



When police go shopping

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Abstract

Purpose – This article aims to alert readers to the procurement and acquisition activities of police agencies, to the risks that these entail, and to mechanisms for their effective management.

Design/methodology/approach – The article explores the ways in which acquisition by police is conducted and regulated. It examines these relationships between police and the private sector from the perspective of their benefits, such as costs and efficiency gains, and the risks they entail, including overdependency, corruption and lack of accountability.

Findings – Shopping by the public police is on the increase. Through procurement and outsourcing, police harness resources needed to cope with increasing demands on their services. Increased police activity in the marketplace, driven by changing ideological, economic and pragmatic considerations, represents a fundamental structural shift in policing. The article identifies appropriate institutional and procedural safeguards, and raises questions about the implications of commercial relationships for the future of public policing.

Originality/value – This article makes a contribution by flagging the increased reliance of police on externally provided goods and services, and by suggesting ways in which the procurement process can be managed to ensure both accountability and value for money.

Keywords Procurement, Outsourcing, Police, Law enforcement

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Introduction

Shopping does not immediately spring to mind as one of the important activities of the police. At first glance it seems an unconventional or even trivial pursuit. But the purchasing of goods and services is in fact taking up increasing amounts of the time and energy of today's police. The increasing complexity of public policing, and the climate of fiscal austerity (with attending pressures for greater efficiency and effectiveness) that characterises most western nations, have seen police going "outside" for more goods and services. This increasing reliance on purchasing has also been driven by new techniques of policing in response to fresh challenges such as terrorism. Contemporary policing is accompanied by a need for goods and services undreamt of 30 years ago. In 2004/2005, the London Metropolitan Police spent £377 million on supplies and services, £61 million on transport and £194 million on premises, an increase of £70 million, £10 million and £60 million respectively over the three years since 2001/2002[1].

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The range of decisions associated with shopping – whether to go shopping in the first place, what to buy, and from whom – are influenced by three basic considerations: ideology, economics, and pragmatism. The Thatcher and Reagan Revolutions heralded a broader global trend for government agencies to enter the marketplace, driven by state ideologies of privatisation and across-the-board adoption of new public service management models based on private sector philosophies and strategies (Hancock, 1998, p. 119; Davids and Hancock, 1998, pp. 40-43; Verspaendonk, 2001, p. 3; Murphy, 2002, p. 14).

Over the past couple of decades police have been confronted with demands to do more with less, to implement state policies that emphasise efficiency in, and accountability for, resource use (Murphy, 2002, p. 7). The “bottom line” has become the fundamental consideration in many policing decisions, both operational and non-operational. At times, this objective may be consistent with ideological goals, as when low costs and high efficiencies go hand in hand. At other times economic and ideological objectives may be in tension. Costs are not always lower when private sector management techniques are adopted, and sometimes police decisions based on economic considerations will lead to inequitable provision of policing services and exacerbate moves towards the creation of private security communities.

The third consideration, pragmatism, arises from the increased salience of policing and security in the intensely competitive arena of contemporary politics (Weatherburn, 2004). Publicity crises arising from operational matters are bad enough; police commissioners and their ministers would prefer to avoid becoming implicated in additional scandals arising from cost overruns or corruption allegations. This is particularly important, given the tremendous symbolic importance as an agency of reassurance that police have in contemporary society (Innes, 2004, p. 167; Crawford, 2006a). A police service immersed in controversy is that much less reassuring.

These three drivers will vary in importance, depending on context. A newly elected conservative government may well be hell-bent on privatising whatever it can. A government under intense fiscal pressure may be inclined to achieve economies at every opportunity. A government under siege politically will do its utmost to avoid making waves.

Shopping has its risks as well as its benefits. Like consumers everywhere, police may from time to time purchase inferior products, or pay more for an item than they might have. Sometimes, police shopping practices may be dictated by governments in a manner that prevents them from getting the best value for money. Requirements that police vehicles be leased rather than purchased and maintained in-house may derive from ideology rather than economics. And occasionally, shopping expeditions result in acquisitions that have unforeseen and undesirable consequences for the purchaser; in this case, for the wider police organisation. Just like other consumers, police may not always understand fully what they are getting when they shop.

The acquisition of goods and services by police agencies may be seen in a wider framework of exchange relationships in which police operate to enhance their capacity. They may command individuals or institutions to provide information or services (Ayling and Grabosky, 2006). They may be the recipients of corporate sponsorship or donations from individuals (Grabosky, 2006) and they may provide their services on a cost-recovery or fee for service basis (Gans, 2000). This invites a wider theoretical

question of how the three basic modes of exchange – coercion, gift and sale – vary over time and across jurisdictions (Grabosky, 2004).

In the first part of this article we explore the varieties of acquisition now engaged in by public police and the diverse ways in which shopping by police is conducted and regulated. Our descriptions are drawn from police departments around the world, with a particular emphasis on Australia. We hope to make a contribution towards the beginnings of what Wood and Kempa (2005, p. 3000) describe as “[a] comprehensive mapping of all auspices and providers of policing, and the ways in which they harness the resources of others”. Police outsourcing and acquisition is a crucial, but heretofore neglected, part of this project.

We then consider the benefits and pitfalls of these exchange relationships between police and the private sector, and reflect on the desirability of institutional and procedural safeguards, and the implications of these arrangements for efficiency, equity and efficacy in public policing. We will conclude with some observations on what this might mean for police departments and the men and women who manage them.

The shopping list

Since the public institution of police was established in the nineteenth century, police have been shopping. The initial basic requirements of stationery, uniforms, weapons, furniture, buildings and modes of transport have been supplemented as police organisations have increased in size and complexity. Kitchen and bathroom fittings and equipment, specialised apparel (riot gear, ballistic vests, bomb suits, diving gear, etc.), photographic equipment, musical instruments and livestock (dogs and horses), together with associated food and equipment, must all be procured. Insurance, postal services, telephones, gas, electricity and rent have long been factored into the budget. Police organisations often require not only motor vehicles (cars, vans, motorcycles) but also aircraft and marine launches. New forms of communication (radio communications and other information technology, both hardware and software), new intelligence gathering tools such as CCTV[2] and automatic numberplate recognition systems[3], and new ways of investigating crime involving novel forms of scientific apparatus and computer programmes, have been adopted by police.

