

Persisting with this erratic behaviour, marked more by variations in the insecurity manifested by public opinion and not in criminal reality, does not sketch a hopeful horizon for essential safety and, totally conversely, opens up new questions that end up questioning the nature of public good that we have seen suitable to attribute to safety. *Shouldn't safety be transformed into a good that is bought instead of a service that we expect from the public administrations?*, asks Ulrich Beck. In any case, the apparently consistent barriers between public and private safety do seem to hastily fade away.

1 A very extensive version of this article can be found at Curbet, J. (2010). *El rei nu: Una anàlisi de la (in)seguretat ciutadana*.

## MANAGING PUBLIC SAFETY

### POLICIES ON PUBLIC SECURITY<sup>1</sup>

Francesc Guillén Lasierra

#### 1. The public security system. The need for political decisions that define a system with interdisciplinary ramifications

Public security was always considered a field that was reserved for the police, who were responsible for guaranteeing it. The criminal justice system was also attributed some functions in this field: sentencing criminals and dissuading those who had not yet gone along this path. Thus, the criminal code, justice and the police all had to guarantee different areas of public security. Indeed, the concept has not always historically been the same. In other eras, we spoke more of upholding the socio-political status quo and public order, rather than of public security. However, we will not enter these polemics, which have already been sufficiently handled and studied<sup>2</sup>.

It has been several decades since the first research projects on security with minimum thoroughness were carried out. They put on the table that security was something more than simply combating crime, as citizens' perception of security was not also correlated with crime indexes (the first victimisation surveys clearly revealed this<sup>3</sup>). On the other hand, other equally-reliable research has posed that there are social, environmental and individual factors that make committing criminal activities more or less difficult<sup>4</sup>. Both in the first case (perception of security/insecurity) and the second (factors that have an impact on crime), it seemed clear that the police and the criminal justice system were not enough players to tackle the challenge of public

security with guaranteed success. The second half of the 20<sup>th</sup> century provided paradigmatic examples of this shortage, because crime increased in line with the increased numbers of police and justice administration (paradigmatically in the 80s)<sup>5</sup>. Recently, we have been verifying that an increased number of inmates in prison does not lead to a reduction in statistics on criminal activities<sup>6</sup>.

This feeling of failure was accentuated by the appearance of zones, of neighbourhoods, where public security operators had lost control of the situation. These are regions where the police can't even enter with minimum guarantees of security. They are frequently areas and spaces where people and groups congregate in extremely disadvantaged economic and social situations, often originating from foreign emigration, varying from country to country. France speaks of the population from the Maghreb, while Germany has a large Turkish population and the United States has its Hispanic population. Those are zones that have suffered a marginalisation process that can even cause the appearance of serious public order problems like what happened in France in 2005. But this is not the only setting where we find spirals of tension and unrest that lead to areas that the state is unable to control. Political and institutional crises accompanied by populist policies have also had tragic consequences in this direction. At this time, there are countries such as, for example, Venezuela, that have entered into a negative spiral in which express kidnappings and murders are the order of the day, with figures exceeding a hundred deaths per week due to this type of crimes. The police not only cannot confront this type of problem, but are the victims in many cases, particularly because some of their members are pressured and influenced by criminal networks (if they do not directly form part of them). Anyway the state is losing the battle in those spaces.

The end of the 20<sup>th</sup> century coincided with the consolidation of a trend to change in our societies. The growing internationalisation of the large problems and their hypothetical solutions, as well as the growing mobility of the population, the risks of post-industrialisation, the reappearance of organised political violence that is increasingly global, the periodic appearance of economic crises, the endurance of climate change, which is causing large-scale disasters (floods, underwater quakes, etc.) have all greatly expanded the scope of security and led to the appearance of the concept of risk society<sup>7</sup>. This concept has nothing to do with crime. It starts from the premise that our societies (and their citizens) are subjected to a large number of risks to both their people and heritage. It is the function of public powers to manage this risk in order to keep it within the limits

that can be assumed by the population. Current victimisation and security surveys have revealed that when citizens are asked about what worries them, top responses include the economic crisis, immigration and international terrorism.

All these factors have caused a radical change in the concept of public security, as crime can no longer be the focus of our talks on security, despite forming part of it. Public security becomes a broader and more complex idea which includes different fields. As we will see later, they refer to quality of life, coexistence, space planning, good conflict resolution devices and, moreover, good police and justice services.

The resulting definition may seem extraordinarily broad, just like the concept of human security primarily used in the setting of the United Nations, which will be necessary to map out. In any case, we will also need to take other factors and other players into account in order to design policies that respond to the main challenges for security, different from the police force and the criminal system, even though they continue to be relevant players.

At some time, most states have tried, with different degrees of intensity and different modes, to draw up responses or plans with a cross-cutting nature to confront security problems. Awareness is rising that, without taking all aforesaid areas into account, it will frankly be very difficult to confront the modern challenges involving security.

