Force Multiplier: People as a Policing Resource¹

JULIE AYLING²

Australian National University

Voluntary citizen participation in law enforcement may be carried out within public police organisations, in cooperation with police or purely as a citizen initiative. In any of its diverse forms, it is a gift of resources to police that carries with it both benefits and risks for them. Harnessing these resources in a way that maximizes benefits and minimizes risks presents police with a real challenge. This article surveys varieties of gifts of the person, explores some of their benefits, costs and risks, and considers ways in which identified risks might be minimized. The key to minimizing risks lies in carefully defining the nature and limits of these gifts, and in their oversight or monitoring by police. Finally, the article examines some possible implications of this burgeoning resource for the future compass of the public police role in security provision.

INTRODUCTION

Jill is employed as a special constable for the police force in her locality. She spends 10 or 12 hours a week on foot patrol with a regular officer. She is not paid. Mostly she works at night or on weekends so as to fit this job between her regular employment hours. Joss is active in her local police department too, as a volunteer in its volunteers-in-policing programme. She works whenever she can, helping out with administrative tasks, greeting people at the front desk and occasionally caring for children who come into the police station. As a council worker, Joe's job is to maintain the parks and gardens of the city. He also works for the police, although in a less formalized sense. His employer requires him to be the 'eyes and ears' of the police when he is doing his regular job, staying alert for criminal or suspicious activity and reporting it to the police. Jan is sick of witnessing loutish behaviour on her local bus and happily picks up the phone to report it to Crimestoppers when invited to do so by posters plastered on the bus walls. The activities of vandals and hooligans also make Jack angry. Instead of reporting their behaviour, he joins up with a private organisation to carry out night patrols of the community in which he lives. Like others in his group, he sometimes carries a weapon, but "only for self-defence."

Any of these people could be said to be 'standing in the shoes' of a police officer, in the sense that each is carrying out tasks that police would ideally do if not for a lack of manpower or other resources. Many police officers would agree that, like mothers, they would benefit by growing an extra pair of hands or eyes in the back of their heads. However, the use of non-police human resources varies greatly between and within jurisdictions. People are a vast,

sometimes under-utilized and maligned, resource in the policing toolkit. But the use of this resource is ever more necessary in light of growing requirements on police for fiscal austerity associated with the adoption by states of private sector managerialist philosophies and strategies over the last few decades (Davids and Hancock, 1998: 40-43; Vickers and Kouzmin, 2001; Murphy, 2002:14). The practice of using non-police for policing tasks also reflects a general trend, in western states at least, towards governments requiring individuals to take more responsibility for their own and their society's security,³ and reflects the growing regulation of everyday activity now occurring in the context of perceived threats to security from organized crime and terrorism.

Over a decade ago Grabosky identified a resurgence of citizen involvement in crime control (Grabosky, 1992). The focus in this article is on one aspect of that trend, the donation by people not of money or equipment but of their own time, energy and labour. Citizen involvement in law enforcement has a long history, dating back a thousand years or more (Crichley, 1972; Blue, 1992; Greenberg, 2005). The recent revival of interest in community involvement in policing is reflected in discourse and practice relating to "community policing" and "the police extended family" (Johnston, 2003). Citizens are just one limb of the policing tree; other branches are other private and public actors (public police, private security, business, government agencies and so on). This new hybrid governance of policing (Grabosky, 1995) itself reflects wider societal shifts from state-centric 'government' to 'governance' by a wide variety of agencies (Rhodes, 1997). Citizens are, then, only one node of many in 'networks' of policing governance (Loader, 2000; Newburn, 2001; Shearing and Wood, 2003; Fleming and Wood, 2006). However, from the point of view of the police, they are significant as a resource that might be harnessed to further police objectives. But the police are not always in control of this node of policing (Johnston, 2003: 188), despite efforts by police to ensure police sovereignty over local security networks (Johnston, 2003: 199-200).

So it is that voluntary citizen participation in law enforcement, whether it be carried out within public police organisations, in cooperation with police or purely as a citizen initiative, is a gift to police that carries with it both benefits and risks. Along with the increase in policing resources the gift represents, there may be follow-on benefits to security, including a greater degree of self-regulation exercised by citizens, improved policing as a result to greater communication between police and citizens and the creation of social capital within communities which itself may bring about a fall in crime rates. But side-by-side with these benefits are risks ranging from the potential for breaches of confidentiality and privacy that accompanies the increasing presence of citizens within police organisations to the dangers posed by vigilantism and a society increasingly focused on surveillance. For police, harnessing unpaid citizen resources in a way that maximizes benefits and minimizes risks presents a real and stimulating challenge. Beyond those current issues, the independence of many of the gift-givers also raises questions about the future

The first part of this article outlines briefly the variety of ways in which human non-police resources can be acquired by police, through coercion, sale and gift. "Police" in this context are police funded by the public purse, commonly known as public police to distinguish them from forms of private security, or private police. In the second part, varieties of gifts of the person, ranging from the formal (in cooperation with police) to the informal (independent of police) are surveyed, drawing on examples from a number of western democracies. The article then deals with some of the benefits, costs and risks that inhere in the gift of these resources to police. Consideration is then given to ways in which the identified risks might be minimized. In the final section, some of the implications for the future of public policing of this burgeoning resource are discussed.

Some words of clarification may be in order. While this article touches upon common topics of scholarly enterprise such as community policing, reassurance policing and vigilantism, it ranges beyond, and does not purport to be singularly concerned with, any of these. Nor is it an essay on volunteerism or the motivations behind it. Its focus is the *variety* of resources available to police in the form of volunteer citizen participation and how they might be best managed, a subject that has so far attracted little attention from commentators. One central objective, therefore, is to contribute towards the beginnings of what Wood and Kempa (2005: 300) describe as "[a] comprehensive mapping of all auspices and providers of policing, and the ways in which they harness the resources of others." A wide range of data sources are drawn on, including academic articles, media and government reports and online sources, to provide this 'map.' Any one of these sources alone would be insufficient to reflect the wide range of volunteer citizen participation in law enforcement occurring in the world today. While an empirical study of the comparative *extent* of volunteer citizen participation is not part of this article, this clearly would be a potentially fruitful area for further research.

Forms of Exchange Relationship Involving People

The resource that is people may come to police as a result of a variety of exchange relationships between police and others. These may be categorised as coercion, sale and gift. This typology, based on one provided by the anthropologist and historian Natalie Zemon Davis (2000), was first applied by Grabosky (2004) to the way in which civil society resources are being mobilized to contribute towards public policing objectives.

People are often legally compelled to assist police (Ayling and Grabosky, 2006a). For example, they may be required by law to assist officers when asked or to rescue those in distress. They may be subject to mandatory reporting obligations such as those relating to child, spouse and elder abuse or to suspicious transactions identified by financial institutions. They may be required to police others' compliance with laws specifically relating to their business environment, such as those banning smoking in restaurants and clubs

The assistance of non-police people may also be 'bought' by police. The use of informants, for instance, will often involve a commercial transaction, just as it may involve an element of compulsion. Similarly, the services of experts often are purchased by police, particularly in areas that, traditionally, are not police strongpoints, such as information technology and finance (Ayling and Grabosky, 2006b).

People may also present themselves, their powers of observation, their time and energy, to the police as a gift. Our imaginary subjects, Jill, Joss, Joe, Jan, and Jack, provide some examples of the ways in which this exchange can happen. Such a gift will sometimes be driven by a desire to help, verging on altruism. Motivation is a complex thing, particularly when it comes to social activism of one sort or another, including volunteering (Wilson, 2000). Tyler and Fagan (2005) point out that willingness to help police to fight crime (either proactively, or just by complying with the law) is more likely to exist if police are seen as legitimate (entitled to be obeyed), and that legitimacy judgments are shaped by people's views about the fairness of the processes the police use when dealing with members of the public (procedural justice). However, police legitimacy is only one factor at work in personal gift-giving to police. Patrick Carr's recent work (2005) suggests that a deteriorating law and order situation may provide the impetus for people to collaborate with police in setting up better mechanisms for informal social control within the community. But motivations may be even more personal. Jack's willingness to go on community patrol may stem from frustration with, resentment of or anger at the police for their lack of action in dealing with the hooligans and vandals that so infuriate him. Jan may have suffered at the hands of a lout on her bus and may see reporting the crime as a way to wreak revenge on that wrongdoer or those of his ilk. The motivation of Joe, the council worker, may lie in his need to maintain faith with his employer and keep his job. In volunteering as a special constable, Jill may have in mind only her own career aspirations, or she may be attracted to the thrill and power associated with policing. And Joss may just be killing time after her own children have fled the nest, perhaps hoping to make new friends. Nevertheless, from the point of view of the police, all these people come at little financial cost and may be regarded as a gift.