Services like laundering, catering, cleaning, publishing and maintenance of equipment, vehicles and buildings have been the subject of “outsourcing” for decades. The outsourcing of more recent services like gym management, physical fitness testing, vaccination programs, pathology testing and audits of financial systems are uncontroversial. But the purchasing of services that traditionally have been provided from police ranks is also growing. Many police organisations around the world outsource recruit training, some traffic functions, audiotape transcriptions (e.g. of telephone interceptions), some forensic investigations and provision of prisoner custody and transportation services. In Scotland, a private firm is responsible for both prisoner transportation and the monitoring of electronically tagged adult and juvenile offenders (Jackson, 2005).

Consultants are frequently hired to carry out engineering works, develop and evaluate policing programmes, prepare budgets, plan accommodation strategies, conduct surveys of client satisfaction levels, implement organisational security and design and manage computer systems[4]. The Australian Federal Police have

entrusted the security of their headquarters to a private security firm. London's Metropolitan Police has outsourced both the day-to-day operation and future development of its IT and radio communications networks. Outsourcing of cybercrime investigations has also been contemplated by Australian police forces (Police Commissioners' Conference Electronic Crime Steering Committee, 2001; Etter, 2001, p. 12). Even the process of outsourcing itself is sometimes outsourced (Davids and Hancock, 1998, p. 56).

These trends towards outsourcing functions that were previously performed by sworn police officers have not gone unnoticed, and have elicited criticism, especially in jurisdictions where police unions are active. Nevertheless, relentless pressures to control public expenditures make a reversal of these trends unlikely.

Modes of acquisition: finding the right shop and getting the right deal

Procurement and outsourcing by police organisations is generally undertaken through contractual agreement between police and vendors of goods and services. Goods or services may be purchased for police use, or police may purchase services for third parties (known as "purchase-of-service contracting" (DeHoog and Salamon, 2002)). Agreements may be multi-layered, involving a number of contracts, both simultaneous and successive. Contracts can be for one-off purchases or for the purchase of items or services over time. Kelman (2002, pp. 290-291) identifies two types of contracts for purchases that take place over time: "delivery order contracts" where the purchaser buys items from the contractor's list on an "as needs" basis (e.g. stationery), and "task order contracts" where a master contract establishes labour rates or fixed prices for certain tasks, and specific assignments are agreed on over the life of the contract (e.g. development of software). Contracts can require the contractor to achieve certain results ("completion contracts") or to do its best to achieve certain objectives ("best efforts contracts") (Kelman, 2002, p. 293). Pricing and incentives may be structured in a variety of ways (Kelman, 2002, pp. 294-6).

In addition to the contract provisions, police will often have to comply with externally and internally imposed rules and guidelines on procurement. In the UK, for instance, police must have regard to European Community Directives aimed at ensuring a robust internal market in public procurement. Victorian Police are bound by Victorian Government Purchasing Board (VGPB) policies regarding procurement[5]. Policies and guidelines about procurement are likely to deal with more than just the process of finding suppliers and calling for quotes or tenders, often covering strategic issues like risk management, probity, confidentiality, contract negotiation techniques and project management. In addition to rules and guidelines issued at government level, police organisations sometimes promulgate their own detailed rules and guidelines. The Queensland Police Service, for example, has published a document entitled *General Conditions of Offering* (last revised 14 October 2004) containing detailed provisions about how the procurement process is to be conducted[6].

Police organisations have a number of options in relation to the kind of contracts they enter into for the acquisition of goods and services. In relation to goods, for instance, a police organisation may choose to purchase the good (and thus obtain outright ownership), lease it (obtaining use but not ownership) or enter into a lease-purchase (also known as a hire-purchase) agreement (paying by instalments so that ownership of the good is acquired only at the end of the payment period). The

decision will rest not only on the type of good to be acquired and the uses to which it will be put, but also on the characteristics of the organisation itself. Equipment that needs to be replaced or upgraded often (such as some IT equipment and motor vehicles where there is a need for up-to-date technology[7]) may be better leased than purchased but, if leasing, an organisation also needs to have the capacity to manage both the assets leased and the lease agreement on an ongoing basis. Purchasing may be effective for equipment that has a long life span, but staff may need to have expertise in repairs and maintenance, and disposal costs may need to be factored into the decision[8].

Procurement and outsourcing sometimes go hand-in-hand. A lease contract for goods may include terms securing the provision of services by the supplier of the goods, such as installation and maintenance of a computer system or other technological product.

The political and legal environment in which a police organisation operates may also influence its decisions about the form of contract for procurement of particular goods or services. In Victoria, police vehicles are leased under a whole-of-government contract, administered by VicFleet, part of the Department of Treasury and Finance[9]. This contract covers a number of state agencies including Victoria Police, so police discretion is limited in relation to the makes and models of vehicles available to the organisation. Only vehicles that are substantially manufactured in Australia can be procured, for example, and these only from specified manufacturers. Issues like insurance, replacement parts and vehicle disposal are also dealt with at the whole-of-government level.

What is known as eProcurement is becoming an increasingly popular means of acquisition in policing and across government agencies generally. This is “the use of electronic methods in every stage of the purchasing process from identification of requirement through to payment, and potentially to contract management”[10]. This use of internet-based technology to identify vendors and negotiate supply of goods comes in a variety of guises. Some police forces have begun to use electronic reverse auctions or eAuctions, whereby vendors bid online (sometimes publicly) to supply goods such as stationery[11]. In the UK some forces are adopting eProcurement under the auspices of the Police Electronic Procurement System (PEPS) initiative that aims to make available shared core e-procurement systems and collaborative solutions to all forces across England and Wales[12]. There is also a government agency, or non-departmental public body (NDPB), called the Police Information Technology Organisation (PITO) which coordinates collective procurement arrangements for UK police agencies, including establishing and administering contracts and agreements, coordinating tendering processes for high value purchases and giving advice and training on purchasing and legal issues.

Closer to home, the New Zealand Government proposed a centralised electronic solution to procurement, in this case across all government agencies. This system, called GoProcure, was trialled by police and a university but was discontinued in late 2003 when it became apparent that only a small number of agencies would benefit from using GoProcure at that time. The New Zealand Police, which had benefited greatly by moving to electronic procurement, subsequently signed a deal with a private company to provide an electronic hub for its contact with major suppliers (Mallard, 2003; Bell,

2003; Hall, 2004). Victoria Police has also adopted its own eProcurement system with initial funding granted under the Victorian Government's EC4P Project[13].