The suitability, or lack thereof, of creating integrated and complex systems for dealing with security is not an absolute truth. Rather, it depends on the ideologies and the values that are the foundation for security policies. In broad strokes, there are basically two large ideological blocks that can be simplified as:

- a) Those that believe that citizens are perfectly free to choose between acting in an upright manner and breaking the law (creating threat and insecurity as a consequence). Those who decide not to follow the rules of the game must be punished and this punishment re-establishes security, intimidating possible future offenders. Any other response by public powers would be pernicious, as it would entail promoting or stimulating criminal activity and fear to crime.
- b) Those who think that insecurity, offences, crimes, even if in their final execution they are the result of individual decisions, occur in the framework of specific spatial, social and even political contexts. From this viewpoint, security or the lack thereof would be combated by trying to modify the settings and the circumstances that facilitate them.

The first model would involve backing the police and penitentiary system and

the second, without denying the need for these systems, would advocate investing more in those structures and services that favour the prevention of situations that lead to insecurity and favour crime. Indeed, some authors show that there is an inversely proportional relation between high public budgets for social spending and the number of arrests made by the police. In countries with high levels of social spending, the number of police arrests would be lower than in countries with a weaker welfare state<sup>8</sup>. There are groups that argue that the second model is economically unviable, despite declaring its goodness. This would mean increasing social spending for an undefined period of time. This argument is also debatable, especially if we take the large expenditures into account that many Western countries have allocated to their criminal police systems in recent years with results that are, to say the very least, questionable<sup>9</sup>.

Obviously, as we will specify hereafter, these two broad theoretical models are not normally found in a pure state. Instead, reality reflects models falling into different grey areas between the two extremes.

## 2. Institutional players (the role of supra-state, state and local-regional governments in producing public security)

Traditionally, the fundamental figure involved in public security had been the state. As the concept of public security had been closely linked to sovereignty, to the state's coercive power, parties involved in this field other than the state were inconceivable. This scenario has been altered by two complementary factors, in our geopolitical context:

- a) The creation of the European Communities in 1957 with the ensuing increases both in members and fields of competence, has been showing that an economic space, which was followed by a social space and common policy, with free circulation of people and goods ends up requiring some common elements of security.
- b) The expansion of the size of organised transnational crime has led to individual focuses and responses of each of the states turning out to be absolutely insufficient and ineffective.

There have been attempts (timid initially) to internationalise security since the beginning of the last century (with the first attempts at international police cooperation that many years later would give rise to the creation of Interpol)<sup>10</sup>. Subsequently and gradually, international cooperation treaties started to be signed and, within the European Communities, the need for common initiatives in some fields started to be seen in the 70s (the TREVI Group)<sup>11</sup>. The event that caused

the most radical change and accelerated the process was undoubtedly the attack on the Twin Towers in September 2001, followed by the attacks in Madrid and London shortly after. These acts put the need on the table of designing regulatory and even operative instruments, above all in the European Union arena. Changes that had been unthinkable have happened in a period of less than 10 years. Thus, for example, framework decisions and directives have been approved that standardise states legislation against terrorism<sup>12</sup> and organised crime<sup>13</sup> and that establish the European Arrest Warrant<sup>14</sup>. Mechanisms have been established that entail the recognition of legal decisions made by a member state in the territory of other member states. Europol competences have been increased<sup>15</sup>, with this body now as a Union's agency (instead of a body for intergovernmental collaboration)<sup>16</sup>, the European Police School was created, etc. The Treaty of Lisbon, recently ratified by member states, now brings many aspects concerning security into the hands of the European Union, which do not require the unanimous vote of all member states to approve measures and norms. One significant element that depicts to what point there is one supra-national player in Europe is the fact that all member states (which are theoretically the 'only' parties responsible for security) design their internal security policies explicitly using the large European security programmes, the Hague Programme (2004) and, at present, the Stockholm Programme (2009)<sup>17</sup>. Indeed, the 1999 Tampere Agreements had already established state agendas, particularly with respect to immigration (subject recurrently linked to security throughout the European Union). All European activity in this area always underlines the need to maintain a cross-cutting and integrated approach to security, as well as to respect citizens' rights<sup>18</sup>.

Secondly, the states have a prominent role in the area of security. One European federal state (Germany) has attributed security competence at an infra-state level (the *Länder*, or states) and others use a highly-decentralised police model (the United Kingdom). However, all of them have attributed strong jurisdiction to what we could call the central state to model important security issues. They can normally establish the basic rules that regulate the police, the regulatory policies for rights and the possibility of limiting them, govern police forces (in the majority of the European Union member states, the state has one or more police services, even in Germany where *The Bund* has the Federal Office of Criminal Investigation (BKA) and the federal police –*Bundespolizei*– with restricted powers, the latter for transport and borders)<sup>19</sup>, important coordination functions, particularly in the state security system (always in cases of terrorism and frequently for issues related to organised crime). Moreover, the states contribute

to drawing up the international agenda and the main parties responsible for its internal application.