Of course there are also gifts to police that do not involve the undertaking of policing tasks. Donations of equipment, office space, livestock and cash are common. Such funding, in cash or in kind, brings with it its own risks and problems (Grabosky, 2006). However, it is not as personal an investment in policing as the giving of oneself.

Mapping Forms of Personal Gift

It is to these forms of personal gift that I now turn. They come in a variety of guises. They may be formal, in that they are carried out pursuant to a formal arrangement with police or in cooperation with police, or informal, in the

body, in terms of active labour, or merely the gift of a person's senses, their powers of observation and a willingness to pass the information on to police. In either case, the giver is undertaking a policing task. Taken together, these gifts of bodies and senses allow law enforcement more opportunity for perceptency and hence a greater claim to omniscience than if they were to rely on the bodies and senses of police alone. These gifts act as a force multiplier, dramatically increasing the reach and effectiveness of the police, who rely on citizens for much of the information that allows them to identify and investigate crime (Ericson and Haggerty, 1997; Sampson, 2004: 110; Brodeur and Dupont, 2006).

People as Police Officers

In a number of jurisdictions, police organisations allow citizens to volunteer to become unpaid police officers. Such volunteers are known as police reservists (for example, in South Africa and some police organisations in the United States), auxiliary police (for example, in Toronto, New York City, and the Northern Territory of Australia Police), volunteer police (for instance, in Germany and the Netherlands) or special constables⁵ (for example, in the United Kingdom, New Zealand, Singapore and some states of Australia).

In New Zealand, volunteers were used in the past as a temporary measure to deal with threats or instances of public disorder. In 1913, a waterside workers' strike at various ports around New Zealand was dealt with effectively by the employment of Special Constables recruited largely from the ranks of the farming community. As Casey and Collinson (2005) record, unlike during previous strikes, Special Constables were used not just to protect scab labourers but to enforce a kind of state of emergency in a number of urban areas. There were violent confrontations between armed foot and mounted patrols and crowds of strikers and their supporters. The Special Constables became known as 'Massey's Cossacks' in reference to the then Prime Minister, W. F. Massey, and to the elite cavalry used by the Russian Tsars to keep the working classes in their place. Almost all of the 'specials' involved in the 1913 strike were volunteers (Casey and Collinson, 2005: 20).

In contrast to jurisdictions where special constables are recruited in emergencies or for particular jobs, the United Kingdom has a standing volunteer Special Constabulary within the police organisation, with its own parallel ranking and administrative structures. Volunteers must work a minimum of 16 hours per month. They often work alongside regular officers, and their powers are the same (although they may have a more limited geographical reach), as are their uniforms (except for insignia) and equipment. The kinds of jobs allocated to special constables vary according to the particular police department, with regular patrols being a commonplace task for reasons related to the rise of 'reassurance policing' in the United Kingdom (Home Office, 2006). Theoretically at least, 'specials' can be required to undertake anything their regular colleagues do. In practice, they may be employed more often in a

supporting role, involving anything from attendance at public events to supporting detectives in a major case, such as a murder investigation.

Sometimes volunteers are recruited for specific roles that the police find themselves unable to perform. In Hillsboro, Oregon, the Police Reserve Specialist (PRS) Program recruits individuals with high technology skills as reservists for a minimum of two years and trains them in the requirements and constraints of the criminal investigation process, such as those related to the gathering of legally admissible evidence (Harrison et al., 2004). These volunteers from industry and academia work under the direction of a case officer to access, analyse and preserve computer information relevant to the investigation, a task known as digital forensics. They also advise regular officers on technical issues generally and sometimes act as expert witnesses in prosecutions. Cases include fraud and forgery investigations.

People in Police Organisations

There are also ways to work within police departments without becoming a police officer. Volunteers-in-policing (VIP) programmes are relatively common around the western world. The motto of the Tempe Arizona Police Department volunteers-in-policing programme expresses the relationship between the volunteers and the police themselves: "We are not an arm of the police; we are the heart of the community." Police, too, are keen that volunteers are seen as a link to the community served. The New South Wales (Australia) VIPs service describes volunteers as helping "deliver an even better service to the local community," and the first of their listed duties indicates that volunteers will spend time "assisting police in community policing initiatives." The roles of VIPs can be varied and may overlap with those of police volunteers (reservists, specials, etc.). Many of the tasks volunteers undertake would fit the community policing model, for instance, community bike patrols, assisting in school programmes, distributing information about the police at community events and answering citizen phone enquiries.⁶ To 'enhance public confidence' and 'increase public satisfaction' were explicit strategic objectives of the West Yorkshire Police's VIP project (Christmann, 2003).

There are also other arrangements where industry lends employees to the police to assist police with tasks in which industry has special expertise. The Joint Banking and Finance Sector Investigation team (JBFSIT) within the Australian High Tech Crime Centre (AHTCC) is made up not only of federal and state police but also of investigators from major banks. The team investigates online banking fraud, including phishing⁷ and the dissemination of malicious software. A similar body in the United Kingdom is the Dedicated Cheque and Plastic Crime Unit (DCPCU) that investigates plastic card counterfeiting and various types of fraud, including cash machine, cheque and identity fraud. The DCPCU is wholly funded by the banking industry, and staff from that industry work with police on investigations. In each case, the

gift of their employees by the banking industry is clearly of benefit both to the industry and to the police.

People Policing the Community

Much of the assistance given to the police happens outside the formal structures of police organisations. In some cases, this involves quite a full commitment of the giver to policing tasks within the community, with varying levels of involvement from the police. Of direct assistance to the Dog Section of the Thames Valley Police in the U.K., for example, are the people who volunteer as "puppy socialisers," caring for the puppies bred by the TVP for up to ten months and ensuring they get used to the sights and sounds of the world prior to the beginning of their training as police dogs. Other forms of community policing by citizens are outlined below. Although these citizens have been categorised as 'patrollers,' 'watchers,' 'reporters,' and 'actors,' it is acknowledged that there are quite significant overlaps in some cases between these categories (watchers are often also reporters, for example).

The Patrollers

Patrols by citizens of their communities are becoming increasingly commonplace. Whilst many are undertaken in formal cooperation with the police, others are wholly citizen-initiated and operate with only tacit state support or none at all.

A large-scale community patrol operation conducted with police cooperation and support takes place in New Zealand. Community Patrols of New Zealand (CPNZ) is the umbrella organisation for 80 patrol groups throughout the country involving between 4,000 and 5,000 volunteers, who patrol their communities with the specific aim of assisting the police to apprehend criminals and increase safety. The police are closely involved in this operation, vetting applicants for patrol membership and providing patrols with information about suspicious activities and trouble spots on which they could focus. CPNZ takes pains to stress that its members are not doing the job of police, but are simply acting as 'eyes and ears' for them in a non-confrontational manner (Laurence, 2005). However, volunteers are 'out there' patrolling in vehicles and on foot, not merely observing activity as they go about their own daily activities. They have been known to engage in traffic direction activities (New Zealand Police Association, 2005) and the pursuit of offenders (Hodge, 2005).

Leach (2006) has traced a similar development in Canada: citizen patrols in Manitoba. The police or council initiate and support some of the 120 patrol organisations in the province, but many others are purely citizen-initiated. Most, she says, "report regularly to police about their findings but not their practices," which may include being armed. The state may choose to 'turn a blind eye' or give only tacit consent to the existence of patrol groups of the latter kind especially where there is some official approval.

United States, the Minutemen Civil Defense Corps, comprised of civilians who patrol both the U.S./Mexican and the U.S./Canadian borders on the lookout for illegal immigrants and traffickers, denote themselves as a "National Citizens Neighborhood Watch." Despite the fact that when the Minutemen project was first set up, the President referred to its participants as "vigilantes" (Dobbs, 2005), no move has been made to prevent the project from continuing its activities. In fact, provided the Minutemen cooperate with the U.S. Border Patrol, their right to exist and to present their political agenda is recognized. The potential benefit to the nation as a whole from their activities has been acknowledged (Tumbull and Tu, 2005).

There are many other similar examples of citizen-initiated patrols that initially attracted little or no state support. Some drew fervent criticism; for instance, the Guardian Angels, a citizen group first established in 1978 to patrol the New York subway, which has since replicated itself in 13 different countries, was at first suspected by police and bureaucrats of vigilante tendencies (Pennell et al., 1989: 379). Although the group has since won a number of high level awards in the U.S., it is still viewed by many with a degree of cynicism (CBS News, 2006; Eames, 2006). Other patrols have been lauded as effective and culturally-appropriate mechanisms to deal with problems that have proved resistant to traditional police-centred strategies; for example, some Aboriginal communities in both remote outback and urban Australia operate volunteer night patrols to deal with problems associated with substance abuse and to defuse aggression before violence ensues (Curtis, 1993; Lloyd and Rogers, 1993: 162; Walker and Forrester, 2002; Blagg and Valuri, 2004).

