as intended by the administrators is realised.
- **Collaboration and exchange of information.** For efficacy and efficiency reasons the parties will work together in close collaboration and they will exchange information to the best of their ability. The partners will ensure that their own corporate culture allows for this.

## 9

### *The Dutch police form an organisational entity*

Over the past few years the police have shown that collaboration between the different services is increasing. The police services together have started work on a Netherlands *Police Organisational Entity*. The longer this work continues the more interregional and supranational cooperation takes place wherever this is useful from an efficacy/efficiency point of view. The Dutch police are very much aware of the usefulness and necessity of settling express 'group-wide' matters. This means that wherever economies of scale can be realised they will be implemented proactively.

The Dutch police will therefore form one recognisable organisational entity, both internally and for its environment. That is why it has:

- *One mission, vision and strategy, as set out in the present vision memorandum, that serve as a shared source of inspiration and as a joint frame of reference for the Dutch police service as a whole, and about which communication is unequivocal;*
- *One collective labour agreement, one uniform, one training programme, one job classification system;*
- *One corporate architecture and uniform frameworks (professional standards, treatment profiles):*

The frontline character of the police organisation calls for the flexibility and independent decision-making power of professionals, but within that context a higher level of discipline is achieved by standardising primary processes and through more professional mechanisms for management and accountability.

- *One recognisable decision-making body:*

A recognisable decision-making body for the police profession, in which binding decisions are taken that apply to all services. This will promote the idea of the Dutch police as an accessible and reliable partner for national administrators as

well as in international collaboration. Decentralised decision-making is only possible if it has proven added value in terms of efficacy, efficiency and legitimacy with a view to improving safety.

## 10

### *The Dutch police consider close collaboration between European police services as a self-evident element of joint EU safety policy*

The Dutch police accept shared responsibility for safety within the European territory based on the realisation that the police need to make a fundamental contribution to matters of Community importance with a view to achieving the objectives of the European Union. By signing the *Treaty of Amsterdam* in 1997, the Netherlands subscribed to the objectives of the European Union. The measures required to make police collaboration within European territory more effective were subsequently laid down in the *Tampere* agreements. Five years later, these measures were underlined and tightened during the Dutch Presidency in the *Hague Programme* (2004).

The Dutch police acknowledge the fact that international police and judicial collaboration is not without obligations. They want to communicate the values developed by the Dutch police and spread them throughout Europe. The introduction of the European Constitution will lead to a further integration of national legal systems. The Dutch police want to make their contribution to that integration.



Towards a New, Shared Story

The police currently find themselves in a maelstrom of developments. Among citizens there is heightened sensitivity to problems relating to crime and safety<sup>1</sup>. The social process of modernisation and increased freedom of movement (individualisation, democratisation, privatisation and internationalisation)<sup>2</sup> has drastically changed the relationship between the government and the people. The murder of Fortuyn, the Madrid attacks, the murder of Van Gogh and the threat of terrorism have led to polarisation, a reduced level of tolerance and a general hardening of society.

Over the past few years it has not become any easier for the police to formulate a clear and unambiguous strategy concerning its tasks. The police are under pressure to change their working methods and organisation. This goes for the internal organisation as well as for the collaboration with other parties. The perceived lack of safety and the complexity of that issue have led, among other things, to ever more diverse and ever more stringent demands being placed on the police. Not only society at large, but also the authorities, administrators, politicians and partners in safety have increasingly different expectations and visions as regards the desired performance of the police. The idea that society has about the police is becoming more diffuse: what do the police stand for and what don't they stand for? At the same time there is a feeling that the police should perform better. Wherever the expectations and performance levels are difficult to reconcile citizens become dissatisfied, they lose confidence in the police and the police lose their legitimacy. The police aim to continuously optimise their performance and, at the same time, their public image. Part of this process involves the profession forming a shared, coherent view on what will contribute to promoting safety. The present document contains the guiding principles of such a view, expressed as a mission, a vision and a strategy for the coming years.

## 1.1 Safety is Crucial

The safety issue has become more complex. Crime has changed in various respects. Fewer social control mechanisms and increased anonymity as a result of the process of individualisation and increased affluence (ownership) within society have led to a considerable increase in traditional crime<sup>3</sup>. In addition, many types of crime have changed. Because of the significant increase in the mobility of people, goods and information, local, interurban and international safety have become more and more intertwined because open borders, freedom of mobility and computerisation offer opportunities not only to entrepreneurs and citizens, but also to criminal individuals, organisations or networks: international terrorism, human smuggling, the

drugs trade and the financial flows these entail. This has made crime an increasingly international affair that can no longer be traced back to one single state or jurisdiction<sup>4</sup>. This makes criminal investigations more complex and time-consuming. Moreover, there are new forms of crime, such as the misappropriation of EU funds, money laundering and cyber crime.

Because of all of these developments a number of tried and tested concepts that form part of the basis of the Dutch police's current working methods and organisation are under pressure. Concepts such as *war* and *peace* are no longer obvious. The classic demarcation between the police and the armed services in terms of within and outside of the national territory therefore no longer works either<sup>5</sup>. The government's definition of safety, however, is still based on the fictitious coinciding of territorialism (bound to the state's territory), sovereignty (based on the laws of the state) and the *democratic community*, which acts as monitor and to whom one is accountable<sup>6</sup>.

Territorialism and sovereignty, however, are losing their relevance due to the process of internationalisation (globalisation). The European territory is becoming more important and in political and administrative terms powers are being transferred to intergovernmental or supranational organisations such as NATO and especially the European Union<sup>7</sup>. By signing the *Treaty of Amsterdam* in 1997 the Netherlands subscribed to the objectives of the European Union. The measures that are necessary to make police collaboration within the European territory more effective and thereby to contribute to one of the main EU objectives, i.e. "...to provide citizens with a high level of safety within an area of freedom, security and justice ..." (Article 29 TEU), were subsequently also laid down in the *Tampere* agreements. Five years later, these measures were underlined and tightened during the Dutch Presidency in the *Hague Programme* of 2004<sup>8</sup>. This internationalisation also means that the responsibility for public safety does not stop at the national borders but that it stretches out across the EU territory and even beyond<sup>9</sup>. One very important aspect within this process is the European Constitution, which will be one further step in the process of European unification. This will also bring with it a more intense integration of the national legal systems, which may result in a European constitutional order.

One consequence of the changes in concepts such as territorialism and sovereignty is the need to refocus the operational concept of community policing which so far has been the dominant concept. In the 1980s, community policing came of age. If we do not refocus, and if necessary adjust or replace certain concepts, there is a growing risk of these concepts becoming totally obsolete at a given moment. Think of what happened to the *New Dutch Waterlinie Defences* in May 1940<sup>10</sup>. The police profession thus urgently requires a new course. This document presents a number of guiding principles for a new course, which should be fleshed out within the police organisation itself and in consultation with its environment.

## 1.2 The Police in Motion

Where the police is concerned, the 1980s are often associated with *The Changing Police Service*, the now renowned report written by the Organisational Structures Project Group in 1977. The report was the first document in which the police set out largely their own view of their tasks. This made it a first step in what can be regarded as the process of emancipation of the profession: a process in which the police stepped away from their role as just a government tool and in which they developed their own view of their role in society. In the 1990s the police underwent greater organisational and professional developments than in the preceding fifty years<sup>11</sup>.

Following the regionalisation of the early 1990s, in which 148 municipal services and 17 national districts merged into 25 regional services and the National Police Agency (KLPD), the management teams of the different services set about their task of forging regional police services. The intention of successive ministers who were responsible for the police and of the Lower House has been to create a police service that is integrated both within society and within the administrative echelons of society in terms of the execution of its tasks, that works intricately and that constitutes part of local safety policy and above all that is flexible and can use the advantages offered by an economy of scale. Under the influence of *The Changing Police Service* a lot of red tape is being cut. The (semi-)autonomous position of the 26 new police services leaves room for experiments and innovations. The police services invest in leadership, work processes, organisation, knowledge development in their own circle, education, information management, people and resources. As for leadership, the professionalisation becomes apparent from the development of courses aimed at the different managerial levels in the services. At the highest level the School for Police Leadership (SPL) ensures the continued development and sharpness of the highest strategic managerial echelon. This has brought National Management Development policy to a higher level.

Within operational processes professionalisation can be seen in the standardisation of primary work processes aimed at increased efficiency. One of the many examples is the project *Operational Approach to Investigative Information Management and Training* (ABRIO). This has defined a number of national standards for the investigation process. Further examples are the introduction of frames of reference for a number of primary work processes, such as the *Frame of Reference for Crisis and Conflict Management* of 2002 and the standardization of educational programmes<sup>12</sup>. The investments made by the services are critically monitored via the Dutch Quality Model (INK model) that was introduced in 1993. This quality management system uses self-evaluations, audits and peer control. It uncovers bottlenecks in the organisation and in working methods and offers a basis for permanent improvement of your own organisation. The police are clearly the pioneers among government bodies in this regard. In the report *One cycle down – an evaluation of four years of quality control (2001)* as written by the Police Inspectorate (which is part of the Ministry of the Interior and Kingdom Relations) the conclusion is drawn that the regional services, the KLPD and the Police Academy<sup>13</sup> have been energetic, ambitious and meticulous in introducing the

Dutch Quality Model. The result is a police service that is more decisive, more efficient and more professional and that provides a higher quality standard than before the reorganisation.

The police contribute to safety by means of professional strategies. Examples include the uniform treatment profiles (2000 European Football Championships, introduction of the Euro), Information-Driven Investigation (IGO), the 'Deterrence' concept (*Tegenhouden*), new methods such as DNA testing, the Police Safe Home Hallmark (*Politiekeurmerk Veilig Wonen*) and the handling of persistent repeat offenders (*veelplegersaanpak*)<sup>14</sup>. Where the latter issue is concerned, the result-driven working methods adopted by the police have also prompted the Public Prosecution Service and the judiciary to focus more on the offender than the case at hand. Furthermore, the police are trying to make their performance more transparent and comparable between the different services (*Policing Results Frame of Reference*<sup>15</sup>, which leads into GIDS). All of this has led to the police having an entrepreneurial attitude and taking responsibility, being held accountable and responding to problems in an alert and adequate manner by means of prevention and well as repression.

Over the past few years the police have shown that there is increasing collaboration between the different services. The police services together have started work on a Netherlands Police Organisational Entity. The longer this work continues the more inter-regional and supraregional cooperation takes place wherever this is useful from an efficacy/efficiency point of view. The National Crime Squad and the supraregional investigation teams (BRTs), but also the Police Knowledge Network (*Politie Kennisnet - PKN*), are good examples of this. Certain aspects of the management of the police are increasingly the subject of joint solutions, or shared services<sup>16</sup>. Along with the further development of facility management, this is one aspect of the increased professionalisation of operational management. On the one hand the collaboration stems from local agreements, e.g. on dealing with repeat offenders, and on the other hand it is based on national developments, e.g. the establishment of the District Judicial Consultations (*Arrondissements Justitieel Beraad*). Professionalisation can also be seen in how the police are dealing with their environment. For example, within the criminal law chain the police are increasingly collaborating with other organisations to streamline work processes. One example is the public prosecutor's clerk in police stations. The handling of repeat offenders is also an attempt at organizing the activities within the chain more effectively and efficiently.

In an international context, too, the importance of collaboration is growing. New cooperation treaties with neighbouring countries Belgium, Luxembourg and Germany within the possibilities that had already been established (e.g. the Schengen Agreement) provide the legal foundation.

In short, the police is in motion, and that motion has certainly not reached its end. The changing society continues to place major demands on the police, especially where information management, coordination and collaboration are concerned.

This calls for the further development of concepts in many different areas, such as leadership, management, a focus on results, the sharing of knowledge and the use of technology.

### 1.3 The Police and their Environment

Due to the rise of crime and the threat of international terrorism the lack of safety has become a fact of life. People are prepared for this and take it into account or try to do so. It is therefore not surprising that crime and the lack of safety are the problems most mentioned by citizens as social problems that should be the government's greatest priorities. Expectations, however, have changed: citizens are demanding more than before. They feel that as 'consumers' they have a 'right' to safety, which is to be provided by the authorities. They act like demanding consumers towards administrative bodies and politicians. They are calling increasingly emphatically for accountability and for their wishes and needs to be met. Action by the authorities is no longer obviously legitimate. The authorities are expected to provide quality if they want to maintain their positions<sup>17</sup>, including when it comes to safety. It must be noted, however, that citizens especially want the police to take action against others<sup>18</sup>. Criminologist Boutellier observed that there is a simultaneous utopian longing in people for maximum security and maximum freedom (vitality)<sup>19</sup>. Historian Von der Dunk also mentioned the paradox of more freedom (including privacy) and increased safety<sup>20</sup>. Consumerism therefore plays a certain role, as does the fact that the safety issue is approached differently these days. While for many decades a subjective lack of safety played no significant role, these days the police cannot avoid including the subjective lack of safety in its policy developments. Authority and the allocation of legitimacy have also changed. While in the 1960s the legitimacy of authorities suffered as a result of too much intervention and too strict a position, now the reverse is true. Efficiency and efficacy are now important pillars for the legitimacy of policing<sup>21</sup>. With the developments and the shifts in 'expectations' other aspects of the role to be played by the police have apparently become relevant subjects of debate.

And it is not just citizens who are becoming more interested in the issue of safety. The media, politicians and administrators have now also adopted it as one of their main themes. Insofar as this increased attention is translated into consistent safety policy, this is a positive development. We do see, however, that the increased attention paid to safety in the media usually takes the form of hypes. This becomes apparent in politics and among administrators in the form of a focus on incidents and constant new priorities without matters being identified that have the lowest level of priority. Such politicisation of safety has increased sharply in the past few years. The authorities, administrative bodies and politicians want to draw attention to very diverse issues that can sometimes be at odds with each other and that can never all be realised at the same time. In addition, it seems as if people think that police capacity is freely available at any given time, while the police in actual fact have very limited room for manoeuvre<sup>22</sup>. This need to freely call on police capacity strength-

ens the trend towards centralisation. In policy regarding the police there is a trend towards increased influence from the different ministries. This trend goes hand in hand with *policy fattening*<sup>23</sup>: more detailed regulations, hierarchical and detailed supervision and control, with increasing bureaucracy as the inevitable consequence. This will cripple the police's professionalism and distribution of resources.

Due to external developments such as *politicisation* and *centralisation* the professional nature of the police will change. For instance: next to the *legal professionalism* of old a *customer-oriented professionalism* has grown over the past few decades. In addition, the police is managed to be effective and efficient, according to the so-called methods of *new managerialism*. Within this area of thought the private sector serves as a role model for the public sector, including the relevant business jargon. Government organisations, including the police, should 'provide a service' or 'deliver a product' to their 'customers' and they are evaluated in terms of their 'performance' (efficacy and efficiency). Moreover, there are the debates on so-called core tasks, which lead to even more different perceptions of the tasks of the police service in a number of areas.

Each of these approaches to the police demands a different organisational concept, including different management models, information systems, training programmes and all the rest of it. However, the police receive very diverse signals from their environment as to the nature and scope of the safety issue and as to the best way to tackle it. It is therefore important for the police to indicate its own view on the direction to take as regards how it sees its contribution to improving safety and what that means in terms of the police organisation itself and in terms of the relationship between the police and their environment.

#### 1.4 A New Shared Story

Police leaders are facing the task of writing a new story. This is one of the conclusions of *Blauwe Bazen*<sup>24</sup> (*Bosses in Blue*). The immediate comparison is with *The Changing Police*, but this is not justified. In view of the positive developments regarding the police as described above, today's circumstances cannot be compared with the way things were at that time. The present age of polarisation and intolerance requires especially a level-headed and pragmatic approach. Today's story must give us practical and strategic pointers in particular that will make the most concrete and the most urgent problems of this day and age manageable. It should be a story that can be told with authority both to the police rank and file and to their environment.

As for the rank and file: good leadership means being able to focus the organisation on shared goals. For the police this means making plans and especially inspiring, motivating and directing professionals who have considerable powers of discretion. Police officers should therefore get an unambiguous message from their 'bosses in blue'. No more reinventing the wheel, but testing current concepts against the

changing conditions and adjusting those concepts if necessary: what is important, what is actually nonsense, which are the dead-end routes, what have we done wrong? This first of all calls for a clear concept (the core of policing) from which the police can work and which indicates the key objectives that the police want to focus on. This is the mission of the police. It also requires a clear motto on the police emblem that expresses the mission of the police. A *Vigilat ut quiescant*<sup>25</sup> (the police will be vigilant so that the citizens may be at ease), only made to fit this day and age.

As for its relationship with its environment it is also very important for the police to formulate their professional vision of their own development. This vision should be based on knowledge of the current situation in the Netherlands as well as other countries. It should be a vision that will be the subject of debate with such as administrators, the Public Prosecution Service and other public organisations. That will make it possible to realign expectations and performance and provide clarity as to what one may and may not expect from the police.

## 1.5 Project Group

In late 2003 the Board of Chief Commissioners gave the go-ahead for the project *Vision on Policing*. The Board commissioned a Project Group to develop a professional vision of the future of the police service. This Project Group, consisting of police chiefs and external advisers<sup>26</sup>, started in January 2004 under the chairmanship of Chief Commissioner Bernard Welten.

The activities of the Welten Project Group are in line with and related to recent initiatives in various parts of the police organisation. For example, in the past three years especially, a vision has been developed for a number of sub-areas, e.g. service provision and crime fighting. Work on developing a vision has started in a number of other sub-areas<sup>27</sup>.

Work has also started to develop one shared corporate architecture for the entire Dutch police service. A corporate architecture should describe, as simply as possible, the essential management variables of a company, such as the strategy, structure and culture, people and resources. The corporate architecture thus forms a strategic instrument for managers as regards the design and management of complex companies. A crucial element of such an architecture for the police is a vision of the tasks and responsibilities of the police. This forms the foundation for further visions for the individual primary processes. To date there has not been such an umbrella vision of a number of elementary aspects of policing that was shared across the entire police organisation.

A third development that is related to the development of a vision is the writing of a *corporate story* for the benefit of a joint communication strategy and for managing the reputation of the police. In the model developed for this purpose by Van Riel<sup>28</sup>

this forms one of the necessary building blocks for effective policy in this area, in addition to a balanced mix of behaviour, communication and symbols and, obviously, an organisation that performs sufficiently well.

A new shared story of and for the Dutch police should therefore:

- Set the course for future developments within the police service;
- Present a clear message to the police's own organisation and to its environment;
- Lend structure to a multitude of ideas and visions concerning sub-areas and make the connections clear;
- Set the course for the corporate architecture, especially the process model of the Dutch police;
- Make the most concrete and pressing problems manageable as regards the police organisation and policing.