This historic monopoly on state security within its territory has been seriously affected for two reasons:

- a) The majority of our states have administrations at different territorial levels. Even states that are not federal or decentralised have some degree of decentralisation at an administrative level (France, Portugal). In some cases there are infra-state territorial levels (regions, federated states or autonomous communities) that have competences and even direct players (police) in the area of security. In those cases in which infra-state territorial levels do not have direct powers in security and police matters or they are very limited (France, Portugal, Italy), all of them have some impact in fields that are essential for good security organisation. All have some competence on urban planning, teaching, housing, social services, healthcare, maintenance of public spaces, namely, areas that have an undeniable influence on security, at least in a systemic approach.
- b) Despite the oft-repeated globalisation of security, the growing presence of organised crime and undoubted international threats, concrete events that affect security end up happening in specific places, in territories, in neighbourhoods, on specific streets. Furthermore, security incidents are not identical and homogeneous throughout the state. Even at a city scope, citizen demands in one neighbourhood can be completely different from demands made in another neighbourhood. In short, at a local level, proximity continues to be necessary.

Due to this, even though the traditional definition placing security at a state level is still eminently true, states have no recourse but to give some relevance to infra-state administrations (regional and local). They are obligated to have other administrations available when designing and, even more so, applying security strategies. One clear example in Spain is the establishment of local security councils in state regulations, which brings together the police forces present at this level and co-presided over by the mayor. Although in recent decades, the Netherlands and Belgium have undertaken unification processes for their police services, they have upheld local divisions and zones where the people's municipal representatives have great power of influence and decision taking.

Namely, the regional and local players are –to differing degrees– essential players for public security policies. This doesn't mean that the state is not obliged to guarantee certain homogenised minimums and efficacy throughout its territory or that the services still in state

power don't play a leading role. Reality imposes a fundamental fact upon us: security is a particularly urban reality that is defined in a specific space. Consequently, and without detriment to coordination policies and tools, specific responses must be created, where everybody's participation is needed in order to be effective, but with an impact in the local setting.

States often tried to suppress or ignore local police in countries with a highly-delimited centralist tradition in security matters, like France and Italy. However, the difficulties police forces have had in responding to security at the micro level, has led to the re-establishment of some local police bodies, albeit with different levels of decisions and planning, and the increase of the number and activism of the pre-existing bodies<sup>20</sup>.

Finally, we cannot forget that, although public security must be managed, coordinated and supervised by public powers, non-public players (private) also have a relevant role there. Firstly because the dynamics specific to our societies (great mobility, highly irregular occupation of the territory, many activities that generate risk, etc.) mean that public powers cannot protect citizens all the time and in all places. Thus, following the guidelines and regulations made by public powers, citizens in some way must assume their responsibilities by avoiding risks and adopting measures that contribute to their security. Moreover, there are activities that generate widespread or very concentrated risks and that generate considerable economic benefits to private players. In those cases the companies involved must also assume responsibility for guaranteeing security in these spaces; because they cause the risks and get the benefits of it (clear examples could include chemical companies, shopping centres or large sports events and concerts). These private players move normally at local levels, without ruling out that they could have a role at regional and state levels in concrete and specific cases in which circumstances or the regional dimension of the issue thus requires it.

### 3. Public security policies (from punitive populism –zero tolerance– to community strategy –neighbourhood police)

As seen, public policies on security heed a specific concept of social life, of what is good and what is bad, of the definition of the mission and objectives that public powers must pursue. The combination of different values and different perspectives can give rise to very different public policies. Among these options, there are two broad models that are theoretically the two extremes of the hypothetical range of possible

security policies: punitive populism (zero tolerance) and communitarian strategy.

In recent years, punitive populism has had a highly-significant and leading role, due to the very widespread diffusion of the Zero Tolerance experience initiated in New York by Chief constable Will Bratton, with political support from the former city mayor, Rudolph Giuliani, in the 1994-96 period. There was a relatively long period during which the idea had been imposed that police intervention and criminal punishment did not resolve security problems because security does not depend only on crimes and, furthermore, crimes have terribly complex causes. Suddenly, the publication of an apparently simplistic and straightforward article in 1982 contributed to a significant change in this tendency. That year, Wilson and Kelling published their famous article that set forth their broken windows theory<sup>21</sup>. According to the authors, disorder, both physical (a broken window that nobody repairs) and social (antisocial behaviour), causes apprehension among good citizens, who end up fleeing from public spaces because they feel unsafe there. This favours crime and criminals moving in, so that an irreparable deterioration process starts, leading irrevocably to larger crimes<sup>22</sup>. According to the authors, the solution to this problem must focus on very strict police action in order to re-establish the social controls that had disappeared in previous years. This would prevent any type of disorder, offence or crime. In order for this policy to work well, a certain amount of 'understanding' of police actions is required, as well as preventing turning all police activities into legal issues<sup>23</sup>. Twelve years later, Will Bratton put this idea into practice at the New York Police Dept. with the aforementioned and world-known Zero Tolerance policy. This policy was focused on attacking any street offence, no matter how small (drinking, urinating, jumping the subway turnstiles, graffiti, smoking marijuana)<sup>24</sup>, penalising and, if necessary, detaining the offenders, within the zones previously classified as 'disorderly'. The aim of this political strategy was to detain a large number of criminals, since when the parties committing these small offences had to provide identity to be fined and/or arrested, it would be discovered that they had committed other crimes for which they had not yet been punished. Moreover, intense police action would intimidate future potential offenders, who would be dissuaded from partaking in behaviours defined as offences, in light of seeing that the chances of being punished were very high.