The Watchers

Sometimes a person's gift to the police of their 'eyes and ears' is formalised in a 'watch' structure. The best known of these is Neighbourhood Watch (or its equivalents in the United States "Community Watch," "Home Watch," "Apartment Watch," and "Block Watch" [Fleming, 2005: 1]). It has existed in the United States since the 1960s and in the United Kingdom and Australia since the early 1980s. Originally set up with the aim of reducing burglary and property theft and damage, Neighbourhood Watch was conceived as a partnership between the community and police and as an early and essential strategy in implementing community policing (Fleming, 2005: 2-3). Community members take it upon themselves to stay alert to unusual activity and contact the authorities in the event they see or hear something suspicious. There is no requirement for patrol; the community is expected to be alert only within the parameters of its usual business. In return, the police are supposed to provide useful information to the community about crime in their area, although the extent to which (and, it must be said, the enthusiasm with which) police undertake this role is variable.

The concept of a community of watchers has been given flesh in a whole host of 'watches,' some of which require more dedication by their participants than others, all are run with varying degrees of police involvement. Some examples are provided in Table 1.

A different type of 'watch' scheme, run without police involvement in many cities throughout both the U.S. and Canada, is called "Copwatch." Volunteers conduct foot and vehicle patrols and videotape police in their interactions with the public. The aim is to expose brutality and discrimination by police officers and, in so doing, make police more accountable. Although volunteer groups involved in monitoring police behaviour are not always popular with police, they are clearly performing a function that police themselves are expected to do and that police sometimes pay others to do for them.⁸

The Reporters

Law enforcement agencies sometimes provide other opportunities for members of the community to report crime or anti-social behaviour to them, outside the confines of formal 'watch' programmes. Occasionally, police will invite information on particular crimes as part of an ad hoc blitz. In June and July, 2005, passengers on buses in Edinburgh, Scotland, were encouraged to report crimes like vandalism, theft and assault, through the plastering of posters on the buses and the distribution of police business cards by bus drivers (McEwen, 2005). The posters and cards for this "shop-a-lout" scheme carried the Crimestoppers number. Crimestoppers is an international scheme that began in the United States in 1976. A telephone number is provided, which is separate from the police emergency and general enquiries lines, for people to make anonymous reports about crime, criminals or suspicious activity. Rewards are paid only if the information provided leads to arrest and criminal prosecution; furthermore, in Australia at least, many people do not claim their rewards. Crimestoppers is run in close cooperation with police by a not-for-profit company whose board is staffed by volunteers from a cross-section of the community. The idea behind Crimestoppers is that giving people the opportunity to assist police anonymously and without speaking to them or having to testify in court surmounts the main barriers to informing; namely, apathy, fear of reprisals and reluctance to 'get involved.'

The Actors

Some citizen groups take action one stage further than merely watching and reporting. Perverted Justice is a group of volunteers dedicated to exposing users of internet chatrooms who have predatory tendencies towards children. Members pose as underage boys and girls and engage in conversations with other chatroom participants. If an adult person solicits sex with the underage persona, their photo and details are elicited and this information may be forwarded to police, or sometimes a 'sting' will be set up and the person will be

Table 1. Examples of Watch Programs

WATCH	JURISDICTION	TARGET	VOLUNTEERS	POLICE ROLE	SOURCE
Stop Watch	U.S. — Tampa Bay area of Florida	Suspicious activity (mainly that of sex offenders) near school bus stops	Citizens wearing T-shirts identifying them as Stop Watch volunteers.	Vet & train volunteers; receive reports	Hillsborough County Sheriff's Office http://www.hcso.tampa.fl.us/Stop-Watch-062005/Sheriff's Letter.htm St Petersburg Times 7 June 2005 "Sheriff to train bus stop sentries."
Bush Watch	Australia — Tasmania	Criminal activity (arson, theft of flora or fauna, growing marijuana etc.) in the state's forests	Forest users	Instigator, along with other government and private organisations; receive reports	Tasmania Police http://www.police.tas.gov.au/community/bush-watch
Council Watch	Australia — Adelaide, S.A.	Suspicious/criminal activity around city	Council workers	Receive reports	South Australia Police <i>Annual Report 2003-2004: 35</i>
(Community or Neighborhood) Speed Watch	U.K., U.S., Canada	Speeding offences	Local residents	Advise residents; provide speed detection/display equipment and train volunteers in its use; receive reports	<i>The Sunday Times</i> 3 July 2005 "Village vigilantes go for their speed guns." Various council, community and police organisations e.g. U.S. — http://www.saferoutesinfo.org/guide/enforcement/neighborhood_speed_watch_program.cfm ; U.K. Cambridgeshire County Council http://www.cambridgeshire.gov.uk/transport/around/speedwatch/
Pubwatch	U.K. — London	Violence and criminal conduct by patrons of licensed premises	Licensees	Provide liaison officer, advice, material support (e.g., posters); host meetings; receive reports	The Metropolitan Police http://www.met.police.uk/crimeprevention/pubwatch.htm
Shopwatch	U.K.	Theft, fraud, anti-social behaviour in retail outlets	Retail staff	Train and appoint retail staff as Special Constables; receive reports	Shopwatch http://www.shopwatch.info/about/ ; Home Office http://specials.homeoffice.gov.uk/Good-practice/shopwatch/shopwatch-article/?version=1

AYLING

Highway Watch/ School Bus Watch	U.S.	Suspicious activity that may indicate terrorist activity (e.g., plans to use vehicles or cargoes as weapons)	Highway workers (truckers, tollbooth staff, construction crews, rest-stop employees, school bus drivers)	Respond to reports made by workers using toll-free hotlines	Highway Watch (administered by the American Trucking Associations in cooperation with the Department of Homeland Security) http://www.highwaywatch.com/about_us/prog_overview.html http://www.highwaywatch.com/about_us/sbw.html
---------------------------------------	------	--	--	---	---

PEOPLE AS A POLICING RESOURCE

83

filmed turning up at the house of the 'child' for sexual purposes. These videos may be given to police; alternatively, if no police agency expresses interest in prosecuting these adults, the group will make public personal details about them (photos, name, telephone number, etc.). Perverted Justice has recently cooperated with NBC in the making of a television series, aired nationally in the U.S., which filmed a number of such 'sting' operations. Police often appear to be unimpressed by Perverted Justice's tactics, warning that they risk making any collected evidence inadmissible by not complying with laws against entrapment (Associated Press, 2004). However, police have also been known to work with them in some cases.⁹ Perverted Justice is perhaps the most prominent and controversial of several citizen organisations dedicated to bringing to justice adults who use the internet to solicit sex with children.¹⁰

Self-policing

An upsurge in the policing of personal and home security by citizens themselves, conducted either by those individuals or their agents, has been the topic of much discussion in academic literature on policing in the last few decades. The focus has mainly been on the growth in private security (Shearing and Stenning, 1983; Stenning, 2000; Forst, 2000: 21; Law Commission of Canada, 2002: 10; Sarré and Prenzler, 2005; Law Commission of Canada, 2006). The numbers of those engaged in the business of private security have for some time far outweighed the numbers engaged in public policing. While it is difficult to come up with accurate figures, Sarré and Prenzler (2005: 20-21) suggest that, Australia-wide, there are likely to be at least two persons employed in private security for every one police officer and that this growth in private security is a global phenomenon. A similar ratio (2:1) is posited by Bayley and Shearing (2001) for numbers of private security versus police world-wide. The current focus on private security expansion and modes of regulating it often obscures the impetus for this growth, the increasing voluntary assumption of responsibility by individuals and businesses for ensuring their own security. They may choose to pay not only for services but also for hardware, such as home security alarms, security lighting, security doors and windows, locks,

vehicle immobilizers and personal alarms. People also often choose to act in ways that afford them a sense of taking control of their own safety, such as removing vegetation from around their premises, locking their doors or not walking alone at night. All actions designed to secure individuals and their possessions may be regarded as a gift to police when they bring about a reduction in crime and the fear of crime that puts pressure on police resources.