## 1.6 Structure of this Vision Memorandum

In Chapter 2 we will present the mission of the Dutch police. The mission answers the question concerning the rationale for the existence of the Dutch police service: what kind of police service do we want to be and why? Chapters 3 and 4 will describe the vision of the Dutch police service. This is a clear perspective on the way in which the Dutch police carry out their mission. The perspective comprises various different components:

- Developments that will have an impact on the way in which the police will shape and perform its mission (Chapter 3);
- The guiding principles used by the Dutch police in tackling the challenges that they are facing now and will be facing in the future (Chapter 4).

Chapter 5 will discuss the strategy used by the police, i.e. the way in which the police will shape and implement their mission and vision. Chapter 5 describes the consequences that the police attaches to reported problems such as increasingly open borders, and increased mobility and anonymity. Chapter 6 will deal with management and collaboration. Embedding in administrative structures will be briefly discussed in Chapter 7. This is followed by a bibliography and the composition of the Project Group.

## Notes

- <sup>1</sup> SCP (2004), In het zicht van de toekomst: Sociaal en Cultureel Rapport 2004, Sociaal en Cultureel Planbureau, October 2004.
- <sup>2</sup> Gabriël van den Brink (2004), Schets van een beschavingsoffensief: over normen, normaliteit en normalisatie in Nederland, Amsterdam: Amsterdam University Press. See also: Job Cohen (2002), “Vreemden”. Cleveringa lecture given on Tuesday 26 November 2002 in Leiden.
- <sup>3</sup> Based on police records, crime in the Netherlands increased by a factor of ten between 1960 and 2001. Studies of victims show that victimisation was on the rise until the mid-1980s, and then started to reduce after which it stabilised.
- <sup>4</sup> For example: Spanish counterfeiters produce counterfeit Euro notes in France, which are put into in circulation in the Netherlands via Belgian go-betweens.
- <sup>5</sup> See for example: B. Welten (2000), Interne veiligheid vereist een bundeling van krachten. Een verkenning van de vervlechting tussen politie en krijgsmacht. Undergraduate dissertation in political studies, VU, Amsterdam; and SMVP (2002), Politie en krijgsmacht. Hun verhouding in de toekomst, Dordrecht: SMVP and SMVP (2003), Structurele samenwerking tussen politie en krijgsmacht, Dordrecht: SMVP.
- <sup>6</sup> The blurring of boundaries between domestic and international public safety has become a theme on the national strategic agenda (*Strategische agenda van BZK 2003-2004*, Ministry of the Interior and Kingdom Relations, December 2003). For a discussion on the pressure placed on the traditional basis for the organisation of public safety: Auke J. van Dijk (May 2001) *Veiligheidsconstructie. Een maatschappelijk perspectief op de taakontwikkeling van de politie*. Preadvies Raad voor het openbaar bestuur. Publication of an edited version in E.R. Muller red. (2004) *Veiligheid. Studies over inhoud, organisatie en maatregelen*.
- <sup>7</sup> Between 60% and 70% of Dutch legislation now comes from Brussels and the Member States have to align their national legislation with European legislation (*Strategische agenda van BZK 2003-2004*, Ministry of the Interior and Kingdom Relations, December 2003, p. 130). Further steps regarding the police and the judiciary are provided for in the context of the Hague Programme for the strengthening of freedom, security and justice within the European Union (2004).
- <sup>8</sup> Treaty on European Union, consolidated version (2002), Official Journal No. C 325,24 December 2002; Haags Programma voor de versterking van vrijheid, veiligheid en recht in de Europese Unie (2004).
- <sup>9</sup> For this see: J. Wiarda (2004), Operationeel, professioneel, bindend. Advies over internationale politiesamenwerking, The Hague.
- <sup>10</sup> Where for centuries 30 cm of water on the land was too much for infantry and not enough for vessels, the airborne landings of German troops behind the line made it painfully clear that the concept had lost its military defensive significance.
- <sup>11</sup> J. Kuiper (2004), De organisatie van veiligheid. In: *Jaarverslag 2003*, Politiekorps Amsterdam-Amstelland.
- <sup>12</sup> Bob Hoogenboom (2004), Bedrijfsvoering. In: Frits Vlek e.a. (red.), *Uit balans: politie en bestel in de knel. State-of-the-art van kennis en inzichten*, Apeldoorn: Politie en Wetenschap, pp. 121-145.
- <sup>13</sup> Then still called: Landelijk Selectie- en Opleidingsinstituut Politie (LSOP).
- <sup>14</sup> See for instance: Projectgroep Opsporing, Raad van Hoofdcommissarissen (2001), *Misdaad laat zich tegenhouden*, November 2001 / Projectgroep Opsporing-2, Raad van Hoofdcommissarissen (2003), *Tegenhouden troef; een nadere verkenning van Tegenhouden als alternatieve strategie van misdaadbestrijding*, November 2003.
- <sup>15</sup> A.W. Jansonius, J. Kuiper (1997), Referentiekader resultaten politiewerk, Inspectie Politie, Ministry of the Interior and Kingdom Relations, October 1997.
- <sup>16</sup> We are using this term in a general sense to refer to the shared activities of the different police forces. In a more narrow definition, *shared services* refers to types of collaboration where there is

- a customer-supplier relationship, as one of the possible forms of joint action to realise economies of scale.
- <sup>17</sup> Handvest Publieke Verantwoording, November 2000 ([www.publiekverantwoorden.nl](http://www.publiekverantwoorden.nl))
  - <sup>18</sup> Ben van Eeuwijk (2002), Het verhaal achter de cijfers. Acteren van de politie en onveiligheidsgevoelens van burgers. Scriptie, VU Amsterdam.
  - <sup>19</sup> Hans Boutellier (2002), De veiligheidsutopie. Hedendaags onbehagen en verlangen rond misdaad en straf. Boom Juridische uitgevers, Den Haag.
  - <sup>20</sup> Thomas von der Dunk (2002), Tussen vrijheid en veiligheid. Speech given on 3 December 2002 in Leeuwarden.
  - <sup>21</sup> E.J. van der Torre en E.R. Muller (2004), Het recherchevak; Een institutionele benadering. In: *Justitiële verkenningen*, jrg. 30, nr. 4, 2004, pp. 18-34; Wetenschappelijke Raad voor het Regeringsbeleid (2002), De toekomst van de nationale rechtsstaat, November 2002; Vijver, C.D. van der (2005). De legitimiteit van politieoptreden. Een exploratief onderzoek naar de hedendaagse betekenis van het legitimiteitsbegrip. Apeldoorn: Politie en Wetenschap (Yet to be published in 2005).
  - <sup>22</sup> David Garland (2001), *The Culture of Control: Crime and Social Order in Contemporary Society*. Chicago: University of Chicago Press.
  - <sup>23</sup> B. Hoogenboom (2004), Zeven toezicht- en handhavingsplagen. In: *Tijdschrift voor de Politie*, 65e jaargang, nummer 5 (May 2004), p. 5.
  - <sup>24</sup> R.A. Boin, E.J. van der Torre en P. 't Hart (2003), *Blauwe Bazen. Het leiderschap van korpschefs, Politie en Wetenschap*, Apeldoorn 2003, p. 252.
  - <sup>25</sup> This was the motto of the municipal police until the 1993 Police Act was introduced.
  - <sup>26</sup> For the composition of the Project Group please refer to the final page of this document.
  - <sup>27</sup> For example: Visiedocument "Misdaad laat zich tegenhouden" (2001), Visie op dienstverlening (2003), Tegenhouden troef (2003), Visie en beleidsplan HRM 2005-2010 (2004), Visiedocument Forensische Opsporing (2004), Visie op Publiek-Private-Samenwerking (yet to be published, 2005); Referentiekader Politie en Gemeenschappelijke Veiligheidszorg (yet to be published, 2005).
  - <sup>28</sup> C.B.M. van Riel (2003), *Identiteit en imago. Een inleiding in de corporate communication*, 2e opl. Schoonhoven: Academic Service.





The Misson of the Dutch Police

## 2.1 Introduction

The mission provides an answer to the question regarding the rationale for the existence of the Dutch police service, which is partly based on and set out in the statutory tasks. According to Article 2 of the 1993 Police Act the tasks of the Dutch police are as follows:

*The police have the task, subordinate to the competent authority and in accordance with the applicable rules of law, of ensuring effective law enforcement and rendering assistance to those who need it.*

Currently, the way in which the Dutch police gives form and content to its statutory tasks is not self-evident. An explicit reformulation of the mission is necessary.

The mission provides a convincing answer to the question as to what the purpose of the Dutch police service is and what it wants to stand for. The mission appeals to and is recognisable for members of the police service and people in its environment. The mission is meaningful, both to police and to citizens and partners of the police service.

The mission clearly sets out the identity of the Dutch police and is conveyed in the positioning and working methods of the organisation. The mission is supported by a set of values. Internal values form the ethical compass for the police service and its people. They define what the people and the organisation believe in and what inspires them. Internal values underline the individuality of the police service and they form the inner motivation to give content to the mission. External values are values that are crucial to the environment in which the police operates (citizens, administrators, the authorities, and operational partners).

The police have acknowledged the importance of values for a long time now. Several values that could be interpreted as basic values or threshold values for the functioning of the police have been rendered in certain documents<sup>29</sup>, which in turn were translated into tools used for human resources management and integrity policy. The values that drive the Dutch police are the values that correlate with the mission of the police. This concerns the relationship between the police and the democratic state under the rule of law and between the police and citizens and society at large. The values pertain to the demands that can be made of the police in these relationships and, most of all, the demands that the police set for themselves.

## 2.2 The Mission of the Dutch Police

The mission of the Dutch Police is:

Serving vigilantly, the police represent the values of the rule of law

The motto of all police staff is:

Serving vigilantly

## 2.3 The Mission of the Dutch Police Explained

*Serving vigilantly, the police represent the values of the rule of law*

Within the rule of law, the law provides the foundation for government intervention. The government is the party that - ultimately - settles disputes between citizens. The police provide cover for social actors. In doing so, the police adopt a serving attitude. Social actors can fully rely on the police to answer their call for help. The serving attitude refers to a plethora of activities, including upholding the rule of law, thinking about public safety and what contributes to it, and the enforcement of standards by taking corrective measures. The police's serving attitude means that they serve the democratic state under the rule of law and the safety of its citizens.

The police are on guard against the influence of those who place themselves outside of the social order. Where citizens and their shared institutions give form and content to the desired society, the police are on guard against its subversion. The police do not direct social developments but are on guard against any elements that undermine the democratically agreed social arrangements. The essence of the role played by the police under a democratic rule of law is that they will spring into action as soon as agreements are marginalised or violated. Agreements are only morally significant when people are free and safe social interaction is a precondition for such freedom. The police are on guard against the inadmissible infringement of the safety of citizens.

*The Dutch police represent the continued existence, the integrity and the freedom to act of the democratic and legal institutions*

Democracy is embodied by institutions that shape the tension, in a legitimate way, between individual preferences and what is good for society as a whole by means of an authoritative attribution of values. The Dutch police represents this authoritative attribution of values and where necessary will use the government monopoly on the legitimate use of force to implement this attribution of values. The special powers of the police are justified by the democratic rule of law. At the same time,

such powers must be used when democratic legal institutions are at risk. The police are the cover for the authorities that is above all doubt. In addition, the democratic rule of law places direct demands on the members of society, which are necessary for a society with a good quality of life.

### *The police keep the peace in society*

A democratic form of government is aimed at making people free and thus distinguishes itself from other ways of overcoming the conflicts of interests that cannot be avoided in any society. Safe social interaction is a precondition. The Dutch police support safe social interaction and enforce it wherever necessary.

In their actions, the police strive for *justice*. Considering their great diversity of tasks and roles, policemen and policewomen must be capable of adjusting their behaviour to the situation on hand. It is part of the professional capabilities of the police to assess whether to handle social problems via the *rule of law* or via the *rule of engagement*. The *rule of law* (as stipulated in criminal law, for example) is the bottom line in handling problems. The *rule of engagement* in handling conflicts assumes self-respect, self-confidence, and the ability to cope in social situations on the one hand as well as recognising and acknowledging the values and interests of others, therefore including general values and standards, on the other hand. In the case of some problems the *rule of law* will prevail directly (with serious crime, for instance), but in handling other problems the *rule of engagement* will pay off, whereby the *rule of law* will obviously remain an alternative, which ensures that the police can use the appropriate mix of urging and compulsion<sup>30</sup>.

### *The police protect life, freedom and property*

Public safety requires an orderly state in the public domain and the protection of people against the (perceived) threat to their physical safety and the safety of their property<sup>31</sup>. Public safety means that people can walk the streets without fear, that they can safely send their children to school, that they can start up a business and be protected against crime and anti-social behaviour.

The Dutch police protect life, freedom and property by guarding against evil. The police will show *decisiveness* and will act *decisively* when called upon for help, even if this means that their own safety is jeopardised. One may expect the police service and its members to act decisively and not stand around doing nothing when faced with a situation that calls for action.

### *The police prevent people from taking the law into their own hands*

The police may be expected to act against any violation of standards and to intervene in the case of friction. That is their task. If the police adequately fulfil this task there is no reason for citizens to be permanently prepared to defend themselves. In that case it will not be necessary for citizens to act against perpetrators themselves either, as they can rely on the appropriate authorities, in this case the police, to act on their behalf.

### *The police make the maximum contribution to improving public safety in and for the benefit of society at large*

The Dutch police want to make the maximum contribution to improving public safety. The structure within which the police work and the actions they take are aimed at improving public safety. The police service does not serve itself; it is there to serve the citizens. Police actions are characterised by *involvement*. They serve the best interests of the citizens and society at large. And in this context duties go before rights. The image of the Dutch police therefore is not one of the boss of the citizens but that of a referee in the public domain that serves all citizens.

### *The police serve all the inhabitants of the Netherlands and do not let the interests of certain (groups of) citizens prevail over the interests of others*

Policing is for all of the public and must be available to all citizens in equal measure. Justice, equality, impartiality and quality of service must be guaranteed. The accessibility of the organisation for all groups and cultures in society is important for the embedding, social legitimacy and efficiency of the police. In a democratic state under the rule of law, the state serves the well-being and interests of the citizens in general and without fear or favour. This is also apparent from the police organisation and the individual members of the police service as representatives of that democratic state under the rule of law. They are *impartial*.

### *The police are the authority in the public domain*

The public domain belongs to the citizens and by extension to the government. The government must be the dominant party in the public domain where safety and quality of life issues are concerned. The police are the authority in the public domain. They are the *boss on the streets*, the *referee*<sup>32</sup>, and will enforce respect for their authority if necessary. They fulfil these roles based on their added value relative to other parties, which results from a unique combination of specific characteristics. These characteristics are: the possibility of legitimate use of force (means of coercion)<sup>33</sup>, investigative powers, their permanent presence in the frontline and the level of professionalism this requires, their related position as regards having information, and the anchoring in society.

Particularly because of the police's monopoly on the use of force and their decisive say in terms of the administration of justice, the state and the citizens are certainly entitled to demand *integrity* from the police as representatives and defenders of the democratic state under the rule of law. Acting with integrity means acting in accordance with the values and standards as laid down in duties and regulations. Police integrity refers to policing in accordance with the relevant standards and values, duties and regulations.

### *The police are present wherever and whenever necessary*

Cost considerations do not come into play when the police are asked to act. The (social) necessity of police action always prevails. Nevertheless, police action must be organised efficiently, within the limiting conditions as defined by politicians

and administrators (people versus resources). When it comes to the contribution made by the police to improving safety, the central criteria are legitimacy, efficacy and efficiency.

*The police actively account for their actions to the appropriate authorities and to the (local) community*

It is crucial for all parties involved that there is clarity as to what the Dutch police is and wants to be responsible for, how they are accountable and to whom. Over the past few years the need for public accountability has grown. As do other government agencies, the police must be able to prove that people get value for money. The Dutch police give account of their efficacy and efficiency to the appropriate authorities and to society at large and consider this to be a necessary precondition for the legitimacy of their performance. In addition to the vertical accountability to the appropriate authorities, the Dutch police also want to give account actively to the (local) community (horizontal), and to citizens in varying groups and contexts<sup>34</sup>.

On all levels the Dutch police are a *reliable partner*. They fulfil their agreements and give account of the contribution made by the police, as agreed with partners, to the improvement of public safety.

## Notes

- <sup>29</sup> Including: the Professional Code of Conduct for the Police in the Netherlands (2004).
- <sup>30</sup> Hidde de Blouw (2005), *Herstelbemiddeling een politietaak? Het belang van respectvol optreden*. In: B. van Stokkom en L. Gunther Moor (red.), *Herstelbemiddeling door de politie*. Dordrecht: Stichting SMVP Producties, pp. 25-36.
- <sup>31</sup> F.C. Hoogewoning (1993), *Van driehoeksoverleg tot wijkagent. De politie in overleg over sociale veiligheid in Amsterdam, Rotterdam en Den Haag*. Arnhem: Gouda Quint.
- <sup>32</sup> For metaphors for the identity of the police see: Gerben Bruins (2005), *Beelden van Blauw*. Een onderzoek naar de visies van de korpschefs van de Nederlandse politie op de identiteit van het Nederlandse politieapparaat. Afstudeeronderzoek in het kader van de studie Algemene Sociale Wetenschappen (ASW) aan de Universiteit van Utrecht. Yet to be published in 2005.
- <sup>33</sup> The possibility of the use of force or deprivation of liberty appears to be more important than the actual use thereof. This is why the 'latent use of power' is also referred to. See: Bittner, E. (1980), *The functions of the police in modern society*. Cambridge: Oegeschlager.
- <sup>34</sup> For solving possible tension between vertical and horizontal accountability see: Raad voor het openbaar bestuur (April 2002), *Partners in veiligheid. Van verantwoordingsbocht naar lokale verantwoording*.





# Police Tasks: the Current Situation

### 3.1 Introduction

The police are influenced by developments in society and therefore they have to adjust constantly to a changing environment. The way in which the police fulfil their mission depends on their perception of the society in which they operate and on the legal and societal conditions that they must comply with. The Dutch police's vision sets out how they fulfil their mission now and how they will do so in the near future. In support of the position taken (Chapter 4) this chapter will discuss the current situation as regards police tasks as currently perceived by the police themselves. This discussion will involve the following elements successively: politicisation of the safety issue, expecting too much, discussions of core tasks, horizontal fragmentation, vertical fragmentation and privatisation of police tasks and the pressure to perform. In Chapter 4 we will show the significance of this analysis in terms of the way in which the police will interact with their environment.

### 3.2 Politicisation of the Safety Issue

In the first chapter we briefly touched upon the fact that safety is becoming increasingly politicised. People in authority, administrators and politicians – whether under pressure from the media and public opinion or of their own accord – want to draw attention to a wide variety of safety issues that can sometimes be at odds with each other and that can almost never be realised all at the same time. What is positive is that this politicisation leads to more attention being paid to safety policies. What is negative is that this politicisation also makes the authorities, the administrators and politicians incident-focused. Moreover, this politicisation seems to strengthen the existing tendency towards centralisation of the police. We will explain these aspects below.