Electronic procurement systems are designed to introduce more efficiencies into the procurement process, but they may also have other purposes. Sometimes governments are interested in "levelling the playing field" for smaller companies competing against national or international firms and eProcurement assists in this process by reducing costs for tenderers. VGPB policies, for instance, require government purchasers to maximise opportunities for local and regional suppliers to sell to government, specifically requiring government purchasers to encourage these suppliers "to participate in electronic commerce initiatives"[14]. The EC4P Project was also expressly designed with small to medium enterprises and regional firms in mind as potential suppliers[15].

The forms and processes relating to procurement and outsourcing are complicated by such bureaucratic requirements. Inherent in them is the risk that, for the police, other priorities such as public safety and crime prevention may be forced to take second place when choices of "the best" suppliers and products are being made.

DIY or others do it (ODI): deciding whether and what to outsource

The decision that a product is needed and should therefore be purchased or leased is a fairly straightforward one (although implementation can be quite complex). The decision to engage a consultant for a particular short-term project may also prove to be a relatively simple exercise involving assessment of needs (having regard to what is available in-house) in the light of current budget limitations. But how do police departments make the decision to outsource a whole area of work from their portfolio on an ongoing basis, rather than choosing to retain and/or develop within police ranks over the longer term the skills and knowledge to undertake that work?

The growth of outsourcing in the public sector saw a distinction being made between "core" and "non-core" (also known as ancillary, peripheral or secondary) services. Davids and Hancock (1998, pp. 47-50) have traced the development of this distinction in relation to policing in Victoria and the UK and have shown that it goes to the very heart of what it means to be engaged in public policing. Unfortunately for police, however, there is no shared or standard definition of "core police function" from which to work. A 1998 Australian Centre for Policing Research study (Boni and Packer, 1998) revealed different perceptions by the police and the public about the proper priorities for police[16]. It is likely that, if such a survey was to be conducted with participants from sub-groups within these categories, or with participants from different countries, times or cultures, disagreements would persist over what should be the essential functions of police.

The mechanics of decisions to outsource is not something that police publicly discuss. The annual reports of most Australian police forces, for example, contain little about how these decisions are made, generally only listing consultancies and other contracts entered into over the relevant year[17]. Davids and Hancock (1998, pp. 49-50) suggest that "divestiture of non-core business activities" is often actually an *ex post facto* justification for actions taken with other motives (i.e. for political or financial reasons) which are rarely revealed publicly. In contrast, Murphy (2002, p. 16) makes the point that applying a distinction about core and peripheral services is something that police routinely do informally in operational decisions about allocation of their limited

resources. So it may be that a combination of rarely and commonly articulated factors leads to these outsourcing decisions (see below). An assessment of what the police should be doing, what is “core”, and what can be left to others is probably only one of these factors, the importance of which varies with the context.

In one large police organisation that we studied, any sworn or unsworn officer is able to make a business case to management for outsourcing a service. It was suggested to us that the reason outsourcing is proposed may vary with the level of the proposing officer within the organisation. For example, occupational health and safety concerns over providing a service might prompt a lower level officer to propose outsourcing, while cost may play a greater part in the considerations of middle management, and political considerations may constitute the main driver at the executive level.

The outcomes of outsourcing decisions for similar services can be very different across police agencies. In the course of our research, we spoke to representatives of two large police agencies, one of which was required by government policy to discontinue its practice of buying and servicing its own motor vehicles (and selling them at a profit), and to begin leasing them instead, at greater cost. The justification was ideological, not economic; it was felt that the business of police is policing, and that an agency of government should not compete with second hand car dealers in the private sector. The other agency was required by government to get the greatest value for money in the purchase and management of its vehicle fleet, and continued its practice of buying and selling its own cars.

In whatever way the decision to outsource a significant part of police work is made, it is clear that it will have implications for staffing and the content of police work and possibly, as a result, for public perceptions of policing. But the question of what policing functions are inherently governmental is an interesting one, and conceptions are changing. Kettl (1993, p. 194) noted that the US Environmental Protection Agency commissioned a private consultant to develop just such a definition. More recently, Singer (2003) reviews the surprising extent of private sector involvement in the delivery of military services.

Benefits of ODI

So what are the articulated benefits of getting others to provide goods or services for police organisations? As the Australian Federal Police (AFP) notes[18], it can address a shortage of particular skills or equipment within a police organisation. Kelman (2002, p. 307) points out that it is difficult for government agencies to employ top-quality experts in specialist areas like information technology and financial management because government pay rates are low compared to those in the private sector. Police could not be expected to have had the skills to develop, implement and maintain a high-speed wireless communications system like that developed by Fujitsu and Microsoft and recently piloted by Western Australian Police. This system involves the provision of hand-held computers to patrolling officers to enable them to conduct on-the-spot checks of databases containing information about vehicles and people, instead of having to rely on frequently overloaded radio systems (Fujitsu, 2005). Similarly, the AFP turned to a large professional services firm specialising in financial audit and tax to perform a performance audit of the AFP Protective Service revenue in

the 2004-2005 financial year[19]. Police in Oxford, Ohio, called on the services of a psychic to help in the search for a missing person[20].

There may be times that police see the need for review, evaluation or facilitation of police activities to be conducted by an independent individual or body. The AFP Consultancy Services List for 2004-2005 lists several cases where consultants have been engaged for this reason, including the appointment of individuals to undertake pilot research on police participation in international peacekeeping and capacity building, and the appointment of an independent alcohol and drug organisation to provide estimates of the social cost of drugs to underpin the AFP Drug Harm Index.

On the other hand, police may have the skills in-house to provide a service but not have the resources (in terms of time and labour) to do so. The use of private security to guard police buildings is an example of this (Johnston, 1992, p. 59). Such a strategy may also be cost effective. Police in high-crime areas of Cape Town in South Africa have chosen to use private armed response companies to protect their stations from attack and armed robbery while they carry on with basic job of policing the streets (Schönteich, 2004a, p. 12). In Scotland police have entrusted to a private firm, Reliance, prisoner court custody and transportation duties throughout Scotland and, more recently, "non-core" escorting duties such as inter-prison transfers and transport to prisoners' hospital appointments in some parts of the country[21]. Prison escort services are also outsourced in the Australian Capital Territory[22].