The Benefits for Police and Others

The variety of personal gifts to police that now exists invites consideration of the reasons for this abundance at this time in history. If, as Little and Sheffield (1983) suggest, forms of organised self-help in the criminal justice field arise in times and places of substantial social change, one might conclude that this is such a time. Unease generated by global problems such as terrorism and environmental destruction has culminated in increasing feelings of insecurity (Greenberg, 2005: 17-18) and the recognition that new forms of crime may need new responses. At the same time police have come under increased pressure to be more fiscally efficient. Little wonder, then, that many citizens, beset by insecurity and recognizing that the police are not necessarily in a position to cope with ever-broadening responsibilities on an ever-tighter budget, take it upon themselves to remedy this either by assisting law enforcement or through independent moves to self-help.

Whatever the reason for the growth in gifts of the person to police, there are clear benefits.

Increase in Police Resources

The boon to police resources is the primary benefit. If citizens are willing to take responsibility for their own security, whether this is through hiring private security services or engaging in patrolling, watching and reporting, a burden on police has been eased. Similarly, those citizens who volunteer to help out the police organisation by becoming volunteer police officers, undertaking specialist assignments or simply lending a hand with day-to-day tasks, free up paid police officers to concentrate on 'core' and/or topical policing matters. Money, time and energy are saved. Along with resource savings for police, the result of voluntary citizen participation in law enforcement that is carried out in cooperation with police can be to broaden the reach of police—the 'force multiplier' effect. In addition, volunteers who provide a 'police presence' on the streets are fulfilling an identified need for reassurance to the public (Innes, 2004; Mille and Herrington, 2005; Crawford, 2006a) by increasing the visibility of police.

More Self-regulation

Furthermore, such people form a more widely socially-integrated force for crime detection than the police alone. Like Bentham's Panopticon, the knowl-

edge of the possibility that an unseen observer may be watching may well lead to a degree of self-regulation of behaviour that otherwise would not occur. Who has not checked their speed when driving in an area renowned for hidden speed detection devices, 'just in case'?

Improved Public Policing

There may also be wider beneficial effects for public policing. Community participation in policing that involves interchange between citizens and the police can open communication channels, bring an increased understanding to police of community values, increase police responsiveness to community concerns and provide new sources of information to police. It may also increase police accountability for their actions (Greene, 2000; Fung, 2001; Fleming, 2005).

Better Communities

Finally, the investment by a community in policing is likely to build that community's social capital (Pino, 2001: 202). Social capital is defined by Putnam (1995) as "features of social organization such as networks, norms, and social trust that facilitate coordination and cooperation for mutual benefit," and is similar to the concept of a society's 'collective efficacy', defined by Sampson et al. (1997) as "social cohesion among neighbours combined with their willingness to intervene on behalf of the common good" (see also Sampson, 2004). The creation of social capital occurs when relationships between people change in a way that facilitates action (Pino, 2001: 201). Social capital creation, per se, can be regarded as a public benefit (Greenberg, 2005: 19). Moreover, it has been shown that higher levels of social control, cohesion and trust within a community are associated with lower levels of violence and property crime (Sampson et al., 1997: 923; Carcach and Huntley, 2002). Lower levels of crime have the potential to reduce pressure on police resources, benefiting both the police and the community.

Costs and Risks

Gifts are often accompanied by obligations and expectations (Maus, 1950; Sahlin, 1972) that may translate into costs and risks for the recipient. Some of the inherent costs and risks to police and society in allowing citizens to involve themselves in police organisations and to conduct policing activities are discussed below. Grabosky (1992: 26) states that citizen participation should be encouraged only so far as it intrudes no more than is necessary on the freedom of other citizens. Within the scope of this general strategy, there needs to be more detailed thought given to how, in practice, identified risks might be minimized. Some suggestions on risk minimization are given as a

Costs

The gain in police resources from the contribution of citizens through the gift of their own labour must be offset against the costs of those gifts. Volunteers within police organisations generate additional work for police in terms of advertising, recruitment, training and supervision, as well as pure financial costs for uniforms, space and other overheads. Police organisations need to consider the minutiae associated with employment of non-paid workers, such as the complexities of scheduling shifts, whether volunteers might be required to undertake overtime and the conditions under which their services can be terminated. Furthermore, time and energy must be given to consideration of the proper allocation of tasks to volunteers, to consultation with unions and to ensuring job satisfaction for volunteers. Citizen participation in law enforcement in terms of formal police/community partnerships also generates additional demands on police.

Confidentiality and Privacy Concerns

In her research on misuse of confidential police information, Davids (2006) identifies, as one source of police information that has been used by police for private purposes, information gleaned in the normal course of duties. Davids also refers to the misuse of police databases to gather information (for example, personal details about a person associated with a police officer or about an ongoing investigation).

Clearly, given the potential that Davids identifies for the kinds of private and confidential information that the police hold to be misused by police themselves, such potential must also exist in relation to citizens working in volunteer capacities within police organisations or even those working closely with police. While volunteers may not have direct access to police databases, their presence may mean they are privy to all sorts of private information held, or even simply discussed, by police. The kinds of controls that police organisations have over their employees (contracts of employment, codes of behaviour, and the threat of wage loss) often may not be applicable to volunteers. And even if they are, there may be understandable questions over the degree of allegiance volunteers feel to an organisation that does not pay them (Bryett, 1996: 29) and sometimes undervalues their contribution (Christmann, 2003; Gaston and Alexander, 2001). The risk is real that the privacy of other citizens and also of police themselves could be compromised by misuse by volunteers of confidential information to which they have access in that capacity. There could also be the more serious danger that information could be leaked to the media or to criminals themselves that could compromise investigations or even endanger lives (Davids, 2006: 30-31). Misuse of police information by citizens working for the police may also threaten police legitimacy (Davids, 2006: 38). A leaky boat is unlikely to engender trust.

It is clearly important for the ongoing legitimacy and smooth operation of the police organisation that people can have confidence that any information about them or supplied to police by them will not be released by police or people working for them without proper consideration given to privacy concerns. Controls over access by volunteers to sensitive materials are essential and could be contained in police organisations' policies. Other tools already employed by many police organisations to deal with this risk are selection checks of volunteers and confidentiality provisions in volunteers' contracts.

Police Concerns

The introduction of civilians into the police organisation is often seen by police as a threat. The Police Federation of Australia, in its policy on civilianisation and the use of unsworn officers, opposes outright any proposal to introduce volunteer/auxiliary police and states that the only positions that might be 'civilianised' would be those that do not require the use of police powers and authority or the application of specific police knowledge and training. There should be 'clear lines of demarcation so as to properly defend any police positions.' Clearly, police are concerned about possible loss of jobs and overtime, as well as the more intangible effect that an increase in civilians in police organisations might have on the recognition of police work as a profession.

These concerns are nothing new. Bryett (1996: 28) refers to comparable concerns expressed by the New South Wales Police Association in 1991 when a government task force was considering the possibility of introducing volunteer police. Greenberg (2005: 11) reports on a similar reaction from police unions and individual police to volunteer programmes introduced in the United States in the 1980s and 1990s. Gaston and Alexander (2001) suggest that relations between regular police officers and volunteers have historically been troubled, loaded with hostility and distrust. Although the continued recruitment in the UK of Special Constables and the popularity of volunteers in policing programmes in many jurisdictions might suggest that police are perhaps becoming more accepting of civilians in their professional world, it is clear that this is not universally the case. There remains a significant potential for the use of volunteers to provoke police opposition and affect police morale.

Perhaps it is the 'gift' aspect of the volunteer contribution that is the underlying obstacle for police. Schwartz (1967: 2) suggests that gifts impose an identity on both the giver and the receiver. In giving a gift, the giver reveals the idea that the receiver invokes in the mind of the giver. Gifts to a group therefore influence group boundaries by clarifying them (Schwartz, 1967: 11). The gift of voluntary labour to police, as well as any official endorsement of it, may be seen by police as challenging their ability to handle their remit, and as suggesting that the boundaries of the police identity are fuzzy, mutable or porous. By accepting the gift, they may think they are accepting that they are in need of assistance, that they have a tenuous hold on their responsibilities, or that others can do their job as well as they can. Police may also consider that

any suggestion that they are not in complete control of their area of expertise will raise questions in the public's mind over their value, professionalism and legitimacy, and by doing so ultimately make their job even more difficult.

There may also be questions over the liability of the police service for the actions of volunteers. With parts of policing becoming increasingly sophisticated, it is likely that many volunteers working in police organisations will be engaged on the more mundane tasks involving public interaction, such as patrol, and it is important that their actions are both legal and ethical and that the impression they give of the police is appropriate. Proper selection, training and supervision of volunteers may well head off any 'loose cannons',¹² but accountability for the actions of volunteers may still pose an issue of concern for police, especially in situations where they may possibly endanger (physically or mentally) the public, or indeed regular police officers.