The interest of policy-makers in the safety issue is relatively new. Up to the early 1980s policy-makers only had limited interest in the police, the judiciary and safety issues. Administrators left important decisions to the 'expert' judgement of the relevant professionals. The professionalism of the police is thus aimed at being able to satisfy the demands of the authorities. The authorities do the thinking, the police

will act. Police actions, however, far exceed the demands of the authorities. In the 1980s a turning-point was reached in the form of the gradual institutionalisation of a new policy field. In 1984, the Roethof Committee report was issued, which contained recommendations for a more administrative approach to high-incidence ('minor') crime. In that same year, the Minister of Justice appointed the first committee that was to advise on policy-planning, the *Advisory Committee on Police Policy (Peper Committee)*. In 1986 the committee published its report: *Plans for the Police*. The report stretched the boundaries of what was called healthcare at the time to go beyond the traditional domain of the police, the judiciary or criminal law. A more explicit role was created for (local) administrators and for many (other) public and private parties. This *integrated safety policy* built on the basic assumption that ensuring safety in the public domain is not and must not be the responsibility of government bodies alone, but that other parties (citizens, businesses or social organisations) must be addressed regarding their responsibilities as well. On the other hand, safety policy has now distanced itself from the idea of tolerance and since the turn of the century the prevailing thought has been that a lack of safety should mainly be tackled by a strong, decisive and if necessary tough government<sup>35</sup>. There is a certain amount of friction between these two developments, which we can see reflected in the 2002 safety programme *Naar een veiliger samenleving*<sup>36</sup> (*Towards a safer society*). In that programme the government on the one hand opts for intensifying the supervision of law enforcement and investigation by the police (repression) and proposes more ample statutory powers for the police (mandatory ID cards, wider use of DNA material for investigative purposes, preventative searches of suspects). On the other hand, integrated safety policy gets a new impetus at the local level, in which the directing role of the municipality is underlined.

The safety policy of central government is also characterised by friction between the importance attributed to local tailored service on the one hand and decentralised policy developments on the other. And then there is the (creeping) tendency towards centralisation, which goes hand in hand with uniformity, standardisation and an increase in scale. In the 2003 action programme called *Andere Overheid (Different Government)* the cabinet advocates modernisation of government and new concepts for shaping the relationship between central government and the executive organizations. This means that the government has to become more flexible, that civil society needs reinforcement, that civilians will be less bothered by government intervention and that they can expect better public services. This contrasts sharply with, for instance, the recent centralisation of anti-terrorist measures, with the risk that indispensable knowledge from the capillaries of society is lost. The police find this latter aspect to be a cause for great concern because the added value that the police provide where safety is concerned is above all based on the link between the different scales and functionalities<sup>37</sup>.

The trend towards centralisation of safety policies became visible earlier in the respective amendments to the 1993 Police Act. As yet, fundamental principles such as duality in authority, 'decentralised, unless' and *management follows authority* have been pre-

served. This is illustrated by the amendment to the law in 1999 to concentrate management powers at the national level<sup>38</sup> which gave greater management powers to the Minister of the Interior and Kingdom Relations concerning the regional management of the police, with the police's consent. In addition, both police ministers were given the possibility to define national policy and management themes for the police and to manage accordingly. All of this is formulated in the *Beleidsplan Nederlandse Politie* (BNP, *the Policy Plan for the Dutch Police*). The Policy and Management Cycle linked to the BNP in 2000 shows the growing need that the police ministers have for (mutually comparable) management and accountability information for the 26 police services. In 2002, the red tape this entails<sup>39</sup> led to the replacement of this system with the system of the *Landelijk Kader Nederlandse Politie 2003-2006* (*The National Framework for the Dutch Police 2003-2006*) and regional covenants containing results agreements per service.

With the bill called *Versterking bevoegdheden op rijksniveau*<sup>40</sup> (*Reinforcement of powers at the national level*) introduced in late 2004, the cabinet de facto appear to want to depart from the decentralised basic structure of the police organisation<sup>41</sup>. Remarkably enough, the cabinet is thus ahead of the outcome of the new police evaluation of June 2005. The bill strengthens the position of the police ministers when it comes to policy, authority and management<sup>42</sup>. This is done, for instance, by the Ministers appointing and dismissing the regional police service managers, by the Ministers drawing up national objectives and by them also establishing objectives for each individual police service. The bill gives the Minister of the Interior and Kingdom Relations what it refers to as 'the power to carry through' in relation to the police services. The minister will receive more powers than he has under the 1993 Police Act.

A negative consequence of politicisation and centralisation is that the police are confronted with constant new priorities. Using police capacity for these priority objectives means the continuity of the general police tasks will suffer. Especially if lower priorities are not named when new priorities are established, the reliability of the police as perceived by citizens will suffer, and this will lead to an erosion of the legitimacy of the police. In addition, the ample attention that the safety issue gets from politicians and the media adds to the inclination of the Public Prosecution Service to assign police investigators to certain types of crime beforehand (environment, traffic, fraud), these investigators then being guided by the Public Prosecution Service. This creates a growing number of vertical partitions within the police service. It is in fact a form of fragmentation of police tasks. We will return to this issue later in this chapter.

### 3.3 Excessive Demands

The expectations that various groups in society have where police tasks are concerned by far exceed capacity. The reason is that the police are facing a greater workload due to the increasing lack of safety and the complexity of the safety issue, which in turn are due to the increasing lack of border controls, and to increased

mobility and anonymity of social – and thus criminal – processes. Further reasons are the politicisation of the safety issue and the centralisation of police management by central government.

If expectations and performance are hard to bring into line, this generally leads to dissatisfaction, declining confidence and a loss of legitimacy. This problem of legitimacy is not just a Dutch problem, and moreover, it is not limited to the police. Other countries are facing the same problem, both where the police and other government organisations are concerned. International comparative research into the legitimacy of government services shows that the police and the armed services are actually performing the least poorly of all the government services. Citizens generally have more confidence in the police, for instance, than they have in parliaments and political parties<sup>43</sup>.

What the police should do has been the subject of debate for a long time: it is the so called core task debate. This debate is not unique to the Netherlands. Elsewhere the same debate is held in response to excessive demands and capacity problems<sup>44</sup>. The Dutch core task debate can in part be traced back to the fact that the statutory tasks of the Dutch police (Art. 2 of the 1993 Police Act) are limited to general tasks: the actual enforcement of the rule of law and providing aid to those who are in need of it. However, the distribution of responsibilities for the police among the different people in authority shows that maintaining the rule of law can be further divided into *maintaining order* and *enforcing the law*.

Maintaining order and providing aid fall under the authority of the mayor. This is a sign that the notion of public order takes shape at the local level, e.g. through municipal bye-laws. This fits in with an administratively oriented police service and the position of authority of the mayor as the representative of local government. This is in line with the nature of the Dutch state. In the Dutch decentralised unitary state, central government and the municipality have traditionally played a role in safety management, while the province hardly plays a role at all in this area. Local government (municipal council) has ample policy-making freedom within the defined national frameworks. The responsibility for general safety policy, for prevention, public order and emergency assistance primarily rests with the municipality. Safety and quality of life are considered to be part of the domain of local government. As for prosecution under criminal law as a means of law enforcement, the police serve under the authority of the Public Prosecutor who is part of the national Public Prosecution Service. The responsibility for repressive investigation and prosecution thus rests with central government. This distribution of responsibilities brings with it a certain amount of friction where police tasks are concerned.

### 3.4 Ample Definition of Tasks

The fact that the definition of tasks in the Police Act is limited to a broad outline has an advantage as well as a disadvantage. The advantage is that it offers the police

room to vary in their range of actions and to place emphases depending on the issues of the time. Within the sovereign and democratic rule of law, the police is initially an executive organisation charged with law enforcement and criminal investigations, or, in other words: with the enforcement of standards. In the 1970s the social role of the police was added. In *The Changing Police* it was stated that the tasks of the police include promoting the well-being of individuals and society at large. The authors of the report advocate the integration of the police within society, more intense and better quality contacts between the police and citizens and operation based on mutual *knowing and being known*. In order for these aims to be achieved the police tasks must be put into the hands of teams that are linked to a community or region: *community policing*. These teams must have strong internal coherence and are responsible for all of the police tasks (general task definition)<sup>45</sup>. In the 1980s, several (municipal) police services introduced different forms of community policing<sup>46</sup>. This placed the emphasis more on the role of the police officer as a social worker and partner in local safety policy and less on the police role as a supervisor and law enforcer. This meant that the police tasks were no longer merely seen as law enforcement. It was no longer just about setting standards and adequately enforcing them: it was above all about solving social problems as well. Information and knowledge played an important role in this regard.

The social role of the police was gradually emphasised more and more. In the late 1980s the concept of integrated safety was introduced. The administrative handling of high-incidence crime as set out in *Samenleving en Criminaliteit* (Society and Crime) was stretched to integrated tackling of problems concerning safety and quality of life. Public safety, in this context, was considered to be the responsibility of multiple parties: local government, the police, the Public Prosecution Service, civil society, citizens and businesses, with the municipality being appointed as the director of local safety. The socialisation of the Dutch police therefore not only led to a diversification of roles but also to widening of the police's tasks. Community policing and integrated safety policy resulted in the police facing a multitude of tasks and roles at the local level (basic policing, community work). The police were no longer just the strong arm of the law; at the local level they also had to collaborate with administrators and citizens, and meet the wishes of both groups. This meant more work, while the results and impact of police efforts became less and less recognisable for the citizens.

Since the late 1990s there has been a call for stronger action by government, especially in the form of a police service that acts more to enforce the law. The fact that a large number of cases were not dealt with due to a lack of capacity (the so called enforcement gap as described in the *Nota Criminaliteitsbeheersing*<sup>47</sup> (Memorandum on Crime Control)) on the one hand and the renewed confidence in criminal law as a way to create a safer society on the other hand led to pressure on the police to act more to enforce the law and to intensify the investigations into criminal acts. Additionally, the socialisation of the police is becoming more and more associated with a soft approach. The police have gone too far in orienting themselves in line with citizens

and in doing so they have neglected their role as representatives of authority. In a hardening social climate, with the murder of Fortuyn as the absolute low point, the first Balkenende government launched its safety programme in 2002. According to the cabinet, more intense law enforcement and investigating by the police (in correlation with measures to be taken by other organisations in the safety network) should lead to a cumulative reduction of crime in the Netherlands by 20 to 25% after 2006 relative to 2002. And this, according to the cabinet's reasoning, will lead to an increased perception of safety among citizens.

The cumulative effect of social legitimisation of the police and the concept of integrated safety is that the distinction between safety assurance and policing has become blurred. The boundaries between general government tasks regarding safety assurance and the specific tasks of the police as regards maintaining public order and enforcing the rule of law have become increasingly diffuse. This has led to a lack of clarity for both the police service itself and its environment as to the tasks and responsibilities of the police, and thus as to what citizens are entitled to expect from the police. And this brings us to the disadvantage of the broad definition of police tasks, namely that it does not set any limits.

An insufficiently clear definition of police tasks leaves room for unbridled claims made by politicians and society at large. Almost inevitably, the police are not able to live up to everyone's expectations. The police experience this situation as one of excessive demand: they are confronted with an ever growing diversity of ever greater demands from citizens, people in authority, administrators, politicians and 'partners in safety'. This situation is not helped by the positioning that the police themselves have chosen. Many police services consider (or used to consider) it their mission to guarantee the safety and quality of life in their area. This means that the police have also participated in this trend towards *responsibilisation* of society. The result is that they have also become jointly responsible for safety assurance at the implementation level, especially in areas where other organisations fail to take up their responsibilities, whatever their reasons may be.

### 3.5 New Core Task Debate

Within the context of the *Beleidsplan Nederlandse Politie 1998-2002* (BNP, Dutch Police Policy Plan 1998-2002) the core tasks of the police were debated once again<sup>48</sup> in order to create more clarity regarding what the police should and should not be doing. One conclusion drawn from this debate was that it is hard to describe in concrete terms what the police should do. The statutory task description is too general for that. A distinction between *exclusive*, *functional* and *improper* police tasks proved not sharp enough to distinguish the tasks of the police from the tasks of other parties<sup>49</sup>. Moreover, there has been a tendency over the past few years to not just look at the law to define police tasks, but to also look at administrative or social objectives. This means that instead of the police being ordered to do something (e.g. tracing a burglar), the police are supposed to achieve certain objectives by their actions, e.g.

a reduction in the number of burglaries<sup>50</sup> or even a general reduction of crime or a general improvement in the level of safety (cf. *Naar een veiliger samenleving* (Towards a safer society)). It still seems feasible to define the activities that the police in any event should not be performing (any longer).

In July 2004, the Minister of the Interior and the Minister of Justice sent a letter to the Lower House of Parliament in which they set out the core tasks of the police. The letter basically was an attempt at reconciling the two approaches to the core task issue. The first approach is a more deductive exploration of what the police should do given their role as regards the rule of law. The second approach is a more pragmatic inventory of what the police should leave to others. In their letter, the Ministers ultimately did not draw any conclusions as to which concrete tasks the police should no longer perform, as they believed that this issue could only be solved within a specific context<sup>51</sup>. The letter then referred to the notion of the ‘exclusive police tasks’. According to the letter the police should mainly focus on the tasks that entail the (possible) use of force or means of coercion. This, however, would mean that all supervisory bodies (equipped with means of using force and/or with powers to use means of coercion) and all special investigation services (BODs) would then fall within the definition used in the Ministers’ letter. In that respect the letter did not provide the intended clarity. On the contrary, if this line of reasoning were adopted it would mean that supervisory bodies and special investigation services and so on would become part of the regular police services, or that the notion of ‘the police’ could in the future come to denote both the regular police services and the special investigation services as well as all supervisory bodies. In the following sections we will discuss the relationship between such bodies and the police.

### 3.6 Horizontal Fragmentation of Police Tasks

Police tasks and the police as an organisation are not synonymous notions. Police tasks are the activities aimed at enforcing shared standards and regulations and protecting life, freedom and property. These tasks are performed by various different organisations, both public and private. The control over this performance is also spread over different organisations. The administrators and the Public Prosecution Service control police tasks insofar as they are performed by public bodies. In addition, other organisations can also control certain police tasks. Where the performance of police tasks is concerned the police organisation plays a prominent role. The police make their specific contribution to safety assurance as part of their tasks.

The situation concerning the police tasks in the Netherlands is characterised by a strong horizontal fragmentation. By this we mean that various parties perform various different police tasks. These are not just the traditional organisations, such as the regular police and the judiciary; to an increasing extent they also include (semi-)public and private organisations that perform control, supervision (and enforcement) and investigatory tasks. These organisations, however, are not included in the notion of the police system<sup>52</sup>.

In the Dutch situation, government bodies are first of all parts of public authorities at the municipal, provincial and national level that are charged with the supervision and administrative enforcement of planning legislation (e.g. the building and housing inspectorate, the environmental health department, social services). They have specific powers, such as the ability to perform administrative investigations or to impose administrative fines. Some of the supervisors have also been appointed as special investigating officers (BOAs). These administrative supervisors operate within municipalities under the auspices of various members of the Municipal Executive, over which the local triangle of authorities (Mayor, Public Prosecutor, Chief of Police) usually do not have any control<sup>53</sup>. At the national level, there are special investigation services (BODs), i.e. the *General Inspection Service* (AID, – Ministry of Agriculture, Nature Management and Fisheries), the *Fiscal Intelligence and Investigation Service* (FIOD/ECD, – Ministries of Finance and Economic Affairs), the *Social Intelligence and Investigation Service* (SIOD, – Ministry of Social Affairs and Employment) and the *Intelligence and Investigation Service of the Ministry of Housing, Spatial Planning and the Environment* (VROM-IOD). The present four special investigation services are the result of mergers of 21 BODs that came under seven different ministerial departments<sup>54</sup>. Within the scope of said mergers, the powers of the special investigating officers (BOAs) working for these services had been equalised at an earlier stage<sup>55</sup>. Within an EU context (subsidy) fraud is fought by the European Anti-Fraud Organisation (OLAF).

The rationale for the existence of the BODs is based on the ‘ultimate responsibility’ of Ministers in certain areas of policy: members of government bear the political responsibility for the entire policy of the sector, from regulation to law enforcement. The statutory complexity and the level of expertise that dealing with this requires are also important. The BODs traditionally operate based on a different system than the regular police service: they are close to the policy area in question and they fall under the responsibility of one line Minister. Over the past few years, the BODs have become more and more active in an area that was traditionally covered mainly by the regular police service: that of organised crime. Sometimes the BODs have a different approach to the matter. For example, the FIOD is mainly interested in organised crime where it leads to serious financial damages for the state. This gives rise to a number of questions. On the one hand it raises questions concerning the demarcation of the domain and the tasks between the BODs and the regular police and the relevant criteria; on the other hand it raises questions about how to give shape to the collaboration between the two. For this reason there was a debate in the mid-1980s about whether these special investigation services should be integrated, either in part or entirely, with the new regional police services or the Netherlands Police Agency (KLPD)<sup>56</sup>. The outcome of that debate was that the status quo would be maintained, which meant that in addition to the regular police force the services with investigative powers in specialist departments would continue to exist, and they would collaborate with the police where necessary<sup>57</sup>.

In addition to the special investigation services there are national departmental inspectorates and supervisory organisations such as the Ministry of Housing, Spatial

Planning and the Environment Inspectorate, the Netherlands Authority for the Financial Markets (AFM), the Independent Post and Telecommunications Authority (Opta), the Netherlands Competition Authority (Nma), the Data Protection Board (CBP) and the Food Authority<sup>58</sup>. Society even regularly calls for new supervisory bodies in many different fields<sup>59</sup>. The inspectorates perform a plethora of controlling and often also enforcing tasks, although not using the criminal justice system.

In the Netherlands there furthermore are a variety of public supervisory organisations<sup>60</sup> (e.g. street wardens, neighbourhood watches, etc.), which since the late 1980s have been appointed to compensate for the loss of social control and to create jobs. The loss of informal social control is seen as a result of an ongoing process of depillarisation, individualisation and democratisation, which started in the 1960s<sup>61</sup>. Combined with increasing affluence, the decline of social control is also considered to be a cause of the massive increase in property offences – the so called minor or high-incidence crime. Building on the ideas of the Roethof Committee, the cabinet, in its policy plan entitled *Samenleving en Criminaliteit (Society and Crime)*<sup>62</sup> does not opt for criminal law enforcement when it comes to fighting ‘minor’ crime, but rather for administrative prevention and institutionalised forms of social control. Criminal law enforcement is often regarded as a means in the fight against crime<sup>63</sup>. Where supervision is concerned, this policy results in the appointment of neighbourhood wardens, street wardens, village wardens, park wardens, flat wardens, neighbourhood managers, porters and so on. This has created a patchwork of supervisory bodies in the public domain that exists alongside the traditional supervisory role of the regular police and the special investigative officers. Furthermore, there are private parties that perform parts of the police tasks, about which there are more details in the next section.

