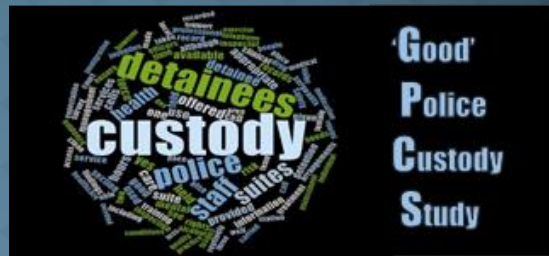


WORKFORCE FOR THE 'GOOD'? CIVILIANISATION AND PRIVATISATION AND ITS IMPLICATIONS FOR 'GOOD' POLICE CUSTODY

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PLURAL POLICING IN ENGLAND AND WALES

- ◉ Prior to 1829, most police work was done by private individuals and organizations, although the state had a role too.
- ◉ The ‘birth’ of the modern police in 1829 meant that policing became more firmly located within the State.
- ◉ However, in the late 20th century we are seeing a proliferation of complex, fragmented, differentiated forms of policing, including in police custody suites.

CIVILIANIZATION AND PRIVATIZATION OF POLICE CUSTODY SUITES

- ⦿ Though publicly-run custody suites remain the norm in 2014, civilianization and privatization are a common feature of the police custody landscape
- ⦿ What does such civilianization and privatization mean in practice?
 - Non-warranted staff work as ‘detention officers’ (DOs) in police custody suites.
 - These DOs are either employed by the police or the private sector.
 - Some DOs are designated with police powers
 - Their role varies, but largely revolves around looking after the welfare of detainees and assisting the police with investigatory requirements.

THE DRIVERS OF CHANGE

- The policy context
 - ‘Windows of opportunity’ for privatization are a product of local and national support and the existence of ‘policy entrepreneurs’ in police forces (White, 2014).
- Austerity and constraints on public expenditure
 - Non-warranted DOs seen as a way of saving money.
 - Whether they are employed by the police or the private sector makes little difference to the cost (Dibble, 2013).
- The ascendance of neo-liberalism and of the importance attached to the free market

AIMS TODAY

- ◉ Has civilianization and privatization of police custody suites led to the creation of a workforce for the ‘good’?
- ◉ We address this question by examining findings from the ‘good’ police custody study on:
 1. Roles and responsibilities of police custody workers;
 2. Police officers and detention officers’ understanding and use of their authority;
 3. Governance and accountability in mixed economy police custody settings.
- ◉ In the second half of the workshop, the question will be addressed by discussing your thoughts and comments on the presentation.

PHASE	WHERE DATA COLLECTED	DATA COLLECTED TO DATE
<p>2 MARCH 2014 - MAY 2015</p>	<p>Site 1 “Stone Street”</p>	<ul style="list-style-type: none"> • 10 detainee interviews • 11 staff interviews • 129 hours of observations • 200+ custody records
	<p>Site 2 “Combiville”</p>	<ul style="list-style-type: none"> • 15 detainee interviews • 14 staff interviews • 140 hours observations • 200+ custody records
	<p>Site 3 “Newtown”</p>	<ul style="list-style-type: none"> • 14 detainee interviews • 11 staff interviews • 123 hours observations • 2500+ custody records (data still to be extracted)
	<p>Site 4 “Mill City”</p>	<ul style="list-style-type: none"> • 11 detainee interviews • 11 staff interviews • 140 hours observations • Custody records pending and data still to be extracted

1. ROLES AND RESPONSIBILITIES

MIXED ECONOMY PROVISION

- Mixed economy model in place at all 4 sites
 - DOs in all four forces
 - Role (tasks and duties) varied between sites
 - ‘Civilian’ status afforded ‘organisational non-partisanship’ thus potentially strengthening police legitimacy
- Various degrees of ‘blending’ (Roycroft, 2013) of provision identified
 - At all four sites (e.g. cleaning services, health care services, transport)
 - Newtown only force to use private sector DOs - involved in ‘booking-in’ process
- Strong partnership ethos in all 4 sites
 - Opinions generally positive but some less so....

MISSION CREEP

In the context of policing refers to, *the situation in which police staff move away from their original purpose by taking on additional roles* (Crawford et al, 2005).