It is the job of police unions to protect their members and probably nothing will allay completely their suspicions about the impact that the use of volunteers will have on their jobs and on the identity, perceived value and legitimacy of the police in the public's eye. However, consultation with unions over proposals involving use of volunteers, close police control over allocation of tasks between regular officers and volunteers, as well as supervision of volunteers' day-to-day activities, will go some way towards assuaging their fears. Only when police officers work with volunteers and can perceive their value will they be properly accepted as co-workers rather than threats. This has already happened to a great extent with the Special Constabulary in the United Kingdom.

Erosion of Security

In moving beyond the engagement of volunteers by the police towards citizen-initiated policing gifts, a new raft of risks appears. The research by Leach (2006) into Manitoba citizen patrols notes that many patrols lack any accountability to the community. Most members are self-selected rather than elected. Furthermore, there are often no requirements to report back to the larger community (Leach, 2006: 4). Such patrols also tend to concentrate on keeping an eye on the activities of those who are in some way 'different' or in the minority—strangers, indigenous people, youths, sex trade workers, and so on. The 'rights' of such people "have little bearing on their work" (Leach, 2006: 5). She suggests that, as a result, patrols effectively redefine the community they purport to represent to exclude certain groups that are undesirable in the opinion of patrol participants. Patrols of this nature may erode rather than strengthen security by deepening mistrust and inequalities in the community, engender conflict as a result, and thereby increase the need for policing (Leach, 2006: 7).

Crawford (2006b: 137) makes a similar point, saying that the kind of social capital that citizens provide when they band together to ensure their own

cial (or 'bonding' rather than 'bridging' capital, in Putnam's terms), and to create strong antagonism towards non-club members (see also Pino, 2001: 213-4). Observations of a like nature to those about the Manitoba patrols could be and have been made about other citizen groups, such as the Minutemen and Perverted Justice.

So not all instances of policing by citizens will win approbation from other citizens, the police or the state. Not all community policing initiatives will build social capital (Pino, 2001: 203). Moreover, some citizen initiatives create more problems than they solve. Law enforcement officials, for example, have observed that Perverted Justice's 'stings' can compromise police investigations and that their evidence may be unreliable (Associated Press, 2004).

Sometimes organisations of citizens dedicated to crime control take their actions so far that they are labelled vigilantes. The history and varying forms of vigilantism have been studied in depth by a number of scholars (for example, Little and Sheffield, 1983; Brown, 1991; Johnston, 1996; Bruce and Komane, 1999; Garland, 2005) and will not be examined here. Most scholars take the position that, in order to enforce the law, vigilantes act as if they are temporarily above the law (Little and Sheffield, 1983: 804). Johnston (1996), however, defines vigilantism in such a way that illegal or extra-legal activities are not a necessary precondition. In his view, the activities of self-help groups (such as citizen patrols) that enjoy a potential to exercise or threaten force may be vigilantism (1996: 233).¹³ Punishment is often a part of vigilante activities, but may not be (Johnston, 1996: 233).

The risk is, then, that citizen groups that act without coordinating their activities with relevant law enforcement agencies, even with the best will in the world, may slide into vigilantism, perhaps, for example, by luring their targets to behave in ways they would not ordinarily do, or by engaging in acts or threats of violence or forms of punishment that amount to unacceptable or even criminal acts. Perverted Justice's strategies of naming and shaming offenders have been described as the technological equivalent of the historical mob justice actions of tarring and feathering an offender and running him out of town (Cotroneo, 2004). Like the citizen groups that conducted public torture lynchings in the southern American states from the 1890s to the 1930s (Garland, 2005: 814), some citizen groups appear to consider that 'regular' justice is too good for their targets.

Furthermore, while regular law enforcement is not immune to charges of discrimination against minorities, vigilantism is far more likely to result in this abuse (Little and Sheffield, 1983: 807). The actions of vigilante taxi drivers in Durban, South Africa, for example, are not about "a generalised intolerance of criminality but rather a selective hostility to the criminality of 'outsiders'" (Bruce and Komane, 1999). The public torture lynchings of which Garland writes were designed, amongst other things, to repress the black population, "increase the day-to-day effectiveness of more routine racial controls" (2005: 821) and illustrate white superiority. For police, the necessity of dealing with

anti-social, only increases the pressure on resources. Moreover, the existence of vigilante groups does nothing to help build or maintain social capital, serving instead to create distrust and fear, and so to further erode security.

State censoring of vigilantism in both rhetoric and practice (through legislation and the courts) is vital. When governments suggest, through positive affirmation or simply an absence of comment, that citizen behaviour that oversteps legal or moral boundaries is acceptable or even useful to them, an increase in such behaviour, with its concomitant challenge for police resources, can be expected. Garland (2005) observes that the outpouring of racist violence in the form of public torture lynchings was positively encouraged by the rhetoric, action and abstention from action of the authorities, at various levels (federal, state and local) and of various types (politicians, courts, and law enforcement), in relation to the rights and interests of the South's black population.

On a more micro-level, the challenge for police is to properly distinguish between appropriate and inappropriate citizen law enforcement activity, welcoming the former and condemning the latter. This may involve having to refuse to use information gathered during the latter for apprehensions and prosecutions, however tempting it is to 'nail' an offender, in order to avoid encouraging citizens from engaging in behaviour verging on the vigilante. Formally constituted crime prevention partnerships between police and citizens (as well as social capital building partnerships between citizens and other agencies), where roles and the limits of those roles are worked out in some detail, are the key to ensuring that such behaviour is kept in check and that social capital building within groups is not used to marginalize or actively discriminate against less powerful citizens.

Surveillance Society

While many have applauded the growth in citizen involvement in policing the community, others have warned of the potential for this extension of the policing 'family' to bear fruit in the form of a society increasingly focused on surveillance.

When the U.S. government proposed in 2002 its Terrorist Information and Prevention System (TIPS), which was effectively an expansion of the Highway Watch programme to include not only transportation workers but also postal and utility workers, it drew trenchant criticism from civil liberties groups and others for promoting spying by Americans on Americans (CBS News, 2002, Healy, 2002). The scheme was eventually abandoned. Pfuhl (1992) describes how anonymous informing, or as he calls it, "snitching," which was once regarded as morally repulsive because of its connotations of betrayal, became legitimated in Crimestoppers. He notes that Crimestoppers was opposed initially by police because they believed it smacked of vigilantism (1992: 515 n.13).

Even a climate of acceptance by authorities of surveillance activities by citizens, perhaps signalled by increasing numbers of government hotlines for reporting crimes or suspicious activities, might result in those activities being undertaken with excessive zeal. An example of this phenomenon is illustrated by the cases of *United States v. Steiger* and *United States v. Jarrett*. In both those cases, convictions of child pornographers were secured on the basis of information provided by 'Unknownuser,' a (possibly foreign) person who illegally hacked into the computers of the offenders using a Trojan Horse program, copied files from those computers and anonymously forwarded the files to law enforcement officers in America. Both offenders were sentenced to imprisonment. Although one might perceive the outcome of these cases as positive, the message they give to other citizens may well be one about the acceptability of illegal acts for the purpose of engaging in surveillance.

Do we really want a society of spies and snitches? As many scholars have noted, interpersonal trust and the social bond would thereby be put at risk (Marx, 1989: 516; Grabosky, 1992: 26; Pfuhl, 1992: 525). Sampson (2004: 112) warns of the danger that community social control may result in unwanted and unjust scrutiny, particularly of racial minorities. Arguments about whether security can be defended by waiving or infringing rights, such as rights to privacy and freedom of expression, now familiar in relation to the 'War on Terror,' have appeared in academic discourse on citizen policing of crime for some time (see, for example, Marx, 1989: 508).

It is clear then that the risk of damaging society by allowing a degree of 'snitching and spying' must be weighed against the benefits of growing social capital through participation by community members in ensuring their own security. "One should strive for a balance," says Grabosky (1992: 26) "where an active citizenry serves as a bulwark against the abuse of power by governments, and a vigilant government stands as a safeguard against an overzealous and potentially tyrannous citizenry."

Careful thought needs to be given to the appropriateness and wider societal impact of asking people to inform on others. Perhaps some consideration could be given to developing a set of criteria for the circumstances in which such a request might be appropriate. These could take into account, for example, the severity of the crime or possible crime on which people are being asked to report (for instance, detection of potential terrorist acts might be a cause for informing, whereas an observed parking infringement may not), whether detecting the information would require the informer to actively intrude into a person's private space or otherwise trespass on their privacy, whether the informer her/himself could be put in jeopardy by informing, and so on. It might also be appropriate, when the use of information is considered, for police to speculate about the motive of the informer and consider whether its publication or other use might have a divisive impact or bring a particular minority into disrepute. A cautious approach to the use of rewards and incentives to encourage the provision of information may need to be adopted.