Finally, in Chapter 1 we already mentioned the fact that the traditional distinction between the police and the armed services in terms of domestic action and international action is no longer sufficient. Especially when it comes to the fight against terrorism and to acting in *failed states* (states where there is little or no effective state authority at national level) it has become clear that police tasks (*peace-keeping*), intelligence tasks and military tasks (*peace-making*) are not that easy to tell apart anymore. National developments also put the boundaries between police tasks and military tasks under pressure. This concerns, on the one hand, developments such as the increased demand for supervision and control, monitoring and adequate action in the case of large-scale disturbance of the peace, and on the other hand developments in the area of staffing and available resources in relation to the raised expectations<sup>64</sup>, for example.

Figure 1. Horizontal Fragmentation of Police Tasks

Police Tasks							
Supervisory bodies	Inspectorates	BODs	Supervisors	Regular police	Private security firms	Customs	Armed services Royal Military Constabulary

The ongoing horizontal fragmentation means as regards police tasks that there is a structural multiplication of powers: the number of ‘bosses’ is increasing and with it the problems concerning coordination and alignment. Also, there is a lack of clarity as to which organisation is responsible in which case, meaning that administrators can shy away from their responsibilities in some respects. It is an advantage that there is permanent attention for certain aspects of safety because certain domains have been assigned to different organisations, such as special investigation services and inspectorates. On the other hand there is the loss of flexibility and the possibility of easily achieving capacity shifts. Also, there is a risk of certain elements of government responsibility for safety disappearing from view, as a result of which new developments will remain unnoticed. A further drawback is *asymmetry of information*: insufficient refining of information and various organizations lacking the desire to share information. This situation is further enlarged by the collaboration with sister organisations in a European context (bilateral and multilateral).

### 3.7 Vertical Fragmentation of Police Tasks

By vertical fragmentation of police tasks we mean that the control (authority) over police tasks on the one hand and the performance of police tasks on the other are becoming separated from each other. In a general survey, police researchers Bayley & Shearing<sup>65</sup> point out how this is a global development. In Figure 2, the four logically possible combinations are shown based on the distinction between public and private<sup>66</sup>.

Figure 2. Vertical Fragmentation of Police Tasks

Police Tasks	Auspices	Public	Public	Private	Private
	Providers	Public	Private	Private	Public

Looking at the issue on a global level, government bodies have been both the main authority controlling police tasks and the implementers of police tasks over the past 100 years. The same government bodies, however, have contributed to the erosion of their monopoly of control by:

- *responsibilisation strategies*: a call on social actors to act as an authority and to actually perform certain police tasks; e.g. stimulating neighbourhood initiatives and neighbourhood consultations regarding safety or integrated safety policy in the Netherlands;
- allowing (groups of) citizens to defend themselves with arms, as in the US;
- transferring (simple) tasks to private organisations (e.g. parking management) or hiring private security firms to perform police tasks (e.g. foreign US missions);
- *public-private partnerships*, e.g. between government and banks or government and airlines, where private parties are allowed to perform certain controls;
- hiring private parties for such matters as property surveillance or the transportation of detainees;
- the police hiring private experts and having civilian staff perform certain simple police tasks.

Because some government organisations use private parties in the public domain, while there are also police services that hire the services of private parties for police tasks<sup>67</sup>, private supervision is no longer limited to the private domain, nor is public supervision limited to the public domain. A diverse picture has arisen with many forms of a mix between public and private, where authority and control of supervision have been fragmented as well. The fact that public and private parties can act alongside each other and in various different roles (authority and/or implementing party) means that it is not always immediately evident whether the policing is carried out:

- by sworn public police officers;
- by a government institution hiring private security firms;
- by a private security firm providing private surveillance;
- by a company hiring public police officers; or
- by a government institution that has charged public officials with police tasks.

This is problematic in terms of responsibility, management, control and accountability and in terms of clarity towards the general public.

### 3.8 Privatisation of Police Tasks

In addition to increasing fragmentation, Bayley & Shearing also observed an increasing privatisation of police tasks worldwide. At the international level there is a shift in progress from the public to the private sector where authority, control and implementation are concerned. Privatisation in this context means that both the control over and the execution of police tasks are being transferred to private parties. This development can be observed in the Netherlands also. Within the private domain there is a sharp increase in private security companies and other private

implementers of police tasks<sup>68</sup>. They are performing control, supervision and investigation tasks, often on behalf of a government institution<sup>69</sup>. In the early 1980s, for instance, there were more than 10,000 private security staff in the Netherlands compared with almost 27,000 police officers<sup>70</sup>. There are now some 30,000 people working in the private security industry, which means that the size of the industry is almost two thirds that of the regular police service<sup>71</sup>. The proportion of private security staff relative to the regular police is constantly growing.

Private service providers have a strategic advantage over public service providers: they can refuse certain clients and within the execution of police tasks they can even choose what they do and what they do not do: refuse access, limit participation and exclude without too much hindrance from statutory rules. In practice this means that in a private context the tasks are usually completed *sub rosa*, meaning they are not subject to any control mechanisms and that they do not offer any guarantees in terms of the rights of the 'suspect'. The public police, however, must in principle comply with all the wishes and requirements of both the authorities as well as the general public. This can get in the way of the desired level of efficacy and efficiency.

The public police start from the basic principle that policing should be available to all citizens in equal measure. The world over, however, there are an increasing number of examples of the public police acting as a quasi-private provider of safety, offering their services in the marketplace. As yet, this has not happened in the Netherlands. This can take the form of charging on policing costs to the organizers of events or charging for responding to alarm calls, for example. The danger of this is that financial considerations come into play when assigning police capacity. This would mean that policing is no longer exclusively a public resource, but that it is also a 'product' that can be sold under market conditions.

### 3.9 Pressure to Perform

Police tasks are not only facing horizontal and vertical fragmentation and privatisation. There is also an increasing pressure to perform efficiently and effectively. This pressure to turn in visible and measurable performances when it comes to improving safety is extremely high, for all parties involved. The Netherlands Scientific Council for Government Policy (WRR) has pointed this out as well. An adequately performing government is one of the five conditions for proper functioning of the rule of law that are mentioned by the WRR in its report entitled *De toekomst van de nationale rechtsstaat (The future of the national rule of law)*<sup>72</sup>. These days, the government, like other major organisations, is evaluated in terms of efficacy, efficiency, flexibility, speed of action, customer-friendliness and the absence of bureaucratic inconvenience. The WRR pointed out the friction that exists between expected government performance and the extent to which the government is bound by limitations imposed by the rule of law. Although this friction is not a new phenomenon per se, at this juncture it does have a more poignant significance (think of terrorist threats and anti-terrorist measures). This is therefore true for the police as well.

The pressure on the police to perform comes from various different angles: people in authority, administrators, ministerial departments, political parties, the media and especially citizens. The working methods of the police and the achievements of the police with these methods are important issues in the public and political debate. This is apparent, for instance, from frequent questions posed by Lower House MPs to the police ministers concerning the (failing) performance of the police and the judiciary. This, in turn, increases the tendency towards centralisation of the control over the police from the ministerial departments.

Where police tasks are concerned, the pressure to perform is reflected in the businesslike approach of the police organisation. In this approach the emphasis is on improving performances, increasing efficiency, cost control and accountability based on indicators that can be measured. One example is the concept of (partial) performance-based financing that was introduced in 2001, based on which police services are allocated part of their budget (5%) based on their achievements. The Policy Plan for the Dutch Police (*Beleidsplan Nederlandse Politie*), with its Police and Management Cycle, is another example. The most recent form is the National Police Framework (*Landelijke Kader Politie*) and the related covenants with regional police services, the Netherlands Police Agency (KLPD) and the Police Academy<sup>73</sup>. The Framework contains the agreed results for the Dutch police as a whole as well as the individual services, including relevant indicators. Performance-based financing has now become part of these so-called performance contracts.

These performance contracts have positive as well as negative consequences, and thus are not without controversy<sup>74</sup>. The positive consequences definitely include the enhanced transparency. At least part of the output that is realised by the police has become visible and measurable, including relative to other links in the criminal justice chain. More clarity is created as to the contribution made by the police to cabinet objectives, i.e. increasing law enforcement and investigations in order to improve the level of safety. The negative effects are a one-sided focus on the specified output (at the expense of the individual freedom of police officers and region-specific services<sup>75</sup>), an emphasis on the measurable and therefore repressive aspects of policing (*miniaturisation of criminal justice*<sup>76</sup>), and the risk of red tape when it comes to recording, measuring, reporting and accountability (*number fetishism*)<sup>77</sup>.

The pressure on the police to perform can be explained by the fact that as a result of politicisation, fragmentation, privatisation and excessive demands, the police have to be present in too many fields at the same time, with many different players. Basically, this is a process of diversification of the roles of the government and of the police service. In such a situation the call for clarity and the emphasis on performance come as no surprise because performances can be considered as a form of 'social engineering in disguise'. However, this incorrectly interprets the changing relationship between government and society as a problem rooted in internal functioning. This is then followed by classic fluctuating responses: repressive-preventive, centralisation-decentralisation or a focus on society—a focus on government. Such

fluctuations result in high costs and considerable loss of energy and never bring the desired clarity. Moreover, they seem to be following each in ever more rapid succession, which only makes the costs go up.

In this light, the current evaluation of the police system and the debate about strengthening the central component of the system cannot be expected to do much good. First of all, the limits of the current system have not been reached yet – contrary to popular opinion. Secondly, foreign experience shows that the legitimacy in countries with a differentiated police service is greater than in countries with a centralised police service, and that centralisation actually leads to a greater public dissatisfaction with the police<sup>78</sup>.

### 3.10 Guiding Principles

In this situation of many different fields and many different players the police are the only organisation that one can always call on, even if other players forsake their tasks. As an authority in the public domain they are present wherever and whenever they need to be and they keep the peace in society. The fact that the police are the only organisation that can play this role has to do with their importance as a representative of the rule of law, their special powers in that context, the fact that they operate without serving their own interests and the fact that they stand for the integrity of the system as a whole. This unique combination of characteristics forms the foundation for the added value that the police provide in terms of improving safety. This does mean, however, that excessive demands cannot be avoided and that that is basically an essential characteristic of the police. These demands became even more excessive when the police found a position close to the public, but they seem to have really become extreme as a result of patterns of dwindling safety on the one hand (fewer border controls, increased mobility and anonymisation) and as a result of politicisation and centralisation on the other hand. A revised vision and strategy of the Dutch police service are therefore aimed at making such a situation manageable.

The police want to provide added value from their actions when it comes to improving safety. This added value takes shape in the interaction with others and depends on the context. The police do whatever has the strongest impact. This means that added value is also decisive when it comes to answering the question whether a certain activity should be considered a police task or not. This makes it possible to manage the situation of politicisation, extremely excessive demands, fragmentation, privatisation and pressure to perform. For this process, the police use four guiding principles or sources of inspiration that form the building blocks for their philosophy and that, in turn, are based on a number of values. These building blocks are:

- A broad, coherent implementation of tasks;
- Maximum focus on collaboration;
- Achieving convincing results;

- An authoritative position relative to the police's environment that is based on their professionalism where the safety issue and how to deal with it are concerned.

In the next chapter these four guiding principles will be discussed in context.

## Notes

- <sup>35</sup> For an overview of the backgrounds and content of these two approaches, see: Vijver, C.D. van der (1998), *De tranen van Foucault* (oration), Enschede: Twente University.
- <sup>36</sup> Dutch Lower House (2002–2003), *Veiligheidsprogramma Naar een veiliger samenleving*, 2002–2003 session, 28684, no. 1.
- <sup>37</sup> In the report *AIVD in verandering* it was stated that much can still be improved in the collaboration between the AIVD (Dutch secret service) and the police, and especially also in the organisation and functioning of the regional intelligence services (the RIDs), and that the primary task of the national anti-terrorism coordinator (the NCTB) should be to bring together the different (information) levels and services (Commissie Bestuurlijke Evaluatie AIVD (2004) *De AIVD in verandering*, November 2004).
- <sup>38</sup> Bill entitled *Concentratie van beheersbevoegdheden op rijksniveau* (Concentration of control powers at central government level), Dutch Lower House, 1998–1999 session, 26813.
- <sup>39</sup> R.J. in 't Veld e.a. (2002), *Vooruitgang of regendans? Evaluatie Beleids- en Beheerscyclus Politie*. Bestad in collaboration with Berenschot Procesmanagement.
- <sup>40</sup> Bill entitled *Versterking bevoegdheden op rijksniveau* (Reinforcing powers at the central government level), Dutch Lower House, 2004–2005 session, 29704.
- <sup>41</sup> This was actually contradicted in the Explanatory Memorandum to the bill.
- <sup>42</sup> The bill distinguished between policy, authority and management, while the 1993 Police Act only uses the notions of authority and management. We will not discuss this aspect further here.
- <sup>43</sup> Recent European research (Eurobarometer 2003) among Dutch citizens showed that 70% of the population had confidence in the police – this exceeded people's confidence in any other comparable institution.
- <sup>44</sup> David H. Bayley and Clifford D. Shearing (2001), *The New Structure of Policing: Description, Conceptualization, and Research Agenda*, Research Report, US National Institute of Justice, July 2001.
- <sup>45</sup> See also: Straver, R. (1998), *Politie in Verandering; een actuele boodschap*. In: Cachet, A., E.J. van der Torre en W. van Natijne, *De blijvende betekenis van Politie in Verandering*, The Hague: Elsevier.
- <sup>46</sup> Jo Horn (1989). *Veranderingen bij de politie. Een onderzoek naar de invoering van het wijkteampolitiemodel bij de politiekorpsen van Amsterdam en Haarlem*. Alphen: Samson H.D. Tjeenk Willink.
- <sup>47</sup> *Nota Criminaliteitsbeheersing* (Dutch Lower House, 2001–2002 session, 27 834, nos. 1 and 2).
- <sup>48</sup> For example: Strategic conference on core tasks of the police, 7 February 2001.
- <sup>49</sup> See also: Kees van der Vijver (2004), *Kerntaken, sturing en professionaliteit*. In: B. van Stokkom en L. Gunther Moor (red), *Onoprechte handhaving? Prestatiecontracten, beleidsvrijheid en politie-ethiek*, Dordrecht: SMVP.
- <sup>50</sup> C.D. van der Vijver e.a. (2001), *Kerntaken van de politie, een inventarisatie van heersende opvattingen*, Enschede, 2001.
- <sup>51</sup> Dutch Lower House, 2003–2004 session, 29628, no. 4.
- <sup>52</sup> As defined in the Police Act.
- <sup>53</sup> For this reason they are also disapprovingly called 'councillors' police'.
- <sup>54</sup> Cabinet position taken as regards the future of the BODs, Dutch Lower House, 1999–2000 session, 26955, no. 1. Other counts assume larger numbers.
- <sup>55</sup> For this see: H. van de Bunt en J. Nelen (ed) (2000), *De toekomst van bijzondere opsporingsdiensten*, WODC, Onderzoek & Beleid 184, The Hague.
- <sup>56</sup> C.J.C.F. Fijnaut en H. van de Bunt (2000), *De toekomst van de landelijke bijzondere opsporingsdiensten in het kader van een 'goede politiezorg'*. In: H. van de Bunt en J. Nelen (ed) (2000), *De toekomst van bijzondere opsporingsdiensten*, WODC, Onderzoek & Beleid 184, The Hague.
- <sup>57</sup> C.J.C.F. Fijnaut en H. van de Bunt (2000), op. cit.
- <sup>58</sup> See: Paul Ponsaers en Bob Hoogenboom (2004), *Het moeilijke spel van wortel en stok – organisatiecriminaliteit en handhavingstrategieën van bijzondere inspectie- en opsporingsdiensten*, *Tijdschrift voor Criminologie* 165.

- <sup>59</sup> For instance in the field of consumer affairs, food safety and “honest business practices”.
- <sup>60</sup> See for example: Stichting Maatschappij, Veiligheid en Politie (SMVP), Toezichthouders in publieke ruimten. Standpunt van de Stichting Maatschappij, Veiligheid en Politie, Dordrecht, 1998.
- <sup>61</sup> Gabriël van den Brink (2004), *Schets van een beschavingsoffensief: over normen, normaliteit en normalisatie in Nederland*, Amsterdam: Amsterdam University Press. See also: Job Cohen (2002), “Vreemden”. Cleveringa lecture given on Tuesday 26 November 2002 in Leiden.
- <sup>62</sup> *Samenleving en criminaliteit (1985)*. Een beleidsplan voor de komende jaren. The Hague: Staatsuitgeverij.
- <sup>63</sup> Dutch Lower House, 1984–1985 session, Annexes, 18995, no. 2.
- <sup>64</sup> SMVP (2002), *Politie en krijgsmacht. Hun verhouding in de toekomst*, Dordrecht: SMVP en SMVP (2003), *Structurele samenwerking tussen politie en krijgsmacht*, Dordrecht: SMVP.; E.R. Muller, D. Starink, e.a. (red.) (2004), *Krijgsmacht: Studies over organisatie en het optreden*, Kluwer.
- <sup>65</sup> David H. Bayley and Clifford D. Shearing, op. cit.
- <sup>66</sup> As yet there are no Dutch examples of private control over a police task performed by a public organisation.
- <sup>67</sup> J. Kuiper (2000), Wat is essentieel voor de toekomst van de politie? In: *Tijdschrift voor de Politie*, volume 61, no. 3 (March 2000).
- <sup>68</sup> See: A.B. Hoogenboom (1999), *Privatisering van de politiefunctie*. In: C.J.C.F. Fijnaut, E.R. Muller, U. Rosenthal (red.) (1999), *Politie. Studies over haar werking en organisatie*, 549–575, Alphen a/d Rijn: Samson. See also: Van Dijk en de Waard (2000), *Juridische infrastructuur in internationaal perspectief, criminaliteitsbeheersing*. The Hague: Ministerie van Justitie, directie Algemene Justitiële strategie.
- <sup>69</sup> According to Bayley & Shearing (2001) op. cit. this concerns about 60% of the jobs commissioned from private parties.
- <sup>70</sup> C.A. Maas-de Waal en A. van der Torre (2000), *Veiligheid*, In: *Trends, dilemma's en beleid: Essays over ontwikkelingen op langere termijn*. CPB and SCP, The Hague: SDU.
- <sup>71</sup> NRC Handelsblad 28 July 2004, *Particuliere veiligheid*.
- <sup>72</sup> Wetenschappelijke Raad voor het Regeringsbeleid (2002), *De toekomst van de nationale rechtsstaat*, November 2002.
- <sup>73</sup> At the time called LSOP.
- <sup>74</sup> See: H.H. Burger, F.C. Hoogewoning and R. Merten (2004), Telt wat we turven of turven we wat telt? In: *Tijdschrift voor de Politie*, volume 66, no. 10 (October 2004).
- <sup>75</sup> Jan Terpstra (2004), *Lokale inbedding van de Nederlandse politie: stand van zaken en overzicht*. Frits Vlek e.a. (red.), *Uit balans: politie en bestel in de knel. State-of-the-art van kennis en inzichten*, Apeldoorn: Politie en Wetenschap, pp. 59–74.
- <sup>76</sup> Ybo Buruma (2004), *Onoprechte handhaving*. In: B. van Stokkom en L. Gunther Moor (red), *Onoprechte handhaving? Prestatiecontracten, beleidsvrijheid en politie-ethiek*, Dordrecht: SMVP.
- <sup>77</sup> For a discussion see: Raad voor het openbaar bestuur (October 2002) *Presteren door leren. Benchmarken in het binnenlands bestuur*.
- <sup>78</sup> A study on public confidence in the police, carried out from 1990 to 1993 in 39 countries across the world, showed, for instance, that people's confidence in the police in countries with one, centralised police system was lower than in countries with multiple centralised police systems. Of the respondents 53% and 62% respectively stated that they had (a lot of) confidence in the police. In countries with multiple decentralised police systems 68% of the respondents had (a lot of) confidence in the police. Other aspects that are connected with a large degree of confidence in the police include: consistent application of the law, the existence of due process rights, the legal system (common law got better scores than civil law) and the degree of economic development. For this, see: Peter G. Sinden (1999), *Cross-national public confidence in police: comparisons across legal systems, police structures and due process rights*; paper presented during the American Society of Criminology Conference, Buffalo.