Cost often plays a major part in the decision to outsource a task or area of work. Because private contractors aim both to generate a profit and to attract business they have an incentive to maximise productivity, and to do so at competitive rates. They may be able to cost a project or task at a lower rate than can the police because, without the red tape of bureaucratic processes to contend with, they are able to make savings in the areas of procurement and of hiring and deploying employees (Schönteich, 2004b, pp. 17-18).

This is not to say that outsourcing always saves police organisations money. According to one commentator, outsourcing is most likely to produce savings "where the required service can be easily specified and monitored" (Mulgan, 2001). The difficulties and time involved in negotiating and monitoring complex and/or multiple contracts relating to the outsourcing of a particular task can have consequences for the cost efficiency of the deal. The London Metropolitan Police recently sought to consolidate its IT and telecommunications contracts into a single outsourcing tender with the aim of reducing its expenditure on the in-house management systems needed to service a number of different providers (McCue, 2004). And anyway, cost may not be the sole decisive factor in a decision to outsource. Police may be willing to bear additional costs in exchange for other benefits.

One of those benefits and another reason for outsourcing is the prospect of efficiency gains for police. In April 2005 the Boston Police Department decided to outsource the forensics work previously conducted by its own fingerprint analysis unit. The private firm to whom the work was outsourced found 109 fingerprints missed earlier by Boston detectives investigating crimes. Outsourcing the work was expensive, costing US\$30,000 per month, but clearly the benefits outweighed the costs. Those benefits included avoiding the ignominy of being responsible for a wrongful conviction and associated six-year imprisonment because of shoddy fingerprint analysis by the police (McPhee, 2005). The City of Pittsburgh's outsourcing contract for

wireless communications for police (of a similar nature to that of Western Australia Police mentioned above) freed up police officers from paperwork that previously chewed up chunks of their time that was better spent on community policing (Schmitt, 1997). Indeed, one of the major justifications for outsourcing by police (and other public sector agencies) is that it allows them to concentrate on the important (or “core”) parts of the job, and so has valuable flow-on effects for the public. This may account for the reluctance of police departments in Australia to outsource the more “operational” parts of their workloads or to engage in “purchase-of-service” contracting.

Arguably, outsourcing may also result in higher quality services. As already noted, contractors may bring expertise and skills not available, or readily available, from within police ranks, and a private sector mentality of flexibility in terms of employment arrangements and responsive service delivery. Competition for business between private service providers can ensure that a provider can be found to suit particular requirements (Verspaadonk, 2001, p. 9). But quality is not guaranteed, as will be seen in the discussion below about the costs and risks that may be associated with purchasing. However, police organisations do at least have some control over quality issues where private contractors are employed. Performance and delivery standards are usually specified in the outsourcing contract. The contract can be terminated on the basis of unsatisfactory fulfilment of those standards whereas, if the task is being done in-house, the whole situation may be much more complex for management to deal with, involving questions of workers’ rights and of who within the organisation should be held ultimately responsible.

Costs and risks

Relying on outsourcing and procurement to supplement police resources can also be costly and may bring about risk. Because policing is a sensitive business, the costs and risks associated with these types of interactions between police and third parties are sometimes greater than they would be for other state agencies. Together with obvious financial costs, possible costs and risks include overdependency on a supplier, corruption and fraudulent practices, problems with quality of outsourced services, difficulties over accountability of contractors, police staff morale issues, threats to police legitimacy in the eyes of the public and inequities in the provision of police services. Any one of these factors, if serious enough, can cause significant embarrassment to the police or to the government of the day.

Costs and the extent of risk involved in shopping activities will vary with the size, culture and practices of the police department in question. Size, in particular, matters. A small police agency with a correspondingly small budget is likely to have little purchasing sophistication and, perhaps, little motivation to acquire it. In the USA, there are approximately 18,760 police agencies and most of them are small[23]. With so many agencies serving communities of different sizes and natures (states, counties, cities, towns, campuses, ports and so on), the amounts of goods and services purchased and the types and degrees of risk that accrue to the processes connected with shopping will vary widely between agencies. For instance, overdependency on a single supplier may be a significant problem in smaller, more remote police agencies, whilst the risks associated with the quality of contracts and of the goods or services purchased under them may be greater in larger agencies that are dealing with more, and more complex, transactions. In addition, opportunities for achieving economies of scale will be limited

in such a fragmented market, so costs may be higher than in other more centralised jurisdictions.

Costs

The costs of finding and negotiating with private providers, and then of ongoing contract management, may be significant and may outweigh the cost of providing the service from within police ranks (DeHoog and Salamon, 2002, p. 329). This is especially so, as noted above, where the service outsourced is a particularly complex one (Mulgan, 2001). Savings may be “eaten up” in monitoring and quality control.

Costs can also increase because of the need to train members of police organisations in the skills of contract management. This training, too, may be outsourced. Training may well be an ongoing cost, with some organisations having a high staff turnover in this area (Singer, 2003, p. 154)[24]. It is clearly essential that the costs of contract management and of any necessary training are taken into account when calculating the overall costs of outsourcing.

Overdependency

Where there are few suppliers, whether that is because the service or good supplied is highly specialised or merely because of geography, it is all too easy for the police organisation to become overdependent on a particular supplier. This may lead to an overly cosy relationship, perhaps even capture by the monopoly supplier of that part of police business. This may be especially the case with information technology, where products may be incompatible and the transition between products of successive suppliers may be less than seamless. The problem with overdependency on a single supplier is that the police organisation cannot quickly replace the outsourced service if the contractor proves unreliable, goes out of business or decides that providing the service poses too many risks to their employees (the latter might be the case, for instance, with inherently dangerous tasks like prisoner custody and transportation services). Risks to the public may be the consequence, especially where the police have not retained, or never had, the skills themselves to undertake the outsourced services.

Another issue arising from too much dependence on a single supplier is that transition costs, that is, the costs of changing suppliers at the end of a contract period, will often be higher than the cost of contract renewal (DeHoog and Salamon, 2002, p. 326). There is a temptation, then, to stay with a supplier, even if the service provided is not wholly satisfactory. Being “too close” to a supplier clearly magnifies that temptation.