2 potential areas in which ‘blurring’ of roles and responsibilities or mission creep can occur in the custody suite:

- 1) in relation to decisions about detainees welfare/access to healthcare
- 2) in relation to the ‘booking-in’ process - back-door civilianisation of the custody Sergeant role

Factors influencing ‘blurring’: poor communication about the role when initially implemented and poor role demarcation subsequently, developing levels of trust between custody workers, occupational backgrounds of custody workers - also amplified in recent years due to pressure to maintain efficiency with a shrinking budget.

A lot of the time you are overseen by a sergeant but a lot of the time you are also kind of left to it yourself so we will make decisions as to what observations they should be on as to whether they need to see a HCP ... we might decide whether or not they actually need a doctor because of how they are, for example, yesterday I had a really drunk guy, came in, demanding he wanted to see a doctor and I asked him why and he said he's a heroin user and I said, 'are you withdrawing?' and he said 'no'. Well in that case we have got no need to call a doctor out for him so in that case rather than bothering sergeant with it I've got enough common sense to make that decision myself ... a lot of the time we would run it past the sergeant anyway if it was something that was sort of too major, that we needed them to get a bit of guidance from .

(Combiville, Detention Officer1)

I witness a DO asking the coordinator about advice for what to do with a detainee who had a “chewy” set of circumstances - whilst two Sgts were seated nearby they didn't get asked for their input. It was as if they were making a decision separately with what to do with regard to the circumstances, coming to a conclusion and relaying then that to the Sergeant.

(Newtown, Field notes, 3.9.14)

2. POWER AND AUTHORITY

STYLES OF AUTHORITY IN THE CUSTODY SUITES

1. 'Soft' power

- Staff built a rapport with detainees e.g. using humour
- They communicated respectfully

2. Inducement

- Compliant behaviour would be rewarded e.g. with extra drinks

3. Use of force

- Handcuffs, 'cell exits', and strip searches.

DESIGNATION OF POWERS

Powers	Combiville	Mill City	Newtown	Stone Street
Use of force	Yes	Yes	Yes	Yes
Fingerprints	Yes	Yes	Yes	Yes
Photographs	Yes	Yes	Yes	Yes
DNA	Yes	Yes	Yes	Yes
Non-intimate searches	Yes	Yes	Yes	Yes
Strip searches	Yes	No - but can assist a police officer	No - but can assist a police officer	No - but can assist a police officer
Breath test	No	Yes	No	No
Authorise detention	No - but DOs did book-in detainees	No	No	No - but DOs did book-in detainees

HOW DETENTION OFFICERS USED THEIR AUTHORITY

- ◉ Detention officers were regarded as placing a particular emphasis on ‘soft’ power in the custody suites in the research.
- ◉ In particular, they were more likely to communicate respectfully with detainees by:
 - Talking softly;
 - Being deliberately polite;
 - Treating detainees with humanity;
 - Using more accessible language.

... the people that come round offering you teas and coffees they **speak differently** to you ... They seem to speak very **softly** and they, I don't know. A Policeman can either be angry with you or he can have a laugh with you. Or they can be serious. These people that offer you food, they are **nice all the time**. Every single time I have been offered food they are always like 'would you like anything to drink?', 'Yes, cup of tea?' 'Would you like sugar, any milk in that?' ... **A Police officer, they speak like they are speaking out of a book** half of the time ... So, even though they are speaking normal words, it's the way they talk. They talk how they are trained to talk and give statements. **These people that offer you food and drink talk like my Nan would.**" (Combiville, Detainee 8)

THE STATUS OF DETENTION OFFICERS IN THE CUSTODY SUITE

- ⦿ The emphasis on ‘soft’ authority by DOs was partly explained by their more limited powers.
- ⦿ It was also rooted in the role that DOs deliberately assumed in the suite as:
 - “Carers” and “not police officers”
 - Impartial and neutral bystanders
 - But this had a certain hollowness to it.
- ⦿ At the same time, this more limited role may also have undermined DOs’ status, legitimacy and authority in the suite.

3. GOVERNANCE AND ACCOUNTABILITY

MULTI-TIERED ACCOUNTABILITY

- Strict adherence to PACE but frustration at its ability to hinder pragmatism and curtail perceived ‘common (police) sense’ decisions:
 - Whether, given the outcome of the custody process, it would be better for a detainee to seek legal advice post-release from the custody suite (Stone Street, Field notes, 19.6.14).
 - Whether or not to liaise with sergeant regarding decisions relating to requests for medical assistance from detainees.
- Multi-tiered accountability arrangements in custody valued as - ‘we [custody workers] live by the rule book a lot more ... we are more accountable than everybody else’ (Combiville, Sergeant 1) - professionalism
- Newtown - Routinisation of the custody process - result of privatisation

Questions raised about the parity of detainees experiences and the consistency and thoroughness of sergeants reviews of booking-in procedure by DOs and thus, the integrity of the CJ process.