# The Vision of the Dutch Police

## 4.1 Introduction

Safety is one of the responsibilities of the authorities. Within safety policy, the Dutch police form an essential link, in view of their added value when it comes to improving safety. This added value relative to other parties is rooted in a unique combination of specific characteristics, namely:

- The possibility of legitimate use of force;
- The possession of investigative powers;
- Their permanent presence in the frontline of society and the level of professionalism that they have for this purpose;
- The related information position; and
- The anchor in society.

Police processes, however, are more successful the greater the administrative will to solve society's problems. Fragmentation and the related multiplication of authority are counterproductive when it comes to safety.

In the case of shared objectives, the efficacy of integrated safety policy increases. Given their responsibility for public safety, the authorities must take up the directing role in integrated safety policy. To make a maximum contribution to improving safety the Dutch police interact with their environment based on the following guiding principles and values that support these principles: a broad, coherent implementation of tasks, maximum focus on collaboration within the criminal justice chain and with partners in safety, a maximum focus on results, and subordination with authority. These are the building blocks of the vision adopted by the police, which are discussed in this chapter.

## 4.2 The Vision of the Dutch Police

The vision adopted by the Dutch police states what they want to be given the rationale for their existence and their permanent tasks, as laid down in their mission, and given the analysis of their environment.

The Dutch police give and will continue to give substance to their mission by:

- **A broad and coherent implementation of tasks.** Considering their statutory tasks, the Dutch police have to fulfil a variety of functions and they want to continue to fulfil these functions in a coherent manner in order to maximise legitimacy, efficacy and efficiency.
- **A focus on collaboration.** From their dominant position where safety is concerned, the police strive for optimum collaboration with other parties involved in safety assurance.

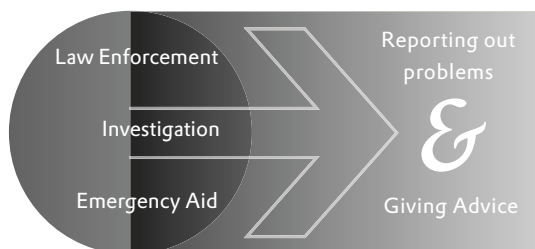
- **Focus on results.** The Dutch police are focused on achieving convincing results and opt for more direct management of the implementation of tasks. Effectiveness prevails over efficiency in this regard.
- **Subordination WITH authority.** The Dutch police are convinced that they, from their position of subordination to the competent authority, can make an independent contribution to safety through the professionalism of their staff and organisation and through their authority as a frontline government organisation operating in the public domain.

### 4.3 The Vision of the Dutch Police Explained

#### Broad, coherent implementation of tasks

In view of their statutory tasks, the Dutch police fulfil a variety of functions and roles to which they give substance in context. In *Tegenhouden troef*<sup>9</sup> the police described this as follows. From the task description laid down in the 1993 Police Act three main tasks can be derived. They are *maintaining public order, investigating criminal offences and providing aid in emergency situations*. These three tasks result in a fourth task, which is *pointing out problems and giving advice*. This is shown in Figure 3.

Figure 3. Police Tasks



The first three tasks are especially related to the role of the police as a government implementing organisation or, in other words, as bearer of the sword. Where these three tasks are concerned, Article 2 of the 1993 Police Act applies: *subordinate to the competent authority and in accordance with the applicable rules of law*. This concerns the police tasks for which police staff have been given general investigative powers and have been given permission to use force. The police officers involved are supervisors, law enforcers, investigators and providers of emergency aid. Pointing out problems and giving advice are not tasks that are based on the task description in the Police Act; they result from the three tasks mentioned above. The idea is that based on their operational experience, the related information position and their professionalism, the police observe and point out safety-related problems and wherever possible give advice on these problems to other actors, especially as regards the responsibility of these other parties for their contribution to public safety<sup>80</sup>. The police here assume the role of authoritative teacher and pacesetter (instigator).

The police have a number of reasons to opt to continue their broad, coherent implementation of tasks:

- First of all because *the whole is greater than the sum of the parts*. The extent to which one task can be performed effectively greatly depends on the input and contribution from another task. The joint output of all functional and community parts of the police service strengthens the functioning of each of these parts and this contributes to the result of the organisation as a whole. *Catching villains* is not just done by criminal investigators. Citizens' requests for emergency aid, for instance, often lead to people being arrested *in flagrante delicto* and in that case form the first stage of the investigative process. The legitimacy of the police is largely based on the coherence of the tasks it performs. Also, criminal acts and violations of the law are often at the same time a breach of public order and vice versa. Where maintaining public order, investigation and emergency aid come together the police play an important and unique role, as they are the only government officials in the public domain that can influence behaviour directly and effectively.
- Problems of a lack of public safety manifest themselves on different scales, ranging from the local community to worldwide. Each scale has its own specific characteristics and a problem on one scale is not by definition more important than a problem on another scale. Problems concerning public order (nuisance) and crime in a local community deserve attention from the police, but so does international organised crime. There is coherence between the different levels. Crime has to 'reside' somewhere, and even the first signs of a terrorist threat can be observed within people's living environments. The anti-terrorist theme shows that local activities play a crucial role in a global issue. This especially concerns the tasks of the local branches of the police service to draw attention to problems. The police service thus performs its tasks in a coherent manner. However, this is subject to the condition that police capacity is such that the different tasks can be performed adequately and that the continuity of that performance is guaranteed.
- A broad, coherent implementation of tasks offers the possibility of achieving capacity shifts relatively easily, i.e. without having to set up new departments. Thus, the police are flexible enough to respond to changing insights and social trends. On the other hand, this means that the police may seem unreliable sometimes to others. For instance, if an agreement with a councillor or Minister is thwarted by a disaster or a more urgent priority. The police must realise that their (political) environment cannot do anything with the statement that it will take some five years before an expansion of police capacity will actually lead to extra *uniformed police on the streets*. Politicians, on the other hand, should realise that adding extra staff today will not yield the desired result tomorrow. *Opening a can of police officers* is not an actual option. The consistent adding of new tasks for the police (think of new anti-terrorist measures) calls for more staff. If this expansion cannot be realised (yet), politicians must decide which tasks the police should leave in favour of these new structural tasks.
- A coherent performance of tasks nevertheless is more likely to be successful than applying vertical partitions and singling out capacity beforehand for all sorts of different priorities, e.g. the environment and fraud. The advantage of this more

functional approach is that permanent attention is paid to a particular problem. On the other hand, certain elements of government responsibility for safety drop out of sight. Further consequences are that new developments are not noticed and cannot be dealt with in a broad context and that there is an insufficiently critical attitude when it comes to the question whether it is useful to let the functional unit continue to exist. For these reasons the police definitely do not advocate the further development of the functional section of the Public Prosecution Service.

The police strive not only for a broad, coherent implementation of tasks, but also for balance in the attention paid to the different components in that broad implementation of tasks<sup>81</sup>. This means that the Dutch police do not wish to have a one-sided focus on the investigation process with the use of the repressive resources offered by criminal law. Thus, the police are against the closing passage of the letter dated 15 July 2004 that the Ministers wrote about the core tasks of the police<sup>82</sup>. This is because the phrase that reads “...so that the police can turn to the primary task we defined for them, namely crime fighting” seems to suggest that the Ministers consider maintaining public order and providing emergency aid to be subordinate to investigations. The closing passage is inconsistent with earlier positions taken by the cabinet that were based on the equal relevance of tasks and it is also in conflict with the rest of the letter. The WRR report about the rule of law that was endorsed by the cabinet in November 2003, states that effective law enforcement, especially in terms of criminal justice, is just one of the conditions for the proper functioning of the rule of law<sup>83</sup>. In the midterm review of the safety programme *Naar een veiliger samenleving* (Towards a safer society) the cabinet does assume the equal importance of law enforcement, emergency aid and investigation<sup>84</sup>.

### *Focus on collaboration*

The police are part of a broader ‘safety system’ in which other organisations have and must take their own responsibility, or must call on market parties<sup>85</sup>. The police expressly seek to collaborate with these partners in chains or in networks. For the police are convinced that safety must be organised, that everyone must contribute to this based on their own responsibility and that there should be a proper balance between prevention and repression. However, this does require the relevant parties to be aware of their tasks and their tasks must also be clear to the other parties as well. This allows parties to call each other to account regarding their responsibilities and to reach binding agreements among themselves. The police therefore believe in the concept of integrated safety, even though there is reason to be very critical as to the form this has taken thus far. This especially concerns the director’s role that central government has given to local government (the municipalities). It has turned out in practice that municipalities are not (capable of) performing this role properly<sup>86</sup>.

The police know from experience that the efficacy of police action and the perpetuation of the results of such action can only be realised with the help of others. From

its dominant position within the safety domain the police therefore strive for optimum collaboration with other parties involved in safety.

The police are the first and most visible link in the so called criminal justice chain. Their role in the chain must be phrased in clear terms. The chain metaphor incorrectly suggests that there is an actual succession of organisations with a shared objective. The police are increasingly called to account for the performances of other 'links in the chain'. Therefore it is important that tasks are coordinated with the other players in the criminal justice chain (prosecuting and perpetuating) in such a way that the efficacy, efficiency and legitimacy of the police are not in dispute.

The Dutch police want their work to be integrated into society. It is not just about law enforcement (focus on tasks), but also about providing aid (focus on demand and problems). In this respect the philosophy as expressed in *The Changing Police* has remained unchanged: it is still all about *knowing and being known*. This strategy, however, is no longer non-committal, as it involves the police entering into information relationships: services and organisations providing each other with information (the *new knowing and being known*).

The Dutch police are of the opinion that the active participation of social actors is crucial. Citizens' involvement and ability to cope in society, both on the individual level and jointly in (local) networks, are a pivotal factor in enhancing the safety of their own living environment<sup>87</sup>. Small-scale and prompt handling of problems make it more likely that they are solved and prevent a further escalation. Such civil participation, however, seems to be difficult to realize (or to continue) if the police do not visibly support it<sup>88</sup>. Proximity, availability, presence, accessibility, awareness and personal contacts with the police are very important in this respect. The handling of safety issues can entail certain risks. This is why the police have a monopoly as to the use of force; they function as an 'emergency backup' if things do threaten to go wrong. Also, the police play an indispensable role as a catalyst for citizens being able to cope on their own. They can mobilise citizens and support them in putting their ideas into practice. If the police fail to do so, this will hamper the involvement of citizens and social organisations. Moreover, it carries the risk that citizens will feel that the police do not take them seriously. The exact content of the role of the police as emergency backup and catalyst will differ from location to location. The problems that need to be handled and the capabilities of citizens and their need for support will depend on the context. The added value provided by the police is its capacity to develop arrangements that are appropriate for the context at hand<sup>89</sup>. It is this very capacity that is the strength of the police when it comes to enhancing people's ability to cope on their own. This ability does not just magically appear, it needs to be organised.

The main problem in the current context of safety assurance, in which the measurement of effects plays a central role, is that the preventative effect of this approach is difficult to establish. The police, however, remain convinced that a small-scale

approach is of the utmost importance. This view is supported by recent foreign experience. When in the United Kingdom the police had been focusing on a mostly repressive approach for a number of years (in the form of information-driven investigation) there soon proved to be a need for policing aimed at supporting citizens (*reassurance policing*). In the late 1990s France introduced *police de proximité* or ‘proximity policing’, inspired, among other things, by the Dutch community policing. When a few years later the Minister of the Interior, Sarkozy, wanted to reduce this type of policing because he felt it was not one of the core tasks of the service, this resulted in a serious conflict with the mayors of a large number of cities with deprived districts (including Toulouse, Marseille and Strasbourg). For it was their experience that operating close to citizens made an important contribution to public safety. These experiences should inspire the Dutch police to continue on the road of small-scale community policing.

In location-specific action as a form of *community policing* the emphasis so far has been placed on geographic units (districts and neighbourhoods) and on the local authorities. These days, the police want to use a more ample interpretation of the notion of ‘social environment’ than has often been the case to date and they want to expressly focus on other communities as well. This concerns such as the (organised) business sector (shopkeepers’ associations, business centres, and trade organisations), social groups and social organisations (e.g. health care institutions, schools, cultural organisations, Amnesty International, the Dutch Automobile Association (ANWB) and the Dutch Consumers’ Association). *The new knowing and being known* is relevant in this context too because the police are dealing with a variety of target groups, which calls for differentiation in their approach (similar to product-market combinations). Not all contacts with society are necessarily best handled by the home beat officer.

### **A Focus on Results**

The police are aware that they are expected to deliver and they want to deliver. Not just in terms of repressive action, but expressly also in terms of prevention, a proactive attitude and deterrence. These are not non-committal activities<sup>90</sup>. What is important in this context is the question of how the ultimate desired output has been defined. Public order, safety and availability are notions that are difficult to quantify. In view of the fact that public order and safety are connected with crime and improper behaviour, the police may be expected to help keep or bring the scale of crime and improper behaviour within manageable limits. A useful measurement is then the number of reported crimes relative to the (measured) willingness to report a crime.

Within the police’s primary process, legitimacy and efficacy supersede efficiency. The gravity of the problem and the efficacy of police action are decisive as regards prioritisation. This applies to availability (alertness, readiness) and to supervision and investigation. Obviously, these processes must be performed in an efficient manner.

A result-oriented way of working also requires focus. Whereas previously the result of investigations was mainly determined in terms of volume (number of cases) and how this volume was distributed over different types of crime, these days the police are striving for limitation. This is done by focusing on perpetrators rather than on the crimes per se (take for instance the policy regarding systematic offenders). Given the development of increasing mobility, de-territorialisation and anonymisation, a more person-oriented approach, focussed on *de-anonymisation*, is a better solution.

To achieve convincing results the police are developing new management concepts. For example, they are opting for a more direct control of implementation. One of the implications is standardisation of work processes as part of a shared business architecture and a less non-committal approach to implementation, while preserving professional discretion. This also means that the police opt for a more business-like approach to their operational tasks, for cultivating a feel for the implementing tasks among the management and for calling for a more direct and more disciplined managing culture.

### *Subordination WITH authority*

The Dutch police are a professional organisation with their own set of responsibilities. They perform their tasks in a professional manner, with professional discretion that is rooted in this professionalism. The professional discretion takes into account the responsibilities of the people in authority. This can be characterised as *freedom in restraint*. Based on their professionalism, the Dutch police have an authoritative position in relation to their environment. The police are therefore not a passive player; they consider it their responsibility to draw attention to problems in the area of safety and to advise administrators on such matters.

The Dutch police are convinced that they, in subordination to the competent authority, can make an independent contribution to safety through the professionalism of their staff and organisation and their authority as a frontline government organisation in the public domain. This makes the police an ally of the administrators and of society at large when it comes to improving safety. The police confidently present their own operations, knowing that they work to the best of their ability, given the available knowledge and resources. In this respect the police are not so much interested in a strict application of the letter of the law but rather focus on actions that contribute to improving safety. Therefore, this does not just mean *uniforms* (law enforcement, investigations), but especially a *greater diversity of actions*<sup>91</sup>: that is, actions that are determined by the situation on hand and a differentiation in the range of actions (pointing out problems, giving advice, instigating/activating/mobilising, deterrence). This makes it increasingly difficult to manage police work by means of regulations or policies, i.e. beforehand. It is therefore necessary for the police as a whole to have more professional discretion, with an emphasis not on management beforehand but rather on (horizontal) subsequent accountability as regards the results to which the police have committed themselves.

On the one hand this means that the police must be capable of providing insight into what can be done under which circumstances. If the police can guarantee the authorities a certain basic level of policing (a *standard package*), which is yet to be quantified, where the public domain is concerned, this will counteract the trend whereby parts of the (semi-)public domain, e.g. shopping centres and residential areas, are shielded off, which is something that already happens frequently in other countries (*gated communities*). On the other hand, whenever politicians and/or the authorities set extra priorities without making available extra resources or without stating which tasks the police should leave for now (posteriorities), the police must demonstrate the consequences of acting on such new priorities. For instance: mayors' requests for police capacity that exceed the agreed basic level of policing or requests from the Public Prosecution Service to give priority to certain categories of offences.

## Notes

- <sup>79</sup> Projectgroep Opsporing-2, Raad van Hoofdcommissarissen (2003), Tegenhouden troef; op. cit.
- <sup>80</sup> See also the letter from the Minister of the Interior and Kingdom Relations and the Minister of Justice of 15 July 2004, Dutch Lower House, 2003-2004 session, 29628, no. 4.
- <sup>81</sup> See also: Martin Lamboo (2004), "Politietak niet verenigen tot repressie", Bob Visser interview. In: Justitie Magazine, Ministerie van Justitie, The Hague, October 2004.
- <sup>82</sup> Letter from the Minister of the Interior and Kingdom Relations and the Minister of Justice of 15 July 2004, Dutch Lower House, 2003-2004 session, 29628, no. 4.
- <sup>83</sup> The Netherlands Scientific Council for Government Policy, WRR, placed effective law enforcement on the same level as other preconditions, i.e. an adequately performing government, a well functioning judiciary, a lively civil society to offer public support and sufficient confidence in the law among the people.
- <sup>84</sup> Dutch Lower House (2004-2005), Naar een veiliger samenleving, midterm review, 2004-2005 session, 28684, no. 44.
- <sup>85</sup> See: Erwin Muller (2004), De politie in het veiligheidsbestel. In: Frits Vlek e.a. (red.), *Uit balans: politie en bestel in de knel. State-of-the-art van kennis en inzichten*, Apeldoorn: Politie en Wetenschap, pp. 15-34.
- <sup>86</sup> Monique Kieverink, Ron Smits (2002), *Integraal Veiligheidsbeleid: de regierol van de gemeente, Een onderzoek naar de inhoud van het integraal veiligheidsbeleid*, Master's dissertation at Twente University, Enschede, June 2002; Michel Dückers (2005), *Gemeentelijke veiligheidszorg naar beste vermogen*. Dordrecht: Stichting SMVP Producties.
- <sup>87</sup> Commissie sociale zelfredzaamheid van de Stichting Maatschappij en Politie (1990), *Naar een nieuwe balans van verantwoordelijkheden*, Arnhem: Gouda Quint; F.A.C.M. Denkers (1993), *Op eigen kracht onveiligheid de baas. De politie van pretentieuze probleemoplosser naar bescheiden ondersteuner*, Lelystad: Koninklijke Vermande (part 8 of the publications published by Stichting Maatschappij en Politie).
- <sup>88</sup> See J. Terpstra and R. Kouwenhoven (2005), *Burgers als deelnemers aan lokale veiligheidsnetwerken*. In: *Tijdschrift voor Veiligheid & Veiligheidszorg*, volume 4, no. 1, pp. 4-16.
- <sup>89</sup> Stichting Maatschappij en Politie (1996), *Toekomst gezocht. Het functioneren van de politie ter discussie*, Dordrecht.
- <sup>90</sup> See: F.C. Hoogewoning (2004), *Tegenhouden nader verkend*. In: *Tijdschrift voor de Politie*, volume 65, issue 3 (March 2004).
- <sup>91</sup> Klootwijk, R., (2005). *Gekleurd blauw, Small changes, large issues. Eindverslag van een analyse- en interventietraject Organisatie, Cultuur en Management*, Utrecht University. Rotterdam-Rijnmond Police Service.