Corruption and fraud

Too intimate a relationship might also open a door to corruption and fraud. Allegations of bribery and favouritism emerged following the tender process for New Zealand’s police dispatch system (CARD) in 1995. It was alleged that senior police officials had taken helicopter rides paid for by one of the main suppliers vying for the contract, Intergraph, and stayed at the holiday home of Intergraph’s CEO. It was also suggested that the tender criteria were changed during the tender to allow tenders from companies which could not offer a “distributed environment” (computers in separate cities in New Zealand), such as Intergraph. A member of the advisory panel of police technical experts claimed to have been pressured to favour Intergraph. And Intergraph

was said to have extended a job offer to a member of the police procurement team (Hill, 1997). However, the Police Complaints Authority investigation into the CARDS tender found no evidence that police had personally benefited during the evaluation process or that the process was modified to favour Intergraph[25].

A more recent example involving an Australian police department is also illustrative: In 1999 an unsuccessful tenderer complained of irregularities in the acquisition of a new digital communications system. A series of articles was published in a major daily newspaper alleging improper influence by the successful tenderer. The situation was complicated by the suggestion that, although the successful bid was indeed more costly and less compliant with specifications than the competitor, the successful bidder offered a significant discount on other products it was selling to the police, making the overall package preferable. An internal police investigation into the tender process recommended that a senior officer, the then commander of the police communications unit, be sacked and disciplinary action taken against 13 other involved officers (Hills, 1999a). Newspaper allegations of impropriety on the part of another senior police executive seriously damaged his reputation and gave rise to a successful action for defamation[26].

Potential poaching of personnel presents dangers during all phases of the procurement and outsourcing processes. Those involved may experience conflicts of loyalties and interest (Singer, 2003, p. 154). This can potentially lead to an unfair process that delivers less than optimal supplies and services, causes resentment amongst vying suppliers and even damages the credibility of the organisation itself. Poaching can also increase the costs of procurement by forcing the organisation to “buy back the skill base at a private sector premium” (Australian Federal Police, 2001). In the USA the prevalence of the “revolving door” syndrome, particularly in the military, has spawned legal rules regulating the relationship between contractors and government employees engaged in procurement activities[27].

Collusion between contractors and employees is the most common form of corporate procurement fraud[28], but fraud can also occur arise from the activity of internal staff or through industry collusion (Australian Federal Police, 2001). As the examples just discussed show, police organisations are not immune to perceptions of improper behaviour in the context of procurement and outsourcing activities. Overcharging and intentional cheating might also occur, a situation made worse for police where the service being purchased requires the private contractor to employ staff, as overpayments can then take place on a recurring basis (Singer, 2003, p. 155). Issues of accountability, of course, pervade most areas of policing. In matters of procurement, as elsewhere, police have tackled these problems with guidelines and internal audits.

Primacy of profit motive

More broadly, whether or not collusive or fraudulent behaviour is engaged in, it is clear that the motivations of the parties to a procurement deal may influence their behaviour. Contractors are motivated mainly by profit, and in some cases this self-interest may trump the interests of those employing them. So, for instance, a contractor may elect to cut the costs involved in producing a final output by choosing technologies or methods according to their cost rather than their quality and value (Vincent-Jones, 2000, p. 343; Singer, 2003, p. 155). Such behaviour, although it may be perfectly legitimate, can lead to problems with service provision further down the track. Similarly, penetration

pricing, or loss leader strategy, is a common practice in government contracting (Kelman, 2002, p. 298) and is not unknown in the police procurement environment[29]. An initial bid is made intentionally below cost in order to gain the contract. Ex-post rent extraction by contractors may follow: after the contract is awarded prices may be raised in some way, such as through claims that further contracts, staff or pieces of equipment are needed. This practice is most common where high-technology purchases are involved and it is relatively simple to make a case for updating that technology.

There is a danger that the benefits for police of putting the provision of a service into private hands could come at the expense of the public interest. Contractors in the USA supplying traffic safety cameras (also known as “speed” or “photo radar” cameras and “red light” cameras) are sometimes paid on a contingency basis, that is, the more traffic violation notices are sent out or the more violators are convicted, the more they are paid. Such was the case with Lockheed Martin in the 2001 case of *In re: Red Light Camera Cases, The People of the State of California v. John Allen et al.* Lockheed was paid \$70, or 50 per cent of what San Diego City collected in fines from each red light camera citation, whichever was less. Lockheed had also been given the responsibility of fully operating the red light system, with almost no City involvement. The company was responsible for the entire process from installation and operation of the equipment, to reviewing the photographs to make the initial determination of the existence of a violation and whether the perpetrator could be identified, to printing and mailing of citations. The police were involved only in the latter stages in reviewing Lockheed’s decision to issue a citation. The Superior Court judge found there was a potential conflict of interest between Lockheed’s role as operator of the system and the contingent method of Lockheed’s compensation and that this undermined the trustworthiness of the evidence used to prosecute red light violations. As a result, about 300 tickets were dismissed[30]. However, the practices of contingency payments and of giving contractors powers of input over operational decisions like the location of cameras still continues in some other US states. For instance, ACS was in 2005 awarded an extension of contracts to continue running red light and speed camera systems in Washington DC. ACS is paid a flat fee but also may be paid extra fees if the number of citations issued exceeds a certain number per month. ACS is involved in processing tickets and also provides input on choosing locations for camera deployment (McElhatton, 2005).

Clearly if police, through outsourcing, lose control over service volume or distribution decisions that influence the magnitude of contractor payments, there is scope for the contractor’s self-interest to operate in ways that serve the public interest poorly. This is not to suggest that the public interest is always protected by police control over service provision. With technologies that lend themselves to revenue generation, such as traffic safety cameras, there can be the potential for abuse in either private or public hands. The UK London Safety Camera Partnership (LSCP) says, however, that safety cameras are employed not to generate revenue but to reduce casualty rates on the roads, so that falling revenue should be taken as indicative of success. As all revenue from that initiative goes either to the UK Treasury as general revenue or is channelled back to the LSCP to cover costs, there is very little incentive in that country for either law enforcement or private contractors to attempt to increase revenue[31].