CONCLUSION

What are the implications for the future of policing of the increasingly diverse ways in which people are bestowing on the police the gift of their person? The extra resources that police volunteers provide, and the relief from policing duties that citizen crime-prevention groups and citizen self-regulation can afford police, may well allow police to achieve better results in their own policing responsibilities. This is in fact a basic premise of the community policing strategy (Skogan and Hartnett, 1997: 5).

However, this simple equation of more resources equals increased productivity, and its related equation, that increased productivity equals better policing, may not hold consistently true, for a variety of reasons. One of these, as has been discussed, is that the gift of people can produce additional work for police that may soak up some or all of these savings in resources, for example, in training and supervision of volunteers, dealing with increases in information provided by citizens and even dealing with tendencies towards vigilantism. Extra resources, be they people or police time, need thoughtful and time-consuming shepherding.

On the other hand, if citizens undertake these roles well and effectively, it is possible that the future that police unions fear will indeed come to pass. Perhaps police will find they *are* regarded as increasingly irrelevant, that citizens think they can undertake that which is presently regarded as within the police domain just as effectively as police. The growth in policing by groups other than police (volunteers, private security, municipally funded agents, etc.) may challenge the very identity of the police and leave for them only the policing that remains after others have taken care of their own interests, what Crawford (2006b: 112) calls the "residualization of policing," resulting in a situation in which the public police become a last resort for policing the really bad risks (Crawford, 2006b: 136-7). The boundaries of public policing may indeed be proven to be fuzzy, mutable or porous. And if all this comes to pass, what then will happen to police recruitment? It is bound to present difficulties if police come to be seen as powerless (or only equally as powerful as others), irrelevant or unappreciated.

These possibilities are, however, some way down a track that may still have other destinations. For the moment, public policing remains distinctive and "of a qualitatively different order to other forms of policing" (Crawford, 2006b: 137). The key to minimizing the risks that have been identified is, for the present at least, for the state to take the lead in defining the nature and limits of personal gifts to police that are appropriate and desirable, and for the police to carefully oversee those gifts of people that are within their purview and monitor those that are not. Along with risk minimization strategies, ongoing evaluation of the value of citizen participation in law enforcement in its various forms is also crucial, something that has not been given much priority to date (Rogers and Robinson, 2004: 18; Beckman et al, 2005: 298). And in the meantime, it is also worthwhile to consider the potential for the growth in

the policing 'family' and the increasingly nodal form it inhabits to lead to a future that perhaps few intend. The gift of human non-police labour to law enforcement presents a real and present challenge to police in terms of oversight and management, but also raises issues that need further consideration concerning the future compass of the public police role in community and national security provision.

NOTES

1. The author acknowledges the support of the Australian Research Council (DP0450247). The author would like to thank Professor Peter Grabosky and Dr. Lyn Hinds for their insightful comments on an earlier draft, and Professors Peter Drahos, Clifford Shearing, and Jenny Fleming for their assistance. The suggestions of two anonymous reviewers were also gratefully received.
2. Contact information: Julie Ayling, Research Associate, Regulatory Institutions Network, Research School of Pacific and Asian Studies, Building 8, Australian National University, Canberra, ACT, 0200, Australia. Telephone: 61 2 6125 6035. Fax: 61 2 6125 1507. E-mail: julie.ayling@anu.edu.au
3. David Garland has called this a strategy of "responsibilization" (Garland, 1996: 452).
4. The term "force multiplier" is usually used in relation to military operations. Strength of numbers is only one example of a force multiplier. An increase in morale (which may happen as a result of gifts of assistance to police relieving the pressure on individual officers) is another.
5. Not all "special constables" are volunteers. The term "special constable" is generally used to designate a person, whether paid or otherwise, having a legal status that carries with it limited police powers or police powers confined geographically. They may or may not be considered to be public police officers. For instance, in Canada, paid "special constables" provide security on some university campuses and at some nuclear power stations. Law Commission of Canada 2006: 27-28.
6. For a list of possible tasks for VIPs in the U.S. see <http://www.policervolunteers.org/volunteer/what.cfm> (accessed 10 May 2007).
7. "Phishing" is a fraud perpetrated on the internet (often through email) whereby a user is tricked into revealing personal or confidential information (such as bank details and credit card numbers) that the 'phisher' can use illicitly.
8. For example, the Police Assessment Resource Center, set up by the Vera Institute of Justice in the United States, charges fees to jurisdictions and agencies that employ it to assist police themselves to "set up lasting systems to identify problem officers and stations, document and investigate the use of force, detect racial profiling, review disciplinary decisions, measure community satisfaction, assess the risk of litigation, and track, analyze, and respond to citizen complaints," see http://www.vera.org/project/project1_1.asp?section_id=2&project_id=7 and <http://www.parc.info/questions/wheretofund.html> (both accessed 14 November 2006).
9. See, for example, the report on the Perverted Justice website of its partnership, in a sting recorded for the Dateline NBC series, 'To Catch a Predator', with Harris County Sheriff's Department in Georgia, the Metro Narcotic Drug Task Force, the U.S. Marshal Service, the United States Secret Service and the Georgia Bureau of Investigation.
10. Others include U.S. Cyberwatch, Jailbait Justice and Predator Hunter.
11. In defending against claims of misusing information, police officers sometimes claim that they personally did not access personal information held on police databases, but may have inadvertently left the database open on their computer that must then have been accessed by another officer (Davids 2006: 8). If this has any truth to it, some volunteers may be in a position to take advantage of such an oversight as easily as any police officer.
12. Inappropriate behaviour on the part of volunteers may take various forms. Some volunteers may consider themselves to be police representatives and attempt to use that status to wield power

over others. Others may expect favouritism or even immunity in circumstances where police intervention in their affairs is necessary or desirable. Hence the need for careful vetting by law enforcement agencies of applicants for volunteer positions, close supervision of volunteers and arrangements that provide for the termination of the relationship if a volunteer abuses that position.

13. Johnston's precise criminological definition of vigilantism also has a number of other features not dealt with here: see, Johnston (1996).