The Strategy  
of the Dutch Police

## 5.1 Introduction

The Dutch police want to make a maximum contribution to the improvement of safety. This does not alter the fact that citizens as well as other parties, e.g. businesses, civil society organisations and administrators, are also responsible for taking the necessary measures to protect people and goods. For the stronger the will of administrators to deal with problems in society, the greater the success of processes involving the police. With respect to the promotion of safety, police action is limited to the public domain. This does not, of course, apply to criminal investigations, as these do encompass the private domain as well. As was discussed in detail in Chapter 3, other parties also assume some of the role of the police. Insofar as this results in an (impending) overlap of work areas, it raises questions as to how these areas should be defined or linked. In other words, the question arises as to how we should deal with this overlap. This issue is dealt with later in this document (Chapter 6).

The strategy indicates the desired approach of the Dutch police, that is, the road it intends to travel in order to flesh out its mission and vision. This comprises in any event the following elements:

1. A task concept that is focused on efficacy.
2. An organisational concept that is focused on efficacy.
3. A reassessment of the safety concept.
4. An operational concept.
5. The realisation of the necessary preconditions.

The operational concept is where the task concept, the organisational concept and the safety concept converge. The operational concept lies at the core of the Dutch police's approach to handling the current safety problem, which is caused by anonymity, mobility and open borders.

## 5.2 Effective Task Concept

The task concept describes which function the police service as a whole must fulfil if it is to effectively carry out its duties as described in section 4.3.

An effective police organisation is capable of performing the following tasks interchangeably:

- **Stabilisation and mobilisation.** The police keep the peace on the streets. They see to it that calm, order and safety prevail. They offer citizens support, presence, proximity, visibility and, if necessary, (rapid) availability. In addition, the police activate and mobilise parties, wherever necessary.

- **Protection of people and goods.** The police ensure that people and their property are adequately protected.
- **Surveillance.** Targeted supervision of the public domain and maintenance of public order.
- **Intervention.** This refers to activities where the police provide emergency aid, maintain public order in the event of a (major) disturbance and provide crisis management. The shared characteristic of such intervention is ‘*wherever necessary, whenever necessary*’. In this regard, the assumption is that the police are permanently available and standing by.
- **Investigation.** Tracing perpetrators is the police’s contribution to governmental law enforcement, so that citizens retain confidence in the rule of law.
- **Pointing out problems and giving advice.** The police will point out areas in which they feel that their partners could and ought to make a substantial contribution to the improvement of safety.

## 5.3 The Task Concept Explained

### *Stabilisation and mobilisation*

Research has shown that support, presence, proximity, visibility and wherever necessary (rapid) availability are in particular the elements that citizens demand of government bodies and aid organisations<sup>92</sup>. This is how the Dutch police service supports the citizens’ ability to manage for themselves (*reassurance*<sup>93</sup>). This support is necessary to inspire citizens to come up with ideas (the police as a *teacher, pacesetter, instigator or catalyst*) and to guarantee safety<sup>94</sup> (the police as the *last line of defence, or emergency backup*). In addition the police activate and mobilise parties.

### *Protection of people and goods*

The Dutch police service will provide adequate protection of people and property wherever and whenever there is an acute threat and insofar as this protection is related to its role as guardian of the rule of law as referred to in the mission, and as long as such action contributes to the improvement of safety. Due to low police capacity, the police must no longer be used for the (static) surveillance of objects.

### *Surveillance*

In this case, surveillance refers to the targeted supervision of the public domain and the maintenance of public order. In order to stop crime, a proactive approach, prevention and control powers are more effective than investigations.

### *Intervention*

The intervention task concerns all forms of acute crisis management whether the problem occurs on a large or small scale. In concrete terms these are activities that range from providing emergency aid, maintaining public order in (major) disturbances, to crisis management according to the Conflict and Crisis Management Frame of Reference. The police are there *wherever necessary, whenever necessary*. They are assumed to be permanently available and standing by. Through timely and ade-

quate interventions, the police provide a sense of security and confidence and backing to the administration, social actors and individual citizens. To achieve adequate intervention, the police must be able to readily utilise their capacities, so that they may effectively manage the unexpected.

### *Investigation*

Criminal law enforcement is part of a whole package of intervention strategies, which includes prevention, surveillance and the concept of Deterrence and which are mainly employed to reduce the likelihood of crime. Investigation and prosecution are the government's answer to crime already committed. Tracing perpetrators is the contribution made by the police to governmental law enforcement, so that citizens remain confident about the rule of law.

Crime and disturbance of the public order are complex social phenomena. The police have little or no influence on the deeper causes of these phenomena. Due to certain shifts as regards time and the type of crime, for instance, investigation only has a limited impact on the level of crime within society. Placing too much emphasis on the police's role in criminal law enforcement means denying this problem, and places too much responsibility with the police to provide a solution for complex social issues. Nevertheless, within the scope of the political and social debate, the role of criminal law in improving safety is still overestimated. To counteract this view the police have developed the concept of Deterrence<sup>95</sup>. This concept does justice to the fact that criminal law enforcement is an essential yet limited element of a bigger whole, in which the responsibilities of the administrators, citizens, civil society and businesses play a vital role as well. After all, limiting the amount of crime is more effective and more efficient than trying to achieve a high number of solved cases. In this respect, the responsibility of partners in safety must be encouraged even more. In this area the police service plays the role of stimulator (catalyst), considering its duty to point out problems and provide advice.

The added value of criminal law enforcement when it comes to improving social safety is not so much rooted in the actual impact of investigations at the level of crime and safety, but rather in the symbolic function of the investigations. This symbolic function derives from the fact that the police, through their timely and adequate response to crimes and misdemeanours, send a message to society that crime does not pay and that it is a good thing to abide by the rules. Criminal law enforcement (investigation) is therefore a precondition for sound national government and in that sense it is the *conditio sine qua non* for safety. In terms of improving social safety, criminal law enforcement by the police is a *last resort remedy*. This means that – especially if the crime in question is not grave in nature – other solutions are sought first within a previously defined range of actions.

### *Pointing out problems and giving advice*

The police point out the areas in which they feel that their partners could and ought to make a substantial contribution to the improvement of safety. In their

relationship with the administrators, the police are not a passive player; they consider it their responsibility to point out safety problems and to issue advice on these matters to the administrators, in a domestic as well as an international context<sup>96</sup>.

## 5.4 Effective Organisational Concept

As for the organisational concept of the Dutch police service, the following principles are pivotal:

- **Unity in diversity.** Both internally and externally, the police organisation is recognisable as a unit; therefore it has:
  - one Collective Bargaining Agreement;
  - one uniform;
  - one training programme;
  - one job classification;
  - one corporate architecture;
  - uniform frameworks (professional standards, approach profiles);
  - one recognisable decision-making body.
- **Territorial and functional.** The police organisation is organised along both territorial and functional lines.
- **Stable and flexible.** The police organisation is a stable structure that can easily redistribute the numbers of people with particular capacities at its disposal if the situation calls for this; the broad, coherent performance of tasks is a precondition for such flexibility.

## 5.5 The Organisational Concept Explained

### *Unity in diversity*

The Dutch police service is highly aware of the value and necessity of properly organising matters that concern the 'group' as a whole. This means that wherever economy of scale is possible this shall be instituted efficaciously. This is true for a large number of preconditions.

As for the professional projects that involve the entire 'group', there are various conceivable models to further enhance our strength. *Shared services* and *facility management* are forms of joint action that help realise economy of scale. For such matters as energy, vehicles, cleaning services and insurance, national agreements have been made already, and joint European tenders are being invited. In February 2004 the Board of Regional Police Force Managers agreed to the *Project Initiation Document* which focuses on the notion of *shared services*. This notion will be further specified and followed by a *quick scan* of current and potential projects that can be performed jointly.

Therefore, the Dutch police service is an organisation that is recognisable as a unit, both internally and for outsiders. That is why it has:

- One Collective Bargaining Agreement, one uniform, one training programme, one job classification;
- One corporate architecture and uniform frameworks (professional standards, treatment profiles):

The frontline character of policing requires flexibility and independent powers of discretion for police professionals. The standardisation of primary processes and more professional management and accountability mechanisms ensure a higher level of discipline within this context.

- One recognisable decision-making body:

Having one recognisable decision-making body for the police in which binding decisions are taken for all the different police services helps to make sure that the Dutch police are considered an accessible and reliable partner by the authorities at the domestic level and in an international context. Decentralised decision-making is only possible once it has been demonstrated that it will provide added value in terms of efficacy, efficiency and legitimacy with a view to improving safety. There are no arguments, for example, in favour of decentralised decision-making on information architecture, but there are arguments in favour of decentralised decision-making on such matters as the number of police stations and the location thereof.

### *Territorial and functional*

In view of the broad, coherent performance of police tasks and the ambition to make a maximum contribution to improving safety, the police have to have a combination of a functional and a territorial organisation. Given the drive for optimum collaboration with partners in safety, the alignment with the organisation of the authorities and with the organisation of other partners involved in safety policy (e.g. the Public Prosecution Service, municipalities, boroughs or city districts, the fire brigade, the Medical Emergency Aid Service (GHOR), etc.) is partly decisive in terms of the police organisation being subdivided into, for instance, neighbourhoods, districts and regions<sup>97</sup>. Trying to fit in with the functional and/or territorial echelons of partners in safety may mean choosing a solution that in terms of the international operations of the police is not the best possible solution. Efficacy therefore supersedes efficiency in this case. Where (national) tasks concerning sound administration of the state are concerned, specialisation is an obvious choice. This is why the Dutch police have a National Crime Squad and why they have opted for a national approach for tackling terrorism.

### *Stable and flexible*

The police organisation is a stable structure that can easily redistribute the numbers of people with particular capacities if the situation calls for this (scaling up and scaling down). The broad, coherent performance of tasks is a precondition for such flexibility because it creates the space to use part of the total available capacity for certain prioritised tasks, with sufficient guarantees for the continuity of basic policing. Roughly speaking the distribution is 80% regular tasks and 20% flexible tasks.

## 5.6 Reassessment of the Safety Concept

In the reassessed safety concept the geographic space has been subdivided into:

- **Residential areas:** villages and neighbourhoods in towns and cities;
- The **open space** between such areas and the infrastructure.

The **infrastructure** can be further subdivided into four different levels:

- intra-urban infrastructure (e.g. thoroughfares through cities);
- intercity infrastructure (e.g. the national road system);
- international infrastructure (the European road network, international air traffic);
- virtual infrastructure (e.g. computer networks).

**Controls** aimed at de-anonymising and identifying evil are carried out at the **nodes** within the infrastructure. The **intensity** of such controls will go up as the scale of the infrastructure increases.

## 5.7 Reassessment of the Safety Concept Explained

As outlined earlier, there has been a change in the main crime-inducing factors, partly because of technological and social developments. Fewer border controls, and increased mobility and anonymity are pivotal to this change. It is easy to see how these three notions are related. In addition to causing a practical problem, these developments also present a problem of a more fundamental nature because the traditional organisation of safety is based on boundaries, ranging from moats to national borders, combined with being able to link people's identities to their place of residence. Due to the generalisation of the relationship between one's home and one's identity the government knew who they were dealing with when people moved. Moreover, the level of mobility was generally relatively low<sup>98</sup>.

The disappearance of all kinds of borders and the related control possibilities and powers is a development that cannot be undone. The previously normal barriers to protect our safety, such as town ramparts, guarded gateways and manned border crossings between countries are disappearing from Europe. Thus, a vast, unsupervised inland area is emerging. What is left is a so called outer border of the European Union, but that is only partially adequate. Forced by anti-terrorist measures on the one hand, and the desire to reduce crime and anti-social behaviour on the other hand, attempts are being made to actually restore the once obvious safety concept of a bulwark. This has led, for example, to private parties protecting (semi-) open spaces such as shopping centres and to the emergence of gated communities. These developments would not be necessary if the police were able to fully take up their position as an authority in the public domain.

The realisation that increasingly open borders and growing mobility and anonymity call for a different approach to the safety issue is slowly getting through to policy-making bodies. In this context, the emphasis is usually placed on the new powers of the government that are seen as necessary. The 2005 budget of the Ministry of the Inte-

rior and Kingdom Relations shows that the potential conflict between basic rights and safety is a central starting point for policy<sup>99</sup>. Here are some quotes that illustrate this:

*“The dilemma we are facing is that the intentions and actions of international terrorists are aimed at making maximum use of these liberties [fundamental individual liberties] to strike at the very core of our rule of law and thereby to harm the fundamental rights of our citizens. Thus, the protection of basic rights that our rule of law offers and must offer to our citizens at the same time leaves the rule of law powerless to guarantee the safe exercising of these basic rights.”*

*“Our open and mobile society will therefore need to find a new balance between the guaranteed exercising of civil liberties and the active protection against attacks on democracy and the rule of law. The government will need more elbow room for preventative and if necessary repressive action. Such government action, more so than before, will affect the individual liberties of people about whom there are indications that they may be a threat to national security. [...] The protection of our democracy and our society thus emphatically calls for a reassessment of our options and in any event an expansion of the reasons pursuant to which investigations or controls may be carried out in relation to particular citizens. Furthermore, we will need to expand the administrative power to push through implementation”.*

In addition to the above debate on the government scope for action in relation to mobile and anonymous citizens, there is a great deal of interest in the exchange of information as a possible basis for solutions. The Dutch police support this approach, but they also wish to discuss its consequences in terms of the organisation of police tasks<sup>100</sup>. In order to substantiate this approach we need to first examine the theory on the information society.

In the theory on the information society the emphasis is on the transition to a network society. Naturally, this has major consequences in terms of the importance of (the exchange of) information, but it also has consequences as regards the importance of space. In the Netherlands there has always been a strong emphasis on the community-based organization of basic policing and the underlying principle of knowing and being known. This has not lost its significance in the light of recent developments, but a further dimension has been added. In 1996, Castells was already describing how the dominant processes in our society were taking place more and more in what he called the *space of flows*<sup>101</sup>. Social processes are increasingly determined by flows of people, goods, money and, especially, information. The same is true for unwelcome processes such as crime and terrorism. Castells contrasts the *space of flows* with the *space of places*: the geographical (physical) environment with important places such as the neighbourhood, the city, the ‘marketplace’ and other places where people meet. This space of places is increasingly influenced by the space of flows. The interaction between the space of places and the space of flows is, in turn, increasingly decisive as regards the nature of the lack of safety, while at the same offering leads for combating this lack of safety.

Traditionally, the Dutch police are strongly oriented towards *places* and much less towards *flows*. The crime-inducing factors mentioned earlier, however, underline

the importance of more attention being paid to flows and to the places where the different flows coincide: the so called nodes. This involves more than an emphasis on the organisation of information tasks. The increased importance of flows also has organisational consequences. Where a focus on places alone does not suffice, the organisation of safety should focus more on flows. The Dutch police opt for *the new knowing and being known* based on the absence of traditional borders and on increased mobility. The idea is to reduce anonymity wherever necessary by means of how police tasks are organised, starting from a lack of border controls and a high degree of mobility.

By being present not just in places but also in flows, the loss of government power to act caused by the emergence of the information society can thus be compensated for. Wherever this loss of power to act springs from technological progress, at least in part, technology should play an important role in counteracting this loss of power. This is true for the monitoring of physical flows (infrastructure and nodes) and it is definitely also true for (virtual) flows of information. It should be clear that protection against the authorities (privacy) is also an important issue in this context. It seems obvious that the legitimacy of police action in the space of flows should also be found in the link with the safety of 'places'. Where the safety of places can only be guaranteed by monitoring the space of flows it seems legitimate for the police to look into the flows. For example: a location-based approach to ram raids by East European criminal organisations is doomed to fail without complementary attention being paid to the infrastructure. Another topical example: the fight against terrorism cannot be successful without linking local action (information from the neighbourhood) with relevant, sometimes global flows of people, goods, money and information.

The idea of *knowing and being known* in the space of flows is further removed from the citizen's personal environment. The expectation is that powers in the space of flows, where they are necessary and are convincingly substantiated, can be wider than in the living environment without damaging the social legitimacy of the police. The powers where the infrastructure is concerned will then function as the concession made in the social contract, whereby the immensely increased freedom of citizens is compensated by some crucial new powers of the citizens' shared government. Police presence within the space of flows will prevent a disproportional violation of people's personal living environment, e.g. with a view to the fight against terrorism.

In its safety concept, the Dutch police therefore choose to restore borders, not literally, but in a material or virtual sense, i.e. by using the infrastructure (the road system, waterways, airports and communication networks) as a new starting point. People, goods, money and information move from place to place using the infrastructure. The police will act where flows over the infrastructure arrive at certain places such as the nodes in the infrastructure networks. In the next section we will link up the task concept, the organisational concept and the safety concept within the operational concept.

## 5.8 Operational Concept

Combining adequate police tasks, principles of organisation and the reassessed safety concept results in two complementary orientations in location-based policing, which jointly cover all the different tasks discussed earlier:

**1. Local orientation.** Where maintaining public order and safety and removing threats to safety are concerned, the (local) living environment serves as a starting point and the organisation is therefore territorial in nature. The Dutch police service chooses to keep the police's task as an important representative of the government close to the citizens and in this way to continue to shape basic safety assurance by the government.

**2. Nodal orientation.** The geographic space outside of residential areas is considered to be open space and infrastructure. The infrastructure nodes are the starting point for police tasks. There the police can carry out controls on flows of people, goods, money and information, for the purpose of identifying evil in the form of potential and current threats to public safety. The level of intensity of such controls will depend on the scale of the network.