Quality issues

As mentioned above, another risk associated with employing others to undertake tasks for one is that the service or good provided may not be the best quality. Quality may have implications for the safety of operational officers and of the public and, by extension, the reputation of the police department. Even selecting a reputable supplier does not guarantee quality. In New Zealand, IBM was selected in 1994 to develop an Integrated National Computerised Information System (INCIS) for the police. When IBM walked away from the project five years later, the parts of the system that had been completed were criticised for not operating as promised (Dore, 1999). In the USA, new software was introduced in October 2004 to replace the local emergency dispatch, records management and jail administration systems in Washington State with a seamless system created by Intergraph Corporation. Problems with the quality of the new system have resulted in backlogs and inefficiencies, resulting in a recent call by an evaluation committee to make costly changes to both the system and its management (Fitzpatrick, 2005a,b, c; Trumbo, 2005).

Internal police difficulties

Of course problems with outsourced contracts may not always flow from the unreliability of the chosen supplier. Sometimes the contract is poorly managed (so that, for instance, the supplier is not properly aware of expectations) or there are circumstances internal to the organisation that militate against the successful implementation of the project. The FBI outsourced to Science Applications International Corporation in 2001 the task of overhauling the Bureau's investigative systems, known as the TRILOGY User Application Component (UAC) project, costing US\$170 million. The aim of the project was to reshape the FBI's paper-driven culture and replace antiquated computer systems, something seen as critical to national security and the fight against terrorism. The project is both over budget and behind schedule and is now unlikely ever to be fully implemented. An evaluation of the programme in January 2005, costing US\$2 million, found that internal problems, such as a high turnover of IT staff, difficulties in finding the downtime from caseloads to implement the system and, most critically, a resistance among some agents to giving up pens and paper, contributed significantly to this result (Lichtblau, 2005).

Legal problems

Large legal bills and rectification costs for police organisations and governments can result from poorly managed contracts, unreliable suppliers or unforeseen events associated with procurement and outsourcing arrangements. INCIS was three years overdue and NZ\$30 million over budget when the New Zealand Government launched legal action against IBM relating to a dispute over contracted tasks. Problems with the financial management of a contract entered into in 1999 between Victoria Police and IBM Global Services (a joint venture between IBM, Telstra and Lend Lease) to provide mainframe and desktop services in up to 400 Victorian police stations resulted in lengthy disputes and a blow-out in outsourcing costs of more than AU\$100 million (Shiel, 2003).

Information technology systems that provide an interface between government and third parties can spawn particularly costly legal problems when they fail. The Australian Customs Service recently replaced its 20-year-old cargo clearance system

with a new Integrated Cargo System designed to clear both import and export cargo much faster. New documentation requirements resulted in entire transactions being rejected and sent to the end of the processing queue, with the result that thousands of containers were left sitting for days and even weeks at Australian ports. In addition, there were reported security problems which allowed some customers to see one another's data. With evidence that Customs knew, at the time of approving the new software, that its old hardware did not have the requisite processing capacity, and in the absence of a compensation offer by the federal government, many affected businesses are currently considering whether to take legal action against the government to seek compensation for the costs of storage, loss of business and staff overtime, and possibly employee stress (Bajkowski, 2005; Australian Associated Press, 2005; Hayes, 2005).

Accountability and liability issues

Issues about accountability for poor service may also arise in relation to contracts for goods or services. Questions arise such as: who bears ultimate responsibility for the performance of contractors? Is there political as well as managerial responsibility? Do members of the public have access to redress for the actions or omissions of contractors and, if so, against whom? What remedies are available to them? And what mechanisms are available for investigation (internal police enquiries? Ombudsman? Auditor-General?) if things go awry? Mulgan (2001) points out that one cannot assume that accountability is a simple quantum that is increased, maintained or reduced under outsourcing – it will depend on the context. Certain activities generate very high expectations of accountability. Police matters tend to be one of these, because people see a direct connection between their taxes and spending on law and order matters, and also have high expectations of the probity of those entrusted with ensuring public security.

To bring to bear the complete array of public service accountability standards on private contractors may well diminish the gains in efficiency and cost made through outsourcing. To not do so may be politically unacceptable, especially in a sensitive area like policing. "You can't outsource risk" was the belief expressed to us by one procurement manager of a large Australian police department. Getting the balance right in terms of accountability and transparency of process is a difficult task for police.

Police image and legitimacy

Police also have to contend with public perceptions that arise out of their procurement and outsourcing of goods and services. There is a risk that suppliers of services that were previously provided by police will not have the same high standards as police and that this will reflect badly on the police service as a whole. Similarly, the use by police of a particular brand of good (for instance, a particular vehicle manufacturer) could link police with the producer in the public's mind, something that could backfire if there is any subsequent scandal concerning that product or if police are called upon to investigate the producer.

Outsourcing of some services could present problems for police-community relations. Some members of the public may feel cheated if the person delivering a service (say, advice on home security measures or responses to emergency service calls

or noise complaints) is not a police officer. Public demand for a more visible community-based police presence is increasing (Salmi *et al.*, 2005; Crawford, 2006b). The police themselves do not want to become “harder to find”[32]. Yet services which do not fit a classical crime-fighting or law enforcement profile, those that are more community-oriented and preventative, are perhaps the services most likely to be classed as “non-core” and so liable to be outsourced. This is particularly the case if decisions over which services are outsourced continue to be made with little or no public consultation (Davids and Hancock, 1998, p. 51).

Staff resistance

Outsourcing worries many within police ranks too. There is concern that outsourcing will cause a loss of police skills (Singer, 2003, p. 161) or of police jobs[33], and that officers will be redeployed without their consent or will leave the police to take up contract employment with suppliers. The Police Federation of Australia’s (PFA) national policy relating to civilianisation of police forces and the use of unsworn officers “totally rejects the use of civilianisation/unsworn to downsize police numbers in any jurisdiction”, arguing that the sole justification for the use of civilians and unsworn officers is to release limited operational resources to more effectively meet the community’s needs. These same arguments were made by the PFA in discussions in relation to the outsourcing of those positions. The PFA also expressed concern that outsourcing may remove “desk jobs” from police departments, leaving nowhere for sworn officers recovering from illness or injury to go during rehabilitation.

There are also more general concerns about the security of police information and systems, the effect on police relationships with the public and the overall cost-effectiveness and quality of outsourced services[34]. The occupational health and safety of police officers is also considered to be put at risk by outsourcing. There may be circumstances when civilian employees or contractors who engage in industrial action might place the safety of sworn police officers at risk. As a result of these concerns, staff morale is clearly an issue when outsourcing of services is being considered.