This policy coincided with a generalised drop in crime in the city of New York (which had started three years earlier to the arrival of Bratton and Giuliani)<sup>25</sup>. Immediately, both, Chief constable and mayor explained to the world that there was a cause-effect relationship between the Zero Tolerance policy and the drop in crime. Namely, security

had returned to the city of New York thanks to the punitive policies carried out by the municipal administration. A stream of admiration and imitation soon followed throughout the Western world, independently of the political colours of the governments. Thus, one of the heads of state who most enthusiastically embraced the policy was Labour leader Tony Blair, albeit with a few more 'socialising' traits. One of the first emblematic laws of his first legislature was the 1998 Crime and Disorder Act, which established legal mechanisms so that the local police and authorities could suitably respond to disorder. Subsequently, successive Labour governments would continue in the same direction, including the enactment of the 2003 Antisocial Behaviour Act.

In France, it was the conservative governments that succeeded Lionel Jospin who would most closely follow zero tolerance. In general terms on continental Europe, the zero tolerance wave did not mean a mimetic following of the American experience. The nearly direct tie that Bratton established between disorder and crime was not adopted here with the same vigour and intensity. There were two main consequences in Europe:

- a) Revival of the idea that the existence of a serious and credible punitive threat would intimidate and deter criminals and, therefore, contribute to preventing crime. More illustrative examples are the constant reforms that increase incriminating behaviours and punishment in French, Italian and Spanish penal codes (since the drawing up of the new Spanish penal code in 1995, there have been more than 20 reforms in this direction). Indeed, in Spain at this time a large reform has been approved that modifies again recent reforms, among others, in the area of theft crimes and misdemeanours.
- b) Some concern about combating incivilities more severely, assuming that incivility causes a lack of security. The most diaphanous consequence of this trend has been the creation of a multitude of municipal by-laws that typify many uncivil behaviours as offences to facilitate authorities and their agents being able to charge and fine offenders. Some authors have debated their constitutionality for a wide range of reasons, including arguments that claim the stigmatisation of specific groups and some ways of life<sup>26</sup>.

Almost 15 years after the New York experience, nobody has been able to empirically prove the positive effects of this policy. The majority of large American cities experienced noteworthy drops in crime in the same period, whether or not they had implemented Zero Tolerance policies<sup>27</sup>. Later research has made the enormous difficulty of establishing a

causal relation between disorder and crime. However, there is no doubt cast upon the fact that disorder can frequently lead to a perception of insecurity in some groups.

At the other end of the scale, there are community policies and strategies, which are typically qualified as community, proximity or neighbourhood police, in reference to the priority instrument participating in the process, namely, the police. These policies place the community at the heart of security. The citizens and neighbours in the different neighbourhoods making up the cities must be the focus of security. This approach means that people are the origin (they establish the priorities) and the final goal of public security (they receive the service)<sup>28</sup>. The aim of public services is to satisfy citizens' needs and resolve the problems underlying them, where the police are catalysts in these policies<sup>29</sup>. This intense connection between the authorities and the security services and the population does however have some limits:

- a) Security services and the rest of the public services cannot meet needs that involve clear infractions of legal and fundamental rights recognised in constitutional texts. Thus, if, for example, the neighbours in a certain neighbourhood or country demand that a specific group, ethnic group or nationality is expelled from public spaces, this request must be managed somehow, but without agreeing to the specific demand under those terms.
- b) The police –the security service par excellence– alone cannot resolve the problems, conflicts and shortcomings that they detect in public life and that have an influence on people's perception of insecurity. For example, if there are service deficits that contribute to specific youth groups remaining conflictive, the police can detect the problem, but not resolve it. If there are coexistence problems based on cultural reasons between neighbours in the same buildings or neighbourhoods, the police can intervene by channelling and supervising the problem. However, it would be very difficult for them to resolve it alone.