## 5.9 The Operational Concept Explained

The operational concept of the police service takes into account the subdivision of the geographical space that was made in the safety concept into villages and city districts and neighbourhoods (residential areas), the open space outside of these residential areas and the infrastructure at different levels of scale. Over the past 20 years, based on the philosophy set out in *The Changing Police*, the police have made considerable investments in the residential areas, first with neighbourhood police and later with community policing. This gave form and shape to police presence in society as an important basis for the legitimacy of the Dutch police service. Basically, this is the very soul of police work: keeping the peace, i.e. maintaining the balance between different interests in terms of safety, quality of life, social integrity and public order<sup>102</sup>. The downside of this development, however, is that the police were basically sucked into the neighbourhoods and consequently have not been paying sufficient attention to the geographic space outside of the residential areas or to their investigative tasks. Where the investigative tasks are concerned a catch-up process has already taken place, but steps need to be taken now as regards the areas outside the residential areas and the infrastructure. The police expressly choose to hold on to their current presence in residential areas. In addition, they will expressly focus on the infrastructure as virtual boundaries of residential areas. Location-based police performance is therefore no longer predominantly focused on neighbourhoods or districts; it also expressly focuses on intersections and nodes within the infrastructure. The explicit police attention focussed on flows, with the infrastructure nodes serving as starting points for action, is a new approach that calls for an appropriate, new term, i.e. a *nodal orientation*. Please note that this is not a functional, but rather a territorial form of policing, which is organised in connection with the local orientation.

### Local orientation

Where maintaining public order and safety and reducing threats to safety are concerned, the (local) living environment serves as a starting point, meaning the organisation is territorial. The local orientation is part of territorial units based on which the police organise their permanent availability for interventions, projects and supervision of the infrastructure. The Dutch police service, as representative of the government, chooses to keep the police tasks close to citizens and in this way to continue to shape basic government safety assurance, both for reasons of efficacy and efficiency. This mostly concerns tasks that were distinguished earlier such as stabilising (regulating the demand for policing - ‘reassurance’) and mobilising (*being the instigator, the pacesetter*). A critical lower limit for these location-based tasks (analogous to the establishment model used by general practitioners) is 1:5000 residents<sup>103</sup>.

The added value provided by the police here lies in its permanent presence (24/7) in the *frontline* of society, which makes the police the settler or mitigator of conflicts and thereby the *real time* administrator. This requires a high degree of professionalism from the individual police officers on the streets. Using their professional background they assess the situation and in principle it is up to them to determine which of the available alternatives would be best in a given situation (*discretion*). This does not have to be firm law enforcement. Where the police operating within the community is concerned, the appropriate metaphor is *your best friend*, the supervisor that also acts as a *referee* in the public domain, who knows and is known, and who uses relatively few formal powers. Being able to vary actions (*being friendly if possible, being firm if necessary*) is more important in this position than in other police tasks.

Being able to vary actions means that the police must have a staff of highly qualified officers, who are able to solve a wide range of problems in an ever more diverse society. Having a diverse personnel guarantees that the required competencies are actually present within the organisation<sup>104</sup>.

### Nodal orientation

Within the safety concept, the geographic space outside of residential areas is considered to be open space and infrastructure. We have already pointed out that, apart from in traffic police activities, infrastructure has not been given sufficient attention, although the infrastructure, and especially the nodes in the infrastructure networks represent new starting points for police action. The Dutch police service therefore opts for more intense controls on the (main) infrastructure in order to limit the mobility of ‘evil’ and to identify it in time. By creating *virtual gateways* in the infrastructure, the safety of citizens in residential areas is enhanced.

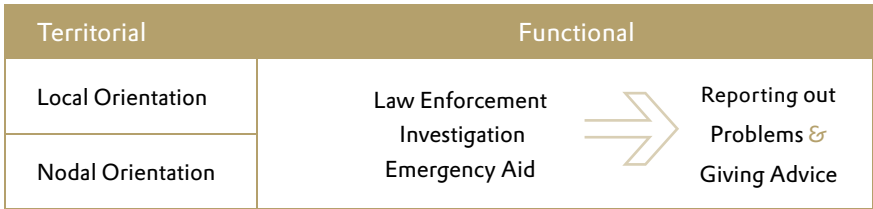
The nodal orientation (‘infrastructure policing’) leads to surveillance of the infrastructure, or rather, of the flows of people, goods, money and information that use the infrastructure to move from one place to another. For this purpose, there are police controls at the nodes in networks (ring roads around cities, transfer points,

ports and airports) where the geographic scale and nature can vary (urban, intercity, interstate, virtual). The control task is aimed at removing anonymity and invisibility and identifying 'evil' in the form of potential and current threats to public safety. The control task is aimed more at people and groups of people rather than criminal offences. This means that the subdivision into specialities (e.g. vehicle safety, drunk driving, and traffic offences) is less interesting than controls aimed at the entire width of this area of police work. Technology is expected to become increasingly important in this regard, especially high tech applications, e.g. catch scan technology where observations and registrations of people and vehicles are compared with a wide range of databases (e.g. unpaid fines, stolen vehicles, missing number plates, known suspects). This allows us to identify 'evil' and to stop it. This also prevents an unnecessary infringement on the privacy of people who are not under any suspicion.

When it comes to infrastructure, it is not about knowing and being known, which is crucial in local orientation. Where infrastructure is concerned police efforts are aimed at undoing anonymity, at intercepting 'evil' and at deterring crime. In contrast to the local orientation, the range of actions that are open to police officers is very limited in this case. It consists of more or less routine controls, which are, of course, subject to professional standards and treatment profiles. This calls for the police showing a firmer face and for the use of powers that in a community context would only be acceptable in rare cases, as they violate the privacy of individuals. The level of intensity of the controls differs depending on the scale of the network. At the lowest level (intra-urban), anonymity will be relatively low, and the use of powers by the police will be limited with a high degree of protection of privacy. The bigger the scale and the greater the anonymity, the greater the powers and resources that the police can use and the less privacy will be protected, without this leading to a lot of resistance. At Schiphol Airport nobody will act surprised if they have to take off their coat or shoes 'at the gates'. An orientation towards the infrastructure offers considerable opportunities for interregional and international collaboration between different police services and between the police and special investigation services, for instance.

In Figure 4 the combination of a territorial and a functional organisation is depicted. This shows that within territorial policing, the local and nodal orientation constitute the basis for all the tasks described earlier.

Figure 4. Operational policing concept



## 5.10 Preconditions

Where the realisation of the organisational concept is concerned, knowledge and information are pivotal. The police organisation is developing into a knowledge-intensive implementing organisation. This means that the following preconditions must be fulfilled:

- **Information-driven working methods.** The police collect, process, refine and analyse information. Information determines how implementation is managed.
- **Exchange of information.** The police share knowledge and information with partners performing safety-related tasks within the safety domain as a whole. This concerns both giving and receiving information.
- **Clarity as to responsibilities.** There must be clarity as to how the responsibilities and powers are distributed over the different partners that perform safety-related tasks within the safety domain as a whole.
- **Shared safety concept.** The relationship with the partners should ideally be organised in such a way that parties share the same perception of the organisation, that there is clarity as to the intentions and that there is a shared perception of what adequate performance means.

## 5.11 Preconditions Explained

Information is basically the raw material of police work. The statutory police tasks can only be performed in an efficient and effective manner if the police have adequate information available. Operational, tactical and strategic management are based on this availability of information. The quantity and quality of information management determine to a significant extent its efficacy and efficiency. Given the emphasis that is placed on efficacy and efficiency and the crucial importance of accountability in terms of the legitimacy of its existence, the Dutch police service is increasingly developing into a knowledge-intensive implementing organisation.

### *Information-driven working methods*

The police service is an organisation that processes knowledge and information and as such it holds a unique information position, either already or potentially. This is the result of its investigative powers and the related powers to store information, as well as its 24/7 presence in the public domain. Being present on the streets 24/7 means that the police are better placed than any other organisation to gather information based on their observations on the ground in the areas where they work, from contacts with the citizens and via the networks in which the police participate. Observation and data collection are not just the foundation of day-to-day police operations at the local level; they also form the basis of data analysis and refinement for various safety purposes. Thus, day-to-day policing forms a crucial foundation for the performance of the entire set of police tasks.

For the operational investigation process (in the broad sense: including proactive and preventive activities) the concept of *Information-Driven Investigation* (IDI) was introduced a few years ago. The key notion underlying this concept is a strong link

between the investigation process and the information process. IDI makes it possible to make certain choices where the investigation process is concerned, which helps to achieve the maximum possible result and creates a transparent and sustainable account of the use of the police that can be presented to the Public Prosecution Service. Data and information should lead to strategic management in terms of formulating crime prevention policies and tactical management in terms of making concrete choices in investigations. The analysis of data and information forms the core of this decision-making process. The quantity and quality of information management determine its efficacy and efficiency to a significant extent.

The IDI management model can also be applied to other police work processes, such as law enforcement, emergency aid, intake and follow-up. The development from Information-Driven Investigation to Information-Driven Policing (IDP) is continuing, but without this being at the cost of the support, presence, proximity, visibility and (rapid) accessibility for civilians<sup>105</sup>. The IDP concept is also becoming increasingly important in European police collaboration. It is expected that application of the concept will extend even further.

The new information-driven strategy has the following characteristics<sup>106</sup>:

1. Information-driven policing crosses the traditional boundaries such as physical distance (GPS, integrated information systems and advanced bugging techniques), darkness (ultraviolet light for night glasses) and physical impediments (sensors that detect the presence of gas, explosives, weapons, drugs and nuclear materials through container walls or other packaging).
2. Information-driven policing transcends traditional time limits. Information is routinely stored, can be retrieved, and is combined, analysed and communicated throughout the criminal justice system.
3. Information-driven policing is capital-intensive rather than labour-intensive. Technological developments (miniaturisation, wireless communication, capacity enhancement, broadband, and the coupling of systems and files) have led to a higher degree of efficiency and other improvements.
4. Information-driven policing is increasingly focused on the monitoring of groups of potential suspects rather than on individual suspects (e.g. systematic offenders, organised criminals and terrorists).
5. Information-driven policing is primarily aimed at prevention. In addition to increased fines and tickets (law enforcement has been stepped up considerably) the police have adopted a large number of innovative enforcement strategies that fall outside the scope of criminal law, ranging from regular controls of infrastructure nodes in cities, focussed controls of certain hotspots and target groups (night life) to, for instance, a more structural way of pointing out problems to and advising the administrators and other law enforcement organisations.
6. Information-driven policing establishes relationships between previously separate sources of information and lines of decision-making.

### *Exchange of information*

The police share knowledge and information between all parts of their own organisation, e.g. between regional police services and national services, and in international contexts. Within their own organisation, information must become a neutral means of production as much as possible, for the benefit of the efficacy of the primary process as a whole. The police information systems, e.g. HKS, must be tailored accordingly. Furthermore, the police share information with partners in safety within the safety domain as a whole, e.g. the municipality, people in authority, BODs and citizens. This concerns giving information as well as receiving information. It is a horizontal exchange of information, i.e. an exchange between people with different tasks, which requires a shift in thinking, so that information that was collected vertically/per task is no longer considered as property and cordoned off but rather is made available to and accessible for partners (from a *need to know* to a *need to share* and a *need to show*).

The information that the police get based on territoriality has not really changed, despite developments such as globalisation and computerisation as described earlier. What has changed, though, is the scope or the scale of the information. The police may, for instance, gather information locally for investigation services abroad and/or the fight against (international) terrorism. What information and the type of information gathered can therefore depend on the purpose that it is to serve.

As stated before, the notion ‘from your local neighbourhood to the world at large’ means in particular that there is a relationship between the different levels on which safety can be organised. For individual police officers and for the police as an organisation this means in practice that whenever there are national objectives (e.g. fighting terrorism), local activities are expressly placed in the context of these broader safety objectives. Through the integrated local approach the police can fulfil this bottom-up reporting task. It is precisely this type of theme that calls for prioritisation and management at the national level. The police organisation makes an optimum contribution to this by adequately tapping into or facilitating the locally embedded reporting task. In this respect it is crucial that the information facility is well-organised, and the police organisation is committed to a national information architecture with ‘regional branches’.

### *Clarity as to responsibilities*

There should be clarity as to the distribution of responsibilities and powers between the different partners in safety within the safety domain as a whole. This concerns local and national government, special investigation services, the Royal Military Constabulary (Kmar), the armed services, and customs, among others.

### *A shared safety concept*

The relationship with the partners should ideally be organised in such a way that parties arrive at a shared perception of that organisation, clarity as to the intentions and a shared perception of what contributes to improving safety.

## Notes

- <sup>92</sup> N. Toenders, N. R. Meijer, L. Gunther Moor, W. van de Leur en K. van der Vijver (1999), *Veilig in de wijk. Sociale zelfredzaamheid in de praktijk*, Dordrecht: SMVP.
- <sup>93</sup> Ian Blair (2003), *Leading towards the future. A speech for "The Future of Policing" Conference* 10 October 2003.
- <sup>94</sup> See L. Gunther Moor en J. Peters (1996), *Politie en sociale zelfredzaamheid van burgers. Een onderzoek naar aanleiding van de vestiging en sluiting van politiebureaus*, Dordrecht: SMVP, 1996.
- <sup>95</sup> Projectgroep Opsporing, Raad van Hoofdcommissarissen (2001) / Projectgroep Opsporing-2, Raad van Hoofdcommissarissen (2003), *op. cit.*
- <sup>96</sup> For this see: Walter van Kleef, Rinus de Regt, Teun Visscher (2005), *Paard van Troje? Versterking van de politieprofessie in Brussel, Leerprogramma Internationale Politie Oriëntatie (LIPO 3)*, March 2005.
- <sup>97</sup> For connecting the functional and territorial organisation see: Advies Rob en RVZ (July 2004) *De GHORdiaanse knoop doorgehakt. Herkenbare geneeskundige hulpverlening bij ongevallen en rampen in de veiligheidsregio.*
- <sup>98</sup> See the traditional description of the organisation of safety in M. Foucault (1979), *Discipline & Punish: The Birth of the Prison*, NY: Vintage Books.
- <sup>99</sup> 2005 budget adoption, Ministry of the Interior and Kingdom Relations. Explanatory Memorandum. Dutch Lower House, 2004-2005 session, no. 29800 chapter VII, no. 2.
- <sup>100</sup> For the police in relation to the role of information see W. Ph. Stol (1999), *Informatie en communicatie*. In: C.J.C.F. Fijnaut, E.R. Muller, U. Rosenthal (red.) (1999), *Politie. Studies over haar werking en organisatie*, 549-575, Alphen a/d Rijn: Samson, pp. 215-237.
- <sup>101</sup> M. Castells (1996). *The Rise of the Network Society*. Cambridge MA. Oxford UK: Blackwell, pp. 376-428.
- <sup>102</sup> J. Kuiper (2000), *Wat is essentieel voor de toekomst van de politie?* In: *Tijdschrift voor de Politie*, volume 61, issue 3 (March 2000).
- <sup>103</sup> This is approximately 3500 police officers across the Netherlands. Depending on the nature and scope of the problem, the average norm will be deviated from.
- <sup>104</sup> Board Personeel, Raad van Hoofdcommissarissen, *Visie en beleidsplan HRM 2005-2010*. Draft of 18 October 2004.
- <sup>105</sup> For this see: Peter Versteegh (2005), *Informatiegestuurde veiligheidszorg*, Dordrecht: Stichting SMVP Producties.
- <sup>106</sup> Projectgroep Forensische Opsporing, Raad van Hoofdcommissarissen (2004), *Spelverdeler in de opsporing. Een visie op Forensische Opsporing*. December 2004, p. 22.



Management and Collaboration

## 6.1 Introduction

Where safety policy is concerned the Dutch police are a vital link on account of their added value in improving safety. However, other parties perform certain police tasks as well. Insofar as this results in an (impending) overlap of working areas, it raises questions concerning demarcation and how to bring the activities of the different parties better into line with each other.

In this chapter we will discuss how the Dutch police service wishes to shape its relations with its environment in accordance with the guiding principles as identified earlier: a broad, coherent performance of tasks, a focus on collaboration, a focus on results and subordination with authority. To this end, the Dutch police service focuses on its tasks within the safety domain based on the current perceptions of its tasks. In doing so, the Dutch police service does not aim to extend its domain or for control over other institutions. This means that information relationships are entered into (sharing information, services and organisations providing each other with information, *the new knowing and being known*) and that, wherever necessary, operational collaboration (joint action) is undertaken. This also means that the Dutch police service is the operational director where public and private law enforcement in the public domain is concerned.

Collaboration is not something that just happens; it needs to be organised, especially where the collaboration between a number of different organisations is concerned. The Dutch police service believes that such collaboration therefore needs to be shaped within joint programmes. The police consider programme management as an adequate means of organising coherence in safety policy between the police and their different partners. Programme management works horizontally, without there being any mutual hierarchy between the parties. Programme management is only effective if, administratively, the programmes are set up in such a way that the targets as well as the contribution of all the partners to these targets are clearly set down. This is in line with the idea that all parties, each acting based on their own responsibility, should contribute to improving safety. The authorities are ultimately responsible and play the directing role.

## 6.2 Programme Management

The integration of the performance of tasks, focus on collaboration, focus on results and subordination with authority take shape through the participation of the police in the broad programme-based approach to safety problems, which is directed by the authorities.

This broad programme-based approach is based on the following principles:

- **Administrative responsibility.** The authorities are responsible for public safety policy; this involves both the integrated safety policy at the local level under the responsibility of the municipality and safety policy at the national level.
- **Safety programmes.** The authorities fulfil this responsibility by setting up safety action programmes in which all relevant parties are involved.
- **Agreed results.** In these programmes measurable targets are formulated by each of the parties involved. The sum total of all activities and results of all partners ensures that the ultimate goal as intended by the authorities is reached.
- **Collaboration and exchange of information.** In the interests of efficacy and efficiency, all parties work in close collaboration and exchange information to the best of their ability. All partners are responsible for creating the appropriate corporate culture in their own organisations.

## 6.3 Programme Management Explained

### *Administrative responsibility*

To the police, effective policing definitely means administratively integrated policing. The permanent emphasis on neighbourhood-oriented local policing clearly exemplifies this principle. Improving safety, and reducing crime and anti-social behaviour requires a combination of prevention and repression, of surveillance, investigation and deterrence. Prevention, surveillance and deterrence are used to reduce the risk of crime occurring. This requires coordination with other task areas such as health care, social welfare and spatial planning. Apart from being preconditions for confidence in the rule of law, investigation and prosecution are the government's response to crimes that are committed.