...one of the sergeants has had to go to professional standards because someone put a complaint together the previous weekend. Apparently he authorised the detention of a woman at the custody suite which might not have been the most appropriate action. The sergeant says that 'it is impossible to know all the circumstances of everyone you authorise' and that 'officers are constantly trying to pull the wool over your eyes' - these are not things I can imagine happening at Stone Street because I am sure the sergeant would have a securer grip of every case, in a way that is impossible here with the private sector DOs taking such central roles in the process. Sergeant reckons it won't be an issue, but I still think it is something of a big deal if the Sergeant is effectively commenting that he can't know the details of everyone's authorisation.

(Newtown, Field Notes, 08.09.14)

KEY FINDINGS

ROLES AND RESPONSIBILITIES

- A mixed economy staffing model provides opportunities for blurring of roles, responsibilities and ‘professional’ orthodoxies in relation to custody provision.
- In doing so, it also affords potential opportunities for ‘mission creep’ as non-warranted members of staff come to take on roles beyond that for which they were initially intended.
- Potentially significant implications for accountability, in particular where private sector are involved.

POWER AND AUTHORITY

- ◉ Styles of authority varied between DOs and sergeants.
- ◉ DOs placed a particular emphasis on ‘soft’ forms of power, such as communicating respectfully with detainees.
- ◉ This difference was partly a result of DOs non-warranted status in the custody suite.
- ◉ It was also rooted in the role that DOs assumed in the custody suite in which they deliberately differentiated themselves from the police.
- ◉ However, this also had the effect of undermining their authority.

GOVERNANCE AND ACCOUNTABILITY

- ◉ There was sometimes too heavy a focus on managerial accountability within the custody environment, particularly on contractual targets in Newtown, the largely privatized suite.
- ◉ This encouraged routinised custody provision which had the potential to impact negatively on parity of detainee treatment, perceptions of ‘fairness’ and thus, the overall integrity of the custody process.

DISCUSSION

A WORKFORCE FOR THE 'GOOD'?

● On the one hand:

- The tendency towards 'soft' power was an important corrective to coercive aspects of police custody.
- DOs were afforded a degree of organisational non-partisanship and enhanced legitimacy.
- Therefore, did DOs 'lend' the police legitimacy?

A WORKFORCE FOR THE ‘GOOD’?

⦿ At the same time:

- DOs possibly lacked authority and were seen as ‘policing on the cheap’.
- Line management structures could be dysfunctional, especially in private super suites like Newtown
- Contractual targets in Newtown also contributed to routinization.

ENHANCING 'GOOD' POLICE CUSTODY

- Opportunities for 'mission creep' should be limited and procedures put in place to monitor this, thus ensuring that accountability is not undermined.
- For example, in 'good' police custody suites there would be clear demarcation of roles and responsibilities and these roles would be reviewed and updated on an ongoing basis.

ENHANCING 'GOOD' POLICE CUSTODY

- 'Good' suites are ones in which different staff members are valued for the different ways they use their authority, recognising for example that DOs may err towards using soft authority.
- These differences in the use of authority and the differences in roles and legal powers that underlie them, should be honestly and clearly explained to detainees.
- Ensuring that DOs and police officers wear distinct uniforms is likely to help detainees to fully understand some of these differences between DOs and police officers.

ENHANCING 'GOOD' POLICE CUSTODY

- Within multi-professional, mixed economy custody suites, 'good' police custody is likely to be such where there are clear lines of accountability between police, police staff and others, in particular, clear line management structures.
- Where the private sector are heavily involved in police custody provision there is also a need to continually emphasise the importance of the detainee experience for the legitimacy of the suite, not just the meeting of contractual targets.

QUESTIONS FOR DISCUSSION

1. What have been the drivers or not of civilianization and privatization in police custody suites in the police forces represented here today?
2. What is the occupational status of DOs in the custody suites? How are they perceived by staff and detainees?
3. Has the civilianization and privatization of police custody suites been a force for the 'good'? Why? In what ways? What does 'good' mean in this context?