REFERENCES

- Associated Press. (2004). Vigilante Group, TV News Channels Draw Fire for Underage Sex Stings, 8 March. [Online] Available at http://www.rickcross.com/reference/perverted_justice/perverted_justice8.html (accessed 23 August 2007).
- Ayling, J., & Grabosky, P. (2006a). Policing by Command: Enhancing law enforcement capacity through coercion. *Law and Policy*, 28(4), 420-443.
- Ayling, J., & Grabosky, P. (2006b). When Police Go Shopping. *Policing: An International Journal of Police Strategies and Management*, 29(4), 665-690.
- Bayley, D., & Shearing, C. (2001). *The New Structure of Policing: Description, conceptualization, and research agenda*. Washington: National Institute of Justice.
- Beckman, K., Gibbs, J., Beatty, P., & Canigiani, M. (2005). Trends in Police Research: A cross-sectional analysis of the 2002 literature. *Police Practice and Research*, 6(3), 295-320.
- Blage, Harry, & Valuri, Giulietta. (2004). Aboriginal Community Patrols in Australia: Self-policing, self-determination and security. *Policing & Society*, 14(4), 313-328.
- Blue, Jon. (1992). *High Noon* Revisited: Commands of assistance by peace officers in the age of the Fourth Amendment. *Yale Law Journal*, 101, 1475-90.
- Brodeur, J.-P., & Dupont, B. (2006). Knowledge Workers or "Knowledge" Workers? *Policing & Society*, 16(1), 7-26.
- Brown, Richard Maxwell. (1991). Vigilante Policing. In Klockars, C. B. & Mastrofski, S. D. (eds.). *Thinking about Police: Contemporary readings*, pp.58-72. Boston: McGraw-Hill.
- Bruce, David, & Komane, Joe. (1999). Taxis, Cops and Vigilantes: Police attitudes towards street justice. *Crime and Conflict*, 17, 39-44. [Online] Available at <http://www.csvt.org.za/papers/papdbk.htm> (accessed 23 August 2007).
- Bryett, Keith. (1996). Privatisation—Variation on a theme. *Policing and Society*, 6, 23-35.
- Carcach, Carlos, & Huntley, Cathie. (2002). Community Participation and Regional Crime. *Trends and Issues in Crime and Criminal Justice*, No. 222 (April). Canberra: Australian Institute of Criminology.
- Carr, Patrick J. (2005). *Clean Streets: Controlling crime, maintaining order, and*
- Casey, Cathy, & Collinson, Cathie. (2005). *Citizen Police? Civilian reservists in New Zealand*. Auckland: Institute of Public Policy, Auckland University of Technology.
- CBS News. (2002). Operation TIPS Trips Up?, 8 August. [Online] Available at <http://www.cbsnews.com/stories/2002/08/10/national/main18273.shtml> (accessed 23 August 2007).
- CBS News. (2006). Guardian Angels Get Lukewarm Welcome from Ottawa Police, 31 July. [Online] Available at <http://www.cbc.ca/canada/ottawa/story/2006/07/31/angels-mon.html> (accessed 23 August 2007).
- Christmann, K. (2003). *Evaluation of West Yorkshire Police's Volunteers in Policing Project*. Abstract. University of Huddersfield. [Online] Available at <http://www.hud.ac.uk/hhs/dbs/acc/research/abstracts/complete/0200vip.htm> (accessed 23 August 2007).
- Cotroneo, Christian. (2004). Vigilantes versus Pedophiles. *Toronto Star*, 8 August. [Online] Available at <http://www.c-a-t-c-h.ca/vigilante2.htm> (accessed 23 August 2007).
- Crawford, Adam. (2006a). Fixing Broken Promises?: Neighbourhood wardens and social capital. *Urban Studies*, 43(5-6), 957-976.
- Crawford, Adam. (2006b). Policing and Security as 'Club Goods': The new enclosures? In Wood, J., & Dupont, B. (eds.). *Democracy, Society and the Governance of Security*, pp.111-138. Cambridge: Cambridge University Press.
- Critchley, T. A. (1972). *A History of Police in England and Wales*. 2nd Ed., Montclair, NJ: Patterson Smith.
- Curtis, Dave. (1993). Julalkari Council's Community Night Patrol. In McKillop, S. (ed.), *Aboriginal Justice Issues: Proceedings of a conference held 23-25 June 1992*, AIC Conference Proceedings no. 21. Canberra: Australian Institute of Criminology. [Online] Available at <http://www.aic.gov.au/publications/proceedings/21/Curtis.html> (accessed 23 August 2007).
- Davids, Cindy. (2006). (Mis)use of Confidential Police Information: Delineating the problem and its effect on integrity and public trust in policing. Paper delivered at Australian and New Zealand Society of Criminology Conference, Hobart, Tasmania, 7-9 February.
- Davids, C., & Hancock, L. (1998). Policing, Accountability, and Citizenship in the Market State. *The Australian and New Zealand Journal of Criminology*, 31(1), 38-68.
- Davis, Natalie Zemon. (2000). *The Gift in Sixteenth Century France*. Madison: University of Wisconsin Press.
- Dobbs, Lou. (2005). Feds' Border Action Not Nearly Enough. *CNN* 5 July. [Online] Available at <http://www.cnn.com/2005/US/03/31/border.agents/index.html> (accessed 23 August 2007).
- Eames, David. (2006). Crimefighting Group Looks to Set Up in West Auckland. *The New Zealand Herald*, 11 January. [Online] Available at http://www.nzherald.co.nz/section/story.cfm?c_id=1&objectid=10363178 (accessed 23 August 2007).

- Ericson, R. V., & Haggerty, K. (1997). *Policing the Risk Society*. Toronto: University of Toronto Press.
- Fleming, Jenny. (2005). 'Working Together: Neighbourhood watch, reassurance policing and the potential of partnerships. *Trends and Issues in Crime and Criminal Justice*, No. 303 (September). Canberra: Australian Institute of Criminology.
- Fleming, J., & Wood, J. (2006). Introduction: Networked policing. In Fleming, J., & Wood, J. (eds.), *Fighting Crime Together: The challenges of policing & security networks*, pp. 1-14. Sydney: University of New South Wales Press.
- Forst, Brian. (2000). Privatization and Civilianization of Policing. In Friel, C. M. (ed.), *Criminal Justice 2000. Volume 2: Boundary Changes in Criminal Justice Organizations*, pp. 19-79. Washington, DC: National Institute of Justice/NCJRS.
- Fung, Archon. (2001). Accountable Autonomy: Toward empowered deliberation in Chicago schools and policing. *Politics & Society*, 29(1), 73-103.
- Garland, David. (1996). The Limits of the Sovereign State: Strategies of crime control in contemporary society. *British Journal of Criminology*, 36(4), 445-471.
- _____. (2005). Penal Excess and Surplus Meaning: Public torture lynchings in twentieth-century America. *Law & Society Review*, 39(4), 793-833.
- Gaston, Kevin, & Alexander, Jackie A. (2001). Effective Organisation and Management of Public Sector Volunteer Workers: Police Special Constables. *The International Journal of Public Sector Management*, 14(1), 59-74.
- Grabosky, P. N. (1992). Law Enforcement and the Citizen: Non-governmental participants in crime prevention and control. *Policing and Society*, 2, 249-271.
- _____. (1995). Using Non-Governmental Resources to Foster Regulatory Compliance. *Governance*, 8(4), 527-550.
- _____. (2004). Toward a Theory of Public/Private Interaction in Policing. In McCord, J. (ed.), *Beyond Empiricism: Institutions and Intentions in the Study of Crime: Advances in criminological theory*, pp. 69-82. Piscataway, NJ: Transaction Books.
- _____. (2007). Private Sponsorship of Public Policing. *Police Practice and Research: An International Journal*, 8(1), 5-16.
- Greenberg, Martin A. (2005). *Citizens Defending America: From colonial times to the age of terrorism*. Pittsburgh, PA: University of Pittsburgh Press.
- Greene, Jack R. (2000). Community Policing in America: Changing the nature, structure, and function of the police. In Friel, C. M. (ed.), *Criminal Justice 2000, Volume 3: Policies, Processes, and Decisions of the Criminal Justice System*, pp. 299-370. Washington, DC: National Institute of Justice/NCJRS.
- Harrison, W., Heuston, G., Mocas, S., Morrissey, M., & Richardson, J. (2004). High-Tech Forensics. *Communications of the ACM*, (July) 47(7), 49-52.
- Healy, Gene. (2002). Volunteer Voyeurs?, 29 July. [Online] Available at <http://www.cato.org/dailys/07-29-02.html> (accessed 23 August 2007).
- Hodge, Karen. (2005). Patrol Nabs Youths on First Night. *The Dominion Post*, 8 November. [Online] Available at <http://www.communitypatrols.org.nz/news->
- Home Office. (2006). Good Practice: Reassurance—using specials for reassurance. [Online] Available at <http://specials.homeoffice.gov.uk/Good-practice/reassurance/> (accessed 23 August 2007).
- Innes, Martin. (2004). Reinventing tradition? Reassurance, neighbourhood security and policing. *Criminal Justice*, 4(2), 151-171.
- Johnston, Les. (1996). What is Vigilantism?. *British Journal of Criminology*, 36(2), 220-236.
- _____. (2003). From 'Pluralisation' to 'the Police Extended Family': Discourses on the governance of community policing in Britain. *International Journal Of The Sociology Of Law*, 31, 185-204.
- Laurence, Dave. (2005). Community Patrols Is about Crime Prevention, Not Policing, Meeting Told. *Wanganui Chronicle*, 11 November. [Online] Available at <http://www.communitypatrols.org.nz/news-wanganui.html> (accessed 23 August 2007).
- Law Commission of Canada. (2002). *In Search of Security: The role of public police and private agencies—discussion paper*. Ottawa: Law Commission of Canada.
- _____. (2006). *In Search of Security: The future of policing in Canada*. Ottawa: Law Commission of Canada.
- Leach, Pamela. (2006). Regimes of Insecurity? Citizen security initiatives as regulatory. Paper delivered at Australian and New Zealand Society of Criminology Conference, Hobart, Tasmania, 7-9 February.
- Little, Craig B., & Sheffield, Christopher P. (1983). Frontiers and Criminal Justice: English prosecution societies and American vigilantism in the eighteenth and nineteenth centuries. *American Sociological Review*, 48, 796-808.
- Lloyd, Jane, & Rogers, Nanette. (1993). Crossing the Last Frontier: Problems facing Aboriginal women victims of rape in central Australia. In Weiser Eastaer, P. (ed.), *Without consent: Confronting adult sexual violence: proceedings of a conference held 27-29 October 1992*, AIC Conference Proceedings, no. 20. Canberra: Australian Institute of Criminology.
- Loader, I. (2000). Plural Policing and Democratic Governance. *Social and Legal Studies*, 9(3), 323-345.
- McEwen, Alan. (2005). Two Crimes Every Day Spotted on City Buses. *Edinburgh Evening News*, 4 October. [Online] Available at <http://edinburghnews.scotsmail.com/index.cfm?id=2037342005> (accessed 23 August 2007).
- Marx, Gary T. (1989). Commentary: Some trends and issues in citizen involvement in the law enforcement process. *Crime and Delinquency*, 35(3), 500-519.
- Mauss, Marcel. (1950). *Le Don*. Paris: Presses Universitaires de France. [1990]. W. D. Halls (Trans.). *The Gift: The form and reason for exchange in archaic societies*. London: Routledge.
- Millie, Andrew, & Herrington, Victoria. (2005). Bridging the Gap: Understanding reassurance policing. *The Howard Journal*, 44(1), 41-56.
- Murphy, C. (2002). *The Rationalization of Public Policing In Canada: A Study of the impact and implications of resource limits and market strategies in public policing*. Electronic Series No. 1, The Police Futures Group, CACP, Ottawa.