Inequities in service provision

Finally, outsourcing also raises the spectre of inequitable distribution of policing services. A service that is no longer provided by the police could be outsourced in such a way that the supplier can charge for its provision. This would have obvious consequences for those who cannot afford these services. In 1998 a review of the management and administrative structure of the New Zealand Police considered the possibility of outsourcing the police’s search and rescue function (New Zealand Independent Reviewer, 1998, p. 19). The idea was ultimately rejected by the review team, mainly because there was no alternative organisation then in existence which had the expertise and experience to coordinate search and rescue activities. Likely charging of those who needed rescue, and the consequences of this, were raised as issues in submissions to the review (New Zealand Review Team, 1998, p. 31), but this was not determinative, and the outsourcing of search and rescue was flagged as something that needed more consideration (New Zealand Independent Reviewer, 1998, p. 47, para. 163). The effects of charging may be a willingness to take more risks (in terms of trying to rescue oneself) rather than pay. This may seem extreme but in Grand

County, Utah, where the Sheriff's department charges for search and rescue, rescuers have been asked by imperilled tourists about cost before being given permission to complete a rescue[35].

Murphy (2002, p. 32) suggests that "focusing limited police resources on only core policing functions while cutting, limiting or selling other services, unfairly places the onus on citizens and communities either to self-police or hire private security; a strategy that favours the advantaged and weakens collective social relationships and obligations". Choosing to buy policing services may not just be a matter of necessity; it may also be attractive to some as a means of "distinguishing themselves (symbolically) from those who remain dependent for their security on a cash-strapped, seemingly unresponsive public service" (Loader, 1999, p. 383). It is questionable whether police would wish to represent themselves as supportive of a system where those who cannot pay perhaps miss out on an adequate level of service.

On the other hand, there is no doubt that expecting police to do everything also can have consequences for the equitable application of policing services[36]. Schönteich (2004b) notes that in South Africa the public is not now equally serviced by police, as the density of police and their willingness to intervene in violent situations is lower in less affluent areas. It may be, as he argues (Schönteich, 2004b, p. 24), that outsourcing provides a wider choice of services at a lower cost, supplied more effectively and with less delay. Because of this, and because the state is better able to concentrate on its core functions, the poor may benefit rather than suffer from a rationalisation of policing services implemented through outsourcing.

Commodification of policing

The increasing focus on the bottom line in policing and the creative responses from management to resource acquisition and allocation that this has stimulated have been characterised as reflecting "commodification" of policing services (Loader, 1999). Davids and Hancock (1998) talk about the shift in both language and approach in public policing, from regarding the public as citizens, part of the community, to regarding it as a collection of individual "customers" to be "sold" policing.

However, a private sector "customer service" approach may just not be appropriate where citizens are just as concerned with more general outcomes of policing for society as they are with their own satisfaction (Davids and Hancock, 1998, p. 60). According to Loader (1999, p. 388), when people recoil from commodification of police services it is because it entails a transformation of the police/public relationship that does not accord with their world views (or metapreferences), which include a concern that the common good be advanced and involve a "rejection of the idea that respect for human safety can be privatised, deregulated and generally be left to individuals to secure as best they can in the market". The risk is real that, with an excessive focus on individual agreements, policing will omit to take account of broader societal interests. As Davids and Hancock (1998, p. 57) point out "there are other less obvious aspects of public and political accountability and public interest that are simply not mentioned in contracts".

Safeguards

There is no doubt that shopping by the public police involves a number of risks for both the police themselves and for the communities they serve. But withdrawal of police from the market environment is not now a realistic option. However, a number of

systems can be put in place to reduce the risks inherent in shopping. In approximate chronological order of the procurement process, these include:

When police go shopping

Before-the-fact open consultation on decisions to outsource services

The New Zealand 1998 Review of Police Administration and Management Structures attracted more than 560 submissions from police staff and persons outside the police. In addition, the Police Commissioner held meetings with staff around the country to get direct feedback on the draft Report. While outsourcing was only one of five areas examined in the Review (along with governance, organisational structure, training and property management), it attracted a significant response; the majority of submissions dealt at least partially with the outsourcing issue. It seems that decisions about outsourcing of police services are of considerable import for both police and others because of their implications for the role of the police in society. However, few opportunities currently exist for lower level police or the public to have an input into those final decisions, with police management tending to make such decisions behind closed doors. A degree of transparency in decision making in this area would ensure the airing of public interest considerations that might well be given too little attention in the more corporate environment in which the police now find themselves operating.

Such a process could lessen the risk of internal resistance, as well as enhance the wider public legitimacy of the acquisitions process.

“Good” contracts

Rules have broad application, but they cannot deal with individual commercial relations at a sufficient level of detail to avoid or anticipate problems arising. “Good” contracts are essential to avoid a waste of police resources in “constantly ‘firefighting’ issues” with the contractor (Auditor General Victoria, 2003, para 2.168). Contracts need to be properly negotiated, with precise specification of tasks to be undertaken or results to be achieved (Kelman, 2002, 305-6), and comprehensive provisions concerning monitoring, dispute resolution and termination. This would have obvious benefit in addressing the risks that legal and quality problems will arise.

Assistance in contract negotiation and management

As noted above, police (especially those in smaller agencies) often do not have the training or resources to properly negotiate and manage procurement contracts[37]. Training in these circumstances becomes critical. It is essential too that training is not simply focussed on the “pointy” business end of the process (what is a fair price, what too low a price could mean for the future of the relationship, how to monitor the contractor and resolve disputes, etc.) but also deals with the special issues that apply because of the nature of policing, such as the broader role of police in serving the public and what this might mean for the extent of discretion a contractor should be granted. Such assistance could provide quality assurance, as well as safeguard against excessive costs and overdependency.

Monitoring mechanisms for service contracts

Internal systems for monitoring the way in which contracted tasks are being performed need to be strong to keep contractors honest and avoid “shirking” (Kelman,

2002, pp. 302, 306). The costs of monitoring need to be included when considering the costs of outsourcing to particular suppliers.

Reporting mechanisms and internal audits

In addition to monitoring systems for the contractor, police systems to monitor the internal processes involved in procurement need to be in place. A lack of such systems will increase the risks of collusion between staff and contractors (Doherty and March, 2005). The benefits of both monitoring and reporting mechanisms for accountability and corruption control are readily apparent.