In summary, public powers, the police which –let's not fool ourselves– is the core agent of security policies, must execute the governance of security, in the sense that they must 'govern' (manage) the different players and networks that are, in one way or another, those that influence security in order to obtain a positive result for citizens' security. As it can be seen, communitarian philosophy differs significantly from punitive, as the punishment and the sentencing are mere instruments and not the reference point for the system, as is what happens in zero tolerance. Nonetheless, we can find concomitances in practice or, in other

words, there are zero tolerance policies that try to remain rooted in the community (or part thereof) and communitarian policies that can, in specific concrete situations, turn to zero tolerance practices to redirect a situation. However, in this latter case, specific punitive practices heed broader strategies and objectives and are merely circumstantial.<sup>30</sup>

When speaking about how communitarian strategies have to be managed by the police, a debate about organisation always arises that is more prominent than we think it should be. The discussion focuses on whether a community policing strategy must be reflected in the organic structure of the police force and, if so, if this is enough to confirm that this is indeed a communitarian model. In other words, in a catalogue on police force work posts, does 'community police' have to appear as its own entry? Advocates of this solution argue that, particularly in structures with great bureaucracy or that are highly syndicated, if these posts do not exist, police officers would end up devoting time to community policing tasks or not, depending on the commander or political authority *du jour*. The only way of upholding the model would be the existence of officers earmarked for posts whom, according to their legal cataloguing, must obligatorily carry out neighbourhood or community tasks. However, the underlying matter is that highly-bureaucratised bodies have great difficulty in adapting to communitarian strategies.

Against considering this solution as adequate, the argument must be put forward forcefully according to which, we are speaking of policies, community strategies that are very difficult to limit to a concrete unit or concrete job posts. In other words, the entire security administration, the entire police service, would have to be imbued with the principles of communitarian philosophy, without prejudice to the fact that some would more frequently work in upholding stable and fluid relations with neighbours and others to investigating crimes and public order issues. All would have to be clear about the people's priorities and organise the service directed at citizens. If the existence of jobs catalogued as such helps or not to guarantee these types of policies, after the paramount principles are accepted, it is simply a matter of strategy.

Another topic for discussion at this time is how to adapt these types of strategies to the present situation. Traditionally, community policing had been centred on patrolmen, the police men and women who patrol the streets, who met the neighbours during the course of their workdays, in the squares, at school entrances, on terraces, in bars, etc. Through this network of contacts, they received information both about the neighbourhood's existing problems and

needs. These would then be directed to the appropriate units or services in order to seek solutions. Furthermore, some countries (very clearly in the Spanish political transition) shaped highly-structured, active and representative neighbourhood associations that facilitated dialogue with the community. In the modern day, neighbours aren't in the street much, especially during the workday (in many families both partners work) and associations, in general, have lost their strength and representativeness. What does that mean for community police officers? That they should leave the street? A radical affirmative response could end up being an exaggeration. However, what is true is that citizens must be the source and the purpose of security policies and services. A way must be sought to keep contacts there. If new technologies have seen the appearance of many virtual forums, it may be a solution to bear in mind if citizens can be found there and contacts can be made<sup>31</sup>. What is important is the contact, the communication with citizens, not patrolling or not the street.

#### 4. Strategies for preventing public insecurity (social prevention, situational prevention, video surveillance, the creation of public spaces aimed at social objectives)

Preventing public insecurity has always been an issue where there is fictitious consensus. Everybody theoretically agrees with the fact that prevention is the key issue to security, as reaction and the repression of law-breaking behaviour occurs when the offence, the social wrong, has already happened. The problem rests in determining what we are talking about when we speak of prevention. There are two broad trends in this point, which reproduce the paradigms looked at in the first section of this article, which give rise to two clearly different models:

- a) One whose objective is to tackle conflicts, social imbalances and the lack of definition of life in society, especially in urban spaces, which generate insecurity (social prevention).
- b) Another which bases prevention on reducing the opportunities to commit crimes (situational prevention). The objective of prevention has to be to eliminate hidden spaces without surveillance, to increase the number of police officers patrolling the streets, to install video surveillance cameras in the majority of public spaces, etc.

These positions are not radically exclusive and neither are either of them irrefutable truths. While it is frequently true that security problems are the consequence of social imbalances and conflicts, there are also cases when crimes are committed by people who are perfectly integrated into the system, in order to obtain personal benefits. On the other

hand, situational prevention carried to the utmost extremes would convert our societies into police states, into a 'big brother', which would always be watching us, without recalling the reasons and the elements that contribute to insecurity and crime.