- Newburn, T. (2001). The Commodification of Policing: Security networks in the late modern city. *Urban Studies*, 38(5/6), 829-848.
- New Zealand Police Association. (2005). CPNZ Continues to Grow. *Police News* (November). [Online] Available at <http://www.communitypatrols.org.nz/news-police.html> (accessed 23 August 2007).
- Pennell, S., Curtis, C., Henderson, J., & Tayman, J. (1989). Guardian Angels: A unique approach to crime prevention. *Crime and Delinquency*, 35(3), 378-400.
- Pfuhl, Edwin H. (1992). Crimestoppers: The legitimization of snitching. *Justice Quarterly*, 9(3), 505-528.
- Pino, Nathan W. (2001). Community Policing and Social Capital. *Policing: An International Journal of Police Strategies & Management*, 24(2), 200-215.
- Police Consultative Board. (2006). *The Interaction of Police and Private Security in the ACT*. June. [Online] Available at http://www.jcs.act.gov.au/pcb/docs/PSC%20Reposted%20Revised%20Final%20Report_web%20version.pdf (accessed 23 August 2007).
- Putnam, Robert. (1995). Bowling Alone: America's declining social capital. *Journal of Democracy*, 6(1), 65-78.
- Rhodes, R. A. W. (1997). *Understanding Governance*. Buckingham: Open University Press.
- Rogers, Ben, & Robinson, Emily. (2004). *The Benefits of Community Engagement: A review of the evidence*. London: Active Citizenship Centre.
- Sahlins, Marshall. (1972). *Stone Age Economics*. Chicago: Aldine Publishing Company.
- Sampson, Robert J., Raudenbush, Stephen W., & Earls, Felton. (1997). Neighborhoods and Violent Crime: A multilevel study of collective efficacy. *Science*, 277, 918-924.
- Sampson, Robert. (2004). Neighbourhood and Community: Collective efficacy and community safety. *New Economy*, 11(2), 106-113.
- Sarre, Rick, & Prenzler, Tim. (2005). *The Law of Private Security in Australia*. Sydney: Lawbook Co.
- Schwartz, Barry. (1967). The Social Psychology of the Gift. *The American Journal of Sociology*, 73(1), 1-11.
- Shearing, C., & Stenning, P. (1983). Private Security and its Implications. In Rees, A. (ed.). *Policing and Private Security*, pp. 16-50. Canberra: Australian Institute of Criminology.
- Shearing, C., & Wood, J. (2003). Governing Security for Common Goods. *International Journal of the Sociology of Law*, 31, 205-225.
- Skogan, W., & Hartnett, S. (1997). *Community Policing: Chicago style*. New York: Oxford University Press.
- Stenning, Philip C. (2000). Powers and Accountability of Private Police. *European Journal on Criminal Policy and Research*, 8, 325-352.
- Turnbull, Lorne, & Tu, Janet I. (2005). Minutemen Watch U.S.-Canada Border. *The Seattle Times*, 4 October. [Online] Available at http://seattletimes.nwsource.com/html/localnews/2002538196_borderpatrol04m.html (accessed 23 August 2007).

- Tyler, Tom, & Fagan, Jeffrey. (2005). Legitimacy and Cooperation: Why do people help the police fight crime in their communities?. *Columbia Public Law Research Paper*, No. 06-99. [Online] Available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=887737 (accessed 23 August 2007).
- Vickers, M., & Kouzmin, A. (2001). New Managerialism and Australian Police Organizations. *The International Journal of Public Sector Management*, 14(1), 7-26.
- Walker, Jenny, & Forrester, Shannon. (2002). Tangentyere Remote Area Night Patrol. Paper presented at the Crime Prevention Conference, Sydney, 12-13 September. [Online] Available at <http://www.aic.gov.au/conferences/crimpre/walker.html> (accessed 23 August 2007).
- Wilson, John. (2000). Volunteering. *Annual Review of Sociology*, 26, 215-240.
- Wood, Jennifer, & Kempa, Michael. (2005). Understanding Global Trends in Policing: Explanatory and normative dimensions. In Sheptycki, J., & Wardak, A. (eds.). *Transnational and Comparative Criminology*, pp. 287-316. London: Glasshouse Press.

Named organisations online (accessed 10 May 2007)

- Australian High Tech Crime Centre—Joint Banking and Finance Sector Investigation Team
http://www.ahtcc.gov.au/about_us/jbfst
- Community Patrols of New Zealand
<http://www.communitypatrols.org.nz/index.html>
- Copwatch (e.g., U.S.)
<http://www.berkeleycopwatch.org/index.htm>
- Crimestoppers International
<http://www.c-s-i.org/>
- Crimestoppers Australia
<http://www.crimestoppers.com.au/CSA-Home-Page/default.aspx>
- Dedicated Cheque and Plastic Crime Unit
<http://www.dcpou.org.uk/>
- Guardian Angels
<http://www.guardianangels.org/>
- Jailbait Justice
<http://www.jailbaitjustice.org/>
- Minutemen
<http://www.minutemanhq.com/>
- Neighbourhood Watch (e.g., U.K.)
<http://www.neighbourhoodwatch.uk.com/>
- New South Wales Police, Australia, Volunteers in Policing
http://www.police.nsw.gov.au/can_you_help_us/volunteers_in_policing
- Perverted Justice
<http://www.perverted-justice.com/>
- Predator Hunter
<http://www.predator-hunter.com/>
- Tempe Police Department, Arizona, Volunteers in Policing
http://www.tempe.gov/police/Volunteering/volunteering_default.htm

Thames Valley Police (U.K.) Dog Section

http://www.thamesvalley.police.uk/news_info/departments/dog/dog4.htm

U.S. Cyberwatch Inc.

<http://www.uscyberwatch.com/index.htm>

Court Cases

United States v. Steiger, 318 F.3d 1039 (11th Cir. 2003)

United States v. Jarrett, 338 F.3d 339 (4th Cir. 2003)

The Empowering of the Italian Judiciary: The Shift Towards Activism

MARINELLA MARMO¹

Flinders University

The evolving role of the judiciary as policy-shapers and policy-makers is becoming a topical and controversial issue in Italy as well as in other legal systems. Italian judges are experiencing a new form of responsibility, well beyond a mere interpretation and application of statutes as required by the traditional Continental civil law. They are importing and interpreting European Union provisions as well as interpreting the internal legal system through their judicial review power. This paper addresses how the wider context of the European Union and the internal judicial decodification process are pushing judges to fulfill a role as policy-shapers and policy-makers in a creative and innovative way. This encompasses a novel approach to the literature on both the judicialisation of policy and politics and the expansion of judicial power. The paper tackles a new and demanding role of Italian senior judges in Europeanisation and modernisation of criminal procedure.

INTRODUCTION

The evolving role of the judiciary as policy-shapers and policy-makers (Malleon and Russell, 2006; Masterman, 2005) is becoming a topical and controversial issue in Italy as well as in other legal systems (Tate and Vallinder, 1995). The debate about this new role in the Italian context differs from the discussions about judicial activism in non-Continental legal systems (Malleon and Russell, 2006; Shapiro and Sweet, 2002). Italian judges, like those of other European Continental civil law systems, are expected to limit their role to interpreting the law as enacted by the Parliament in passive compliance with the principle of separation of powers. However, Italian judges, in their judicial review process, have developed a further, and unconventional, creative role (Merryman, 1966; Clark, 2003). In the last three decades, the judiciary has found itself in the position of taking an active part in the policy-shaping process, and even in the policy-making process (Di Federico, 1995; Guarirei, 1995), where policy is defined as plans or implementation of actions, or statements of ideals and politics. This paper proposes that part of the explanation for this new, active and creative role is located in external and internal sociopolitical events. On the one hand, there are fundamental changes due to the pervasive presence of 'external' European law. On the other hand, 'internal' law-making developments require judges to provide a consistent and uniform interpretation of domestic laws, with a consequent increase in their operative powers and legal functions. In both cases, judges have found themselves in the position of exercising creative power in their judicial review process, sometimes to recognise and endorse a European agenda, or, at other