Independent review of outsourcing decisions

A potential for independent review works to mitigate risks that arise from the intimacy that commercial relationships often generate:

Transparency and group decisionmaking are important ways to reduce the danger of corruption, particularly in best-value source selections that give government officials greater discretion. It is relatively easy to corrupt even rule-bound officials if the grounds for decision can be kept secret (Kelman, 2002, p. 300).

Independent review could take the form of review by government appointed auditors or, where outsourcing decisions are made public, scrutiny by the media. Nations such as the USA and Australia have established some institutions at federal level to perform such oversight functions: the US Government Accountability Office[38] and the Australian National Audit Office[39]. But with many police departments located at lower levels (state, county and municipality), particularly in the USA, there is clearly scope to further consider more local forms that independent review could take in these contexts, such as civilian oversight[40].

Legislative oversight

Rules contained in legislation, delegated legislation and formally promulgated policies and guidelines, like the US Procurement Integrity Act and the VGPB Procurement Policies, are able to set standards in relation to fairness in selection of sources and other questions of probity, ensure appropriate measures to protect confidentiality are in place and prohibit fraudulent and collusive activities that might arise in the course of commercial relationships. Independent external oversight, provided by specialised audit agencies as well as by legislatures, can serve to enhance the legitimacy of the procurement process.

Conclusion

Police departments, and the men and women who manage them, are very different to their counterparts of a half-century ago. Developments in technology, and the increasing complexity of advanced industrial societies, have been accompanied by revolutionary changes in organisational life. This has entailed a diversification of the police function to include the acquisition of an increasingly wider range of goods and services. This in turn has necessitated a significant investment in the management of contracts and the monitoring of compliance with them. Police, like many other public sector organisations, are performing the role of meta-monitors (Grabosky, 1995). Managerial skill is an essential prerequisite for appointment to the senior ranks. This new role has its benefits and its risks.

Thought has been given in many quarters to general principles to guide procurement and outsourcing decisions in the public sector, with transparency, accountability and the balancing of interests seen as integral to the process (Commercial Activities Panel, 2002). The question is whether these principles translate directly to public policing. For example, should the police outsourcing framework “represent a balance among taxpayer interests, government needs, employee rights, and contractor concerns” as suggested is ideal for all government agencies in the USA (mission statement of the Commercial Activities Panel (2002, p. 7))? Or does the special nature of police work means that policing is an area that requires distinctive measures? Decisions about what to outsource and to what degree a contractor should be granted discretion will perhaps be ones where police should give particular thought to how the public will be affected. Giving equal weight to contractor, police, government and taxpayer interests may not be appropriate here. Similarly, protection of confidential information may also be an area that requires more thought than in some other government agencies, given the sensitivity of information to which police become privy.

Decisions by police organisations about shopping for goods and services have very important ramifications for the public, for the scope of the police role and for the public’s perception of public police and policing. When one considers the variety of risks to both police and the public interest that can arise in this context, it becomes apparent that transparency and accountability are critical. Sound and robust systems for risk management must be put in place, together with proper training and resourcing for police in developing and administering such systems. Most importantly, decisions about procurement and outsourcing need to be made in an environment where the links between the operational and non-operational sides of policing are both recognised and regarded as central. Consultation with those affected – police, members of the public and business – can help ensure that all relevant considerations are taken into account.

Such strategies as we have advanced in this paper operate mainly at a modest and technical level. Issues about police legitimacy and image, about the implications of increasing marketplace activity for how the police see themselves and for the interests of the wider community, may not be so easily addressed. Increased police activity in the marketplace, of which shopping is an important part, represents a fundamental structural shift in policing driven by changing ideological, economic and pragmatic considerations. There can be no rapid-fire or simple solutions to the deeper structural risks brought on as a result.

What does the increasing shopping activity of police mean for the future of policing? For those who see an increasing pluralisation of policing, the ascendancy of outsourcing may represent a transitional stage between policing as a state monopoly (as it largely was during the mid-twentieth century), and an increasingly competitive security market, where the public police will be but one among several players. For those who embrace a more state-centric model of policing, these new developments will liberate the police from dependency on their own resources, provide them with greater freedom of choice, and enable them to realise economies and thereby achieve more with less. But here it must be asked, are the police up to the job? How well the public police perform as shoppers will be indicative of their ability to manage the broader structural shifts occurring in policing. Can they rise to the greater challenge of performing in, as

well as directing, a play with many performers? In a sense, the future of policing will be foreshadowed in the competence of police as consumers.

Notes

1. See Metropolitan Police Service and Metropolitan Police Authority Annual Reports for those financial years, downloadable at: www.mpa.gov.uk/reports/jointannual.htm (accessed 8 November 2005).
2. Numbers of CCTV cameras are increasing rapidly in cities in industrialised countries. In Edinburgh, Scotland, for example, the number of cameras overlooking public spaces has increased from 63 to 110 in the last three years (McEwen, 2005).
3. The City of London Police installed Automatic Number Plate Recognition (ANPR) equipment around the perimeter of the City in 1997 as part of its anti-terrorist strategy. ANPR uses optical character recognition to read the registration plates on vehicles and cross-reference them with a database of stored numberplates in order to identify the owner. The City of London system has been used to facilitate wider policing objectives. Since installation more than 1,200 people have been arrested as a result of vehicle scanning, in connection with crimes as serious as murder and armed robbery. See www.cityoflondon.police.uk/crime-prevention/anr.html (accessed 22 September 2005).
4. See, for example, Appendix G to the Tasmanian Police Annual Report 2003-2004 listing consultancies and contracts; also see the list of Australian Federal Police Consultancy Services for 2004-2005, at: www.afp.gov.au/afp/raw/GovCorporate/consultancy_services_2005.pdf (accessed 24 August 2005).
5. See Victorian Government Purchasing Board (n.d.a, b).
6. See www.police.qld.gov.au/pr/services/forms/pdf/General_Conditions_Offering.pdf (accessed 24 August 2005).
7. For example, New South Wales Police leased both mainframe and desktop computers and its motor vehicle fleet in the 2003-2004 financial year; see NSW Police Annual Report for 2003-2004, Notes at p. 61.
8. For a detailed discussion of the kinds of considerations that should influence decisions by state agencies to purchase, lease or lease-purchase information technologies, see Department of Information Resources (1998).
9. See State of Victoria(2004).
10. See UK Office of Government Commerce at