Social prevention tries to eliminate the causes, the circumstances, the environments that generate threats to security. For example, in a neighbourhood populated by people with scarce economic means without spaces or activities where children and youth can play and have fun, there is a strong possibility that these children and adolescents end up occupying the existing spaces and self-organising activities that, while not crimes per se, generate feelings of danger or insecurity to the rest of the neighbours (playing ball on the sidewalks, close to the elderly, listening to extremely loud music in front of houses where people need to sleep, painting walls with graffiti, even consuming alcohol and drugs, etc.). The ghettoisation of some areas and neighbourhoods, with concentrations of a single population type, normally marginalised, with few resources, without the power to resist the pressures of large criminal organisations, can contribute to the establishment of mafias or gangs there. If we centre solely on quashing criminal behaviour, without modifying the social structure that favours them, in the best of cases, we will be faced with a situation very difficult to change, as the arrest and imprisonment of some criminals is simply compensated by the entry of new members<sup>32</sup>.

The current instrument par excellence for situational prevention (besides the physical presence of police or security guards) is video surveillance cameras. The increase in number of risky places, the increased mobility of people, the change in social habits have all made it nearly impossible to always have someone watching over what is happening in the street. Video surveillance has appeared as a suitable solution to the problem. The mass installation of video cameras aims both to suppress offenders, through the evidence of registered facts, and to deter potential offenders, who would know that their actions could be proven. This filming fever<sup>33</sup> has been set in motion without taking several relevant matters into account:

- a) Cameras represent an undeniable violation of fundamental rights (to the own image and particularly to privacy), which must be justified and weighted in all cases<sup>34</sup>.
- b) The film recordings would have to be supervised live or later and someone would have to manage their storage and elimination, where applicable, guaranteeing access rights to the people who could hypothetically appear on them.

There is no research that verifies the determining influence of installing video cameras, beyond displacement of the problems in some cases. Even a report by the London Metropolitan Police, published in summer 2009, shows that despite the large number of cameras in London<sup>35</sup>, there are very few criminals detained and sentenced because of the video recordings. The majority of the tapes have never been seen by anybody, as there are not enough personnel for these purposes<sup>36</sup>.

In any case, reality has shown us that insecurity requires a more complex and better thought out approach, which takes the causes of the problems into account and tries to tackle them, but does not rule out without contemplation all elements of situational prevention that could be very useful and that, sometimes, can stem from more in-depth reforms and approaches<sup>37</sup>. This is how it was understood by an old trend<sup>38</sup> which aims to design public spaces by considering the activities and the people who will use them. This involves constructing spaces that, in addition to considering aspects related to situational prevention, avoiding hidden spaces and those without visibility, obtaining good lighting, etc., would also be spaces with services for their inhabitants, allowing for different activities to be held, contributing to the peaceful occupation of public spaces, the coexistence of different social classes, etc.<sup>39</sup>. It is about creating socially integrating spaces, which facilitate life to its inhabitants and their appropriation of the space.

This awareness of the need for a cross-cutting and plural approach to security has also led to considering the need to formalise and plan security. If we agree that security problems have multiple angles and, thus, they require initiatives from a wide range of players, these initiatives must then be organised, as they have different origins and dependencies, they can only work jointly if their relations are formalised. Security plans respond to this need, which have a growing presence in our societies<sup>40</sup> and those local security contracts set in motion in France by the government of Lionel Jospin, afterwards cornered by the governments of the Chirac and Sarkozy. All of them are about organising the actions of the different parties involved (primarily public) so that the factors and elements that contribute to insecurity are counteracted and minimised.

## 5. Evaluating public security policies

The growing politicization and formalisation of security has put the need on the table to evaluate security policies and strategies. It is essential to know if the policies and measures adopted are useful for their aims, both with respect to their confirmation or rectification, and

the taking on of different technical and political responsibilities that could derive from these. The search for indicators that guide us in this direction have been vertiginous and frenetic in recent years. However, this is not a new need. In the second half of the 20<sup>th</sup> century, the insufficiency of police records as the only indicator of the state of security was revealed (actually, the police records only speak of police activity, in a strict sense). This confirmation paved the way for the appearance of the first victimisation surveys, the National Crime Victimization Survey in the United States and the British Crime Survey. These surveys sought to obtain data about the unreported crime figures, which weren't known by the police for different reasons, as well as opinions and perception of the population about security, information that doesn't appear in police data. Later, French surveys followed, and were recently consolidated with the *Cadre de Vie et Sécurité* survey, as well as the surveys carried out in Catalonia starting in the eighties. They culminated with the *Enquesta de seguretat pública de Catalunya*, run by the Ministry of the Interior of the Government of Catalonia, working jointly with the Institute of Regional and Metropolitan Studies of Barcelona and the Barcelona City Council, which have been administered annually since 1999. Very recently, Eurostat implemented a pilot scheme of a European Victimization Survey whose aim is to be used as a comparable parameter of the condition of security and crime in all European Union member states.