The Dutch safety policy is the responsibility of both the *national* and *local* authorities. This does not relieve civilians and businesses from their responsibility to arrange their own affairs. The authorities must acknowledge and take up their responsibility for safety, e.g. by giving shape to their ultimate responsibility and director's role within the integrated safety policy. This applies to the local level, but definitely also to the national level. The government's effectiveness where safety is concerned can be enhanced if all government bodies also focus on safety through vigilance, providing information to relevant partners and repression. The police service has expressed this idea previously in relation to the deterrence of crime in its reports *Misdaad laat zich tegenhouden* and *Tegenhouden troef*<sup>67</sup>. Those reports also advocate the need for a coordinating role to be played by the Minister of the Interior and Kingdom Relations where safety is concerned.

Opting for administratively integrated policing means that the Minister of the Interior and Kingdom Relations has a central role to play at the *national* level and that his role as coordinating Minister for safety at the national government level should be reinforced. This is where the responsibility rests for developing a national, integrated safety policy, for shaping deterrence and for putting prevention and deter-

rence on the European Union agenda. All appeals made for police capacity by other Ministries should go through the Minister of the Interior and Kingdom Relations. Under his direction the coherence with other organisations within the safety domain, such as the Royal Military Constabulary, the General Intelligence and Security Service (AIVD) and special investigation services such as SIOD and FIOD/ECD, will be enhanced (see also section 6.5).

Administrative responsibility at *local level* will be fleshed out within the existing integrated local safety policy, for example. In this context, various parties will seek to work together. Aside from the municipality and its municipal services, these parties obviously include the police and the Public Prosecution Service, but they also include relief organisations and private security companies. Over the past few years it has become clear that the efficacy of police efforts has especially increased in cases of a coordinated approach with other organisations. For instance, in dealing with systematic offenders. At the local level the municipality has an essential role to play in enhancing such coordination. This aspect will become more important once the elected mayor becomes a reality because foreign experiences show that that will lead to a more prominent place on the municipal agenda for issues of safety and quality of life.<sup>108</sup> In integrated safety policy, the municipality has been given the ultimate responsibility and the directing role. However, that role has not yet been fleshed out properly in all municipalities, mainly due to safety problems being distributed over various different portfolios and because no adequate provision has been made for administrative coordination and the *power to follow through*.<sup>109</sup> Nevertheless, the police service believes that the development of local integrated safety policies in every municipality should be vigorously taken up/maintained. In this respect, we believe that the municipality should have a strong, mandatory directing role where safety is concerned.

### *Safety programmes*

The authorities (at all levels) need to give meaning to their safety responsibility by setting up safety action programmes aimed at collaboration with all relevant parties. In order to give a major boost to integrated safety policy at the local level where necessary, municipalities should be obliged by law to develop safety programmes.<sup>110</sup> Reports on the safety implications of proposed policy which may have an effect on safety would be of considerable added value in this regard.

The municipal safety programmes should produce a vision of supervision in the public domain. In these programmes the contribution of each of the participating parties will be defined as well as the intended results, the exchange of information and the quality requirements. This means, for example, that harmonisation and collaboration between the police and all kinds of supervisors (both public and private) should be organised in these plans, especially concerning the exchange of information. Moreover, in formulating and executing these plans, there should be optimum harmonisation within the local authority triangle. After all, this local authority triangle is best placed to assess the local circumstances in neighbourhoods and districts.

It is at the local level that the police have explicitly indicated the way in which the greatest contribution can be made to improving safety. It is important that a political debate takes place on this subject at the local level, in which the police clearly indicate what they stand for. At this level the police give account of their results to the proper authority (the administration and the Public Prosecution Service) and to the local community. They must do so, in spite of the fact that they do not have complete control over the results. In this respect, the Dutch police service expressly assumes its responsibility as a professional organisation.

If the authorities or other parties fail to fully take up their responsibilities where safety is concerned, the Dutch police service, in view of its reporting task, will have to call the relevant parties to account. A classic example is the non-availability (not 24/7) of emergency aid, which results in an undesirable call on the police. In that case, the police will make clear what the consequences are and will, where necessary, make their own input dependent on the efforts of other parties. By explaining their own added value and entering into a debate about it with their partners, the Dutch police will make clear that they wish to perform as best as they can in the circumstances.

Safety programmes cannot just be used as a means of shaping local safety policy. As for the national collaboration between the police and the more functionally organised implementers of certain police tasks, such as the special investigation services, the Royal Military Constabulary (Kmar), customs and the armed services, the police service envisages an operating method that is analogous to collaboration at the local level. The management of these nationwide safety programmes is the responsibility of the national authorities, especially the Minister for the Interior and Kingdom Relations as the coordinating Minister for safety policy.

Further to the previously outlined safety concept, the nationwide programmes should, among other things, focus on counteracting the effects of increasingly open borders and increasing anonymity. Much of the knowledge that the government already possesses from various databases (the municipal personal records databases, the land register, the tax authorities and so forth) is not used to improve safety because the various services operate alongside each other rather than with each other. Especially in view of the fight against terrorism and extremism this is a highly unfortunate development. Collaboration shaped by a programme-based approach can provide the answer by organising horizontal *chain information technology*.

### **Results agreements**

Using safety programmes facilitates both the focus on collaboration and the focus on results that the police strive for. This forms the basis of a problem- and person-oriented approach, in which targets are defined based on a thorough analysis of data and in which people subsequently work together on improvements. This is not a non-committal exercise. It is vitally important that the contribution of all parties is clearly defined, and that it is clear which responsibilities the participating

parties accept and for which responsibilities they can be held to account. For this reason, the programmes will include measurable targets for each of the parties involved, in which their specific contribution is explicitly identified and to which they each commit. All parties give account to the authorities and to each other as to the results they achieved. The sum total of the activities and results of all of the partners ensures that the ultimate goal as intended by the authorities is reached.

#### 6.4 Collaboration with Public and Private Supervisors

Supervision in the public domain is becoming more fragmented. The result is uncertainty about expectations and responsibilities. In terms of justice, equality and the quality of service, this is not a desirable development. The Dutch police service believes that government should be the dominant force within the public domain. For this reason, it believes that the use of private parties for the purposes of supervision in the public domain should remain limited to rare occasions. If private parties carry out supervision within the public domain, the public party ordering this should stipulate clear conditions to the private party as to quality, integrity, democratic control and compliance with directions given by government and the police.

Fragmentation of supervision within the public domain is not effective, where improving safety and increasing the perceived level of safety are concerned. Negative consequences can be mitigated by a proper exchange of information and operational collaboration. Exchange of police information should lead to the formulation of integrity requirements in other organisations. Operational coherency can only be achieved if the operational direction of deployment is left to the police. For this reason the police should always assume a directing role where actual public and private surveillance on the streets are concerned. This means that within the programme as conceived under the responsibility of the authorities, the police have the operational direction of surveillance. Specifically, this means that the briefing and debriefing of supervisors is conducted by the police and that the police ensure that the parties to the programme comply with their operational agreements. If guidance is not provided by the police (which is often the case where private supervisors are concerned), the police will have to have a controlling role over the supervision for which they do not provide guidance. At any rate, the police should be less reticent with regard to public and private supervisors.

Ideally, public supervisors with a broad task definition should have a place within the regular police organisation in all municipalities. The advantages of this are evident: such supervisors are then part of the police and the police determine their deployment. Moreover, the police then have a direct influence on the quality requirements that these supervisors need to comply with, and there is more clarity for citizens as to the status and powers of public supervisors. It is also cost-effective, as these supervisors cover a wide range of tasks and therefore permanently have a large workload.

Insofar as public supervision is still considered a municipal matter, and the organisation of public supervision therefore remains the responsibility of the municipality, the police exercise the above director's role with respect to operational deployment. In terms of transparency towards both the citizens and their own organisation, all supervisors should be recognisable within the public domain: they should all be wearing the same uniform, which distinguishes them from police officers. An additional requirement of municipalities is then that they no longer organise this supervision with a view to generating employment, as is presently the case with civic guards. Owing to quality requirements, it is necessary for safety considerations to play a predominant role in the organisation of this supervision.

Supervision within the public domain should be part of safety programmes formulated under the responsibility of the authorities (municipality). The deployment of administrative supervisors should be coordinated with the local authority triangle. This will prevent functional supervisors from solely being managed with a focus on regulations and financial considerations. In the absence of such coordination, the responsibility for this supervision remains obscure to citizens.

## 6.5 *The Relationship with Special Investigation Services and Special Investigating Officers*

Investigation is considered to be one of the most distinctive tasks of the police. This stems from the powers that have been attributed to the police for this purpose and that allow them to delve deeply into citizens' private lives. Special investigation services and special investigating officers have similar powers to those of the regular police and in addition have the same tasks as the regular police: the investigation of offences, although the special investigation services are active in more specific areas than those in which the police usually operate.

The Dutch police service takes the view that, in principle, it is not its task to uphold special statutes under the jurisdiction of other authorities designated by law. These more limited duties are better performed by others because the added value of police investigation, relative to other players with investigative powers, is greatest when an integrated approach to different sub-areas is needed. It is precisely the bringing together of different domains (such as financial activities, organised crime and terrorism) that is a unique competency of the police organisation. The police service stands for integration and thus forms a basis for the legitimacy and integrity of the system.

Despite these basic tenets, actual practice has shown that the BODs have over the years increasingly entered an area that is traditionally covered mainly by the regular police: that of organised crime. Although this often takes place from a different angle, for instance trade mark forgery or financial fraud, the fact remains that duplications of police tasks arise. By focusing on a limited number of themes, more and more players also enter the arena: The Royal Military Constabulary (Kmar), customs, FIOD/ECD, SIOD, and various inspectorates.

By analogy with our previous remarks concerning the collaboration between the police and public and private supervisors, we take the view that, ideally, the National Crime Squad and the four special investigation services AID, FIOD/ECD, SIOD and the Intelligence and Investigation Service of the Netherlands Ministry of Housing, Spatial Planning and the Environment should be integrated. The pros and cons, possibilities and impossibilities of a reorganisation like this should at least be re-examined and considered in the light of current circumstances.

However, as long as the fragmentation and *multiplication of authority* within the police tasks exist, the police service will strive for collaboration in the form of the sharing of information and joint actions by the police, BODs, inspectorates and other organisations, through the use of joint safety programmes under the responsibility and direction of the national government. Here, the starting point is that functionally organised units such as the BODs and the police service have a duty to exchange information.

## 6.6 *The Relationship with the Armed Services, Protection and Security, Intelligence Services*

Since there is no longer a clear divide between domestic and international safety, police tasks are under pressure. On the one hand, there is added pressure in relation to the necessary international collaboration especially where investigations are concerned. Here, the emphasis currently lies on fighting terrorism<sup>111</sup>. On the other hand there is the demand for traditional community policing in ‘new’ areas, such as peace operations and tasks related to location-specific events such as a massive terrorist attack. It is expected that the demand for police operations abroad will increase further in this area. On the domestic level, demands on the police in connection with (preparations for) crisis management are also increasing. This latter aspect means that the police should be able to scale up easily, not just where its information-related task is concerned, but also in operational terms<sup>112</sup>.

Where worldwide coordination and community policing meet there is relevant interaction between these two developments. After all, information supplied by the district or neighbourhood police officer can be crucial in the fight against terrorism. With this aim in mind, the General Intelligence and Security Service (AIVD) is training district and neighbourhood police officers. Recently, the Minister of the Interior and Kingdom Relations appealed to mayors to be vigilant<sup>113</sup>. ‘From your local neighbourhood to the world at large’ therefore does not mean that each phenomenon is restricted to its own scale, but that fighting certain threats requires activities on every level. Here, the reassessed safety concept with its orientation towards infrastructure acts as the guideline because the larger the scale and the greater the anonymity, the stronger the powers and resources that are needed, and the less self-evident it becomes that it is the police that can deliver the most added value in terms of safety.

It is expected that the need for integrated police tasks will increase in other areas, such as peacekeeping operations. It is clear that the police service has much to offer in this respect, without it always being immediately obvious in what way police action abroad contributes to the safety of Dutch citizens. At the same time, it is expected that the armed services will move further in the direction of police tasks. In most cases, part of the added value of the police, in terms of *knowing and being known*, will disappear where action abroad is concerned. Moreover, in that area there will be a stronger link to the need to maintain order high up the spectrum of violence. In this respect, it seems obvious that optimum synergy should be sought between the armed services and the police organisation, especially with regard to training and advice. Moreover, this contributes to the quality of regular tasks. The choice to deploy the police service abroad is made at the national level. Such a choice will have to be accounted for, if it means that regular activities will suffer.

## Notes

<sup>107</sup> Op. cit.

<sup>108</sup> A. Cachet, e.a. (2002), *Buitenlandse burgemeesters bekeken-II: openbare orde, veiligheid en politie*, Centre for Local Democracy, Faculty of Social Sciences, Rotterdam: Erasmus University.

<sup>109</sup> For example: Monique Kieverink, Ron Smits (2002), *Integraal Veiligheidsbeleid: de regierol van de gemeente, een onderzoek naar de inhoud van het integraal veiligheidsbeleid*, Master's dissertation, Twente University, Enschede, June 2002; Michel Dückers (2005), *Gemeentelijke veiligheidszorg naar beste vermogen*, Dordrecht: Stichting SMVP Producties.

<sup>110</sup> Rob (2002), *Partners in veiligheid*. Van verantwoordingsbocht naar lokale verantwoordelijkheid. Raad voor het openbaar bestuur, April 2002. More specifically on the relationship with safety regions: Rob (2003), *Veiligheid op niveau. Een bestuurlijk perspectief op de toekomst van de veiligheidsregio's*, Raad voor het openbaar bestuur, February 2003, p. 48.

<sup>111</sup> The proposed activities as laid down in the EU Declaration on Combating Terrorism of 25 March 2004 alone seem adequately capable of keeping the entire police organisation occupied. To give an idea, with regard to legislation the Council urges 'all Member States to take any measures that remain necessary to implement fully and without delay (i.e. before June 2004), the following legislative measures:'

- Framework Decision on the European Arrest Warrant.
- Framework Decision on Joint Investigation Teams.
- Framework Decision on Combating Terrorism.
- Framework Decision on money laundering, the identification, tracing, freezing and confiscation of instrumentalities and the proceeds of crime.
- Decision establishing Eurojust.
- Decision on the implementation of specific measures for police and judicial collaboration to combat terrorism;

<sup>112</sup> On this issue important steps have already been taken within the police organisation through the Conflict and Crisis Management Frame of Reference 2002 (draft of 19.03.02).

<sup>113</sup> NRC Handelsblad October 23 October 2004, Burgemeester moet AIVD tippen.



Administrative Embedding

## 7.1 Introduction

The administrative embedding of the police organisation or the police system makes up the formal framework within which the mission, vision and strategy of the police have to be realised. In its current form, this framework is based on the 1993 Police Act and its subsequent amendments. For some time, this framework has been the subject of renewed debate. The Leemhuis Committee<sup>114</sup>, put in place by the Dutch Cabinet, is preparing an evaluation of the police system. The Hendriks Committee<sup>115</sup> is doing research into alternative models for the management of the police. At the same time, two amendments have been proposed to the Dutch Lower House<sup>116</sup>. In view of these developments, the guiding principles formulated in the previous chapters have been translated into organisational requirements in the present chapter: the professional principles regarding the administrative embedding of the police and the police system.

## 7.2 Organisational Requirements regarding the Police System

Effective policing is administratively integrated policing. Although safety issues arise at the level of your local neighbourhood to the world at large, and a specific approach is needed at every level<sup>117</sup>, it is clear that the police service, in performing its duties, has to act in both a socially and an administratively integrated way. The Dutch police service, therefore, chooses to keep its intricate organisation, opts for a police service that is close to the citizens (small-scale, stabilisation and mobilisation) and for building from the bottom up when, in the interests of efficacy and efficiency (economies of scale), certain police tasks have to be organised at the supralocal (regional, national) level (organisational capabilities, flexibility).

The Dutch police service translates its mission, vision and strategy into the following organisational requirements as regards the police system:

- **Connection between authority and management;**
- **An adequate scale level for management;**
- **The Chief Constable as a strategic partner for the authorities;**
- **An integrated approach to crisis intervention; linking up of the police region and the safety region.**

These principles will determine the approach taken by the police profession in the debate on administrative embedding in the coming period.

## Notes

- <sup>114</sup> On 20 September 2004, Minister of the Interior, Remkes, and Minister of Justice Donner, instituted the steering group that will conduct the evaluation of the police organisation. In this evaluation the police organisation and the management of the police will be examined. The good and not so good elements of the current organisation will be scrutinised in a retrospective. Looking forward, the steering group will consider whether the current system, with its 25 regional police forces and one national force, is sufficiently capable of meeting future demands.
- <sup>115</sup> Interdepartementaal beleidsonderzoek (IBO), Modellen voor beheer van de Politie.
- <sup>116</sup> The bills concern 'the reinforcement of the powers of central government where the police is concerned' and 'police collaboration provisions'.
- <sup>117</sup> For a further discussion of the problem of the appropriate (administrative) scale, see: Auke J. van Dijk (red.) (November 2003), *Laag voor laag. aspecten van regionalisering*. Preadvies Raad voor het openbaar bestuur.

## In Conclusion

Over the past three years especially, visions have been developed on various sub-areas within the police organisation at various levels, sometimes under the authority of the Board of Chief Commissioners or one of its sub-boards and sometimes not. These projects include:

- Visie op dienstverlening (2003) (*A Vision of Service*)
- The vision document 'Misdadaad laat zich tegenhouden' (2001). (*Crime can be deterred*)
- Referentiekader Conflict- en Crisisbeheersing (2002). (*Conflict and Crisis Management Frame of Reference*)
- Tegenhouden troef; een nadere verkenning van Tegenhouden als alternatieve strategie van misdadaadbesteding (2003). (*All-round deterrence; a further exploration of Deterrence as an alternative strategy for crime fighting*)
- Visie op internationale politiesamenwerking (2004). (*A Vision of International Police Collaboration*)
- Visie Nederlandse politie op aanpak zware of georganiseerde criminaliteit n.a.v. verschijning van het Nationale Dreigingsbeeld (2004). (*Dutch Police Vision for handling Serious or Organized Crime based on the National Threat Analysis*)
- Visie en beleidsplan Human Resource Management 2005-2010 (2004) (*Vision and Policy Plan Human Resource Management 2005-2010*)
- Visie op Forensische Opsporing (2005). (*A Vision for Forensic Investigation*)

A vision is also being developed in a number of other sub-areas. These include:

- Visie op Publiek-Private-Samenwerking (to be published in 2005). (*A Vision for Public-Private Partnerships*)
- Referentiekader Lokale politie (to be published in 2005). (*Local Police Frame of Reference*)

The mission, vision and strategy as defined in the present vision memorandum are also intended to inspire the further development of visions within the police domain. The Project Group therefore opted to just provide an outline of certain issues. In the near future these outlines will serve as a starting point for further development and definition, under the auspices of the different sub-boards of the Board of Chief Commissioners. This should lead to various plans of action and related programmes that will differ in terms of scope and degree of complexity and thus in terms of completion time.

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