This pressure to have reliable and transparent indicators, available to everybody, has also led to a better organisation and processing of police records, making them accessible to the public. This represents a break from the traditional obscurantism of police organisations. Among the most noteworthy examples, the implementation of the COMPSTAT system in the city of New York merits mention, which was set in motion during the Zero Tolerance policies. This system permitted the almost real-time monitoring of the development of crime in each and every one of the city's police districts, allowing for management and administration decisions to be taken on matters of public security (that could even entail the termination of service for the chief of the precinct) and, furthermore, this information was supplied to the general public almost immediately<sup>41</sup>. We have also felt this need in Europe. Thus, for example, France, which had never stood out for its transparency with regard to police records, started up a system during Nicolas Sarkozy's term as Minister of the Interior to publish crime data each month on the website of the National Observatory for Crime and Criminal Responses<sup>42</sup>.

The complexity of the security indicators, due to the plurality of data that must be taken into consideration, has entailed the setting up of several crime and security observatories that aim to offer reliable indicators on the status and development of security from a broader, more plural and independent perspective. In some cases, these observatories have been established nationally (France and Ireland), even though they are normally regional or local (Toulouse, Grenoble, Porto, some South American cities like Quito and Medellín, etc.). Very recently, the European Union has echoed this need and included, among the objectives of the Stockholm Programme, the creation of a European Observatory for the Prevention of Crime, committing the Commission to present a concrete proposal before the end of 2013<sup>43</sup>.

The lifespan of the existing observatories is still generally very short, and therefore we do not have enough data to perform a serious evaluation. In any case, what is clear is that doing consistent evaluations of the status of security entails a need to work with indicators from different sources and to try to cross-reference them suitably to take maximum advantage of their potentials. An example of this is the attempt by the British Home Office in the last years when, in its annual report<sup>45</sup>, it carries out a joint interpretation of the data from the police records and from the British Crime Survey, with regard to England and Wales<sup>46</sup>.

representing a 52% increase in a short period of time (Source: [http://www20.gencat.cat/docs/Justicia/Documents/ARXIVS/butlleti\\_serveis\\_penitenciaris\\_desembre2009.pdf](http://www20.gencat.cat/docs/Justicia/Documents/ARXIVS/butlleti_serveis_penitenciaris_desembre2009.pdf)).

- 7 Vid. Beck (2008).
- 8 Vid. Curbet (2009), p. 15 and ff.
- 9 Vid. for example Waller (2006).
- 10 On the origins and functions of Interpol, *vid.* Anderson (1989).
- 11 On the origins, functions and development of the Trevi Group, *vid.* Benyon et al (1993).
- 12 Framework Decision 2002/475/JAI by the Council dated 13 June 2002, modified by Framework Decision 2008/919/JAI, published in the OJ on 9 December 2008.
- 13 Vid. for example, Framework Decision 2008/841/JAI published in the OJ on 12 November 2008, whose objective is to standardise legislations of the member states on organised crime.
- 14 Vid. Framework Decision 2002/584/JAI by the Council dated 13 June 2002, with entry into force in member states on 1 January 2004 (Official Journal L 190 of 18-7-2002).
- 15 For a clear overview of the changes in Europol functions, *vid.* DEN BOER (2007).
- 16 Vid. the Council Decision of 6 April 2009 (2009/371/JHA) on the creation of the European Police Office as a European Union body since 1 January 2010 (published in the Official Gazette on 15 May 2009).
- 17 The version in English can be viewed at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:115:0001:0038:EN:PDF>
- 18 Clearly and highly renowned in the Stockholm Programme, currently in its execution phase.
- 19 With the exception of the one cited in Germany and, to some degree, that in the United Kingdom.
- 20 Vid. Carrer (2003).
- 21 Vid. Wilson and Kelling (1982)
- 22 For a more detailed explanation of the entire construction of the broken windows theory and its transfer to the Zero Tolerance policies, *vid.* Guillen Lasierra (2009).
- 23 Some authors have argued that the large and underlying objective of Wilson's and Kelling's theory is to undermine the trend on individual rights that has developed in the United States in the years prior to the publication of the article (*vid.* Bertaccini (2009)).
- 24 In this area, detentions leaped from 3000 in 1994 to 50,000 in 2000, without marijuana consumption reducing more than with other alternative policies (*vid.* Johnson, Golub and Dunlap, 2008).
- 25 As pointed out, among others, Waller (2006), p. 17 and ff.
- 26 An extremely paradigmatic case of this controversial trend was the civic ordinance approved by the Barcelona City Council (*vid.* Borja, 2006).
- 27 Vid. Guillen Lasierra (2009).
- 28 Defining the policy from the police, we could say, following Sir Robert Peel, that community police employ the basic principle of 'the police are the people and the people are the police'.
- 29 Even through police policies aimed at problem resolution, originating in Goldstein's works (*vid.* for example, Goldstein, 1990), are sometimes handled on the fringes of community strategies, they have an absolutely undeniable relation there.
- 30 Martin López (2009). In the framework of dealing with juvenile violence that we could assess as 'commentary', the author verifies that police action in corrupt situations can contribute to making youth realise that their groups are not as invulnerable as they think and show them the need to select other alternatives.
- 31 In Belgium, some police zones (Leuven) now use Facebook to uphold communication channels with local university students. In Helsinki, the police is active on Facebook and YouTube.
- 32 In issue 11 of the Catalan Public Security Magazine (December 2002), there are articles explaining the parameters of prevention policies in surrounding countries.
- 33 This is still within reasonable limits in Catalonia. Between 2007 and 2009, a total of 209 video-surveillance devices were authorised (including both landlines and mobiles) that were operated

by public police bodies (local police forces and Generalitat Police/Mossos d'Esquadra) (Source: Citizen Security Protection Service, Secretariat of Security, Ministry of the Interior, Institutional Relations and Participation).

- 34 Vid. Guillen Lasierra (2006).
- 35 According to data from the British authority on data protection (Information Commissioner's Office), 4.2 million video cameras had been installed in the United Kingdom by 2007, many of these in London.
- 36 Vid. *Público* newspaper dated 28 August 2009.
- 37 In this regard, *vid.* Van Soomerem (2001).
- 38 Jane Jacobs was one of the pioneers. Her book *The Death and Life of Great American Cities*, outlined the need to conceive of cities so that there were public figures in public spaces who could carry out the lost social controls.
- 39 Vid., among others, LAUB (2010) clearly highlights the problems posed by present-day urban planning.
- 40 Such as the security plans promoted by the Scottish government, Belgium's national security plan and the autonomous community security plans that are proliferating in Spain, after Law 4/2003 was introduced in Catalonia (already two editions) (*vid.* Guillen Lasierra, 2006).
- 41 SILVERMAN (1999) provides an excellent description of the system. More recently and in a joint work with John A. Eterno, the author questioned the reliability of the system (*vid.* Eterno and Silverman, 2010).
- 42 It is available for open consultation at <http://www.inhesj.fr/articles/accueil/ondrp/publications/bulletin-mensuel-h151.html>
- 43 Vid. section 4.3.2 of the Stockholm Programme.
- 44 The most recent of the reports published, *Crime in England and Wales 2008/2009*, is available at <http://rds.homeoffice.gov.uk/rds/crimeew0809.html>.
- 45 On the need and possibility of growth of different indicators on security, *vid.* Nadal Gelada (2010).

## DEMOCRATIC GOVERNANCE OF SAFETY IN CITIES

Josep Maria Pascual i Esteve

### 1. Democratic governance: the new way of governing the complex network society

#### 1.1. Characteristics of democratic governance

Democratic governance is a new way of governing contemporary societies, especially cities and metropolitan areas, which is characterised by managing the interdependencies between all of the agents involved in tackling the urban challenge and in seeking the greatest degree of collaboration and public responsibility in treating it.

Democratic governance differs from the mere corporative management between government and the large agents for developing and managing specific services, facilities and infrastructure projects. Governance is based on the consideration that the city is a collective construction. The city is the total set of relations and interactions between the different public sectors. Depending on each issue or challenge, the public agents and sectors which must be considered will be different and their level

- 1 The original article was written in Catalan. In this language, like in Spanish, "security" includes not only what in English is also named "security", but also what in English is named "safety". Since "security" is sometimes used in this article as "security" and sometimes as "safety" (actually the argument in it is that "security" became "safety", at least in some sense) and it would be extremely confusing for the reader to change the name every time, the author decided to translate it as "security" in all cases.
- 2 Vid., among others, Freixes Sanjuan (1992) and Brotat (2009).
- 3 As we will see in greater detail in the last chapter of this article, those originally known as National Crime Victimization Surveys, which started in the United States in the seventies and in the following decade in the United Kingdom, the most influential, the British Crime Survey.
- 4 The most recent publications include Wacquant (2010).
- 5 In Spain, crimes registered by the Ministry of the Interior jumped from 154,170 in 1972 to 1,029,996 in 1989, with constant overall increases. The sole exceptions were 1973 and 1988, in which there were slight drops with respect to the previous years (Source: 2004 *Ministry of the Interior Statistics Annual Report*, p. 29, consultable at <http://www.mir.es/MIR/PublicacionesArchivo/publicaciones/catalogo/anuarios/anuarios04/onlinea/ii1seguridadciudadana.pdf>). If we look at other neighbouring countries, there are similar, or even more pronounced, tendencies. Thus, for example, there were 2262 homicides/murders registered for the city of New York in 1990, almost triple those registered in Spain (Source: [http://www.nyc.gov/html/nypd/downloads/pdf/crime\\_statistics/cscity.pdf](http://www.nyc.gov/html/nypd/downloads/pdf/crime_statistics/cscity.pdf)).
- 6 Inmates in Catalan prisons increased from 6924 on 31 December 2002 to 10,525 on 31 December 2009. In other words, an increase of 3601 inmates in a seven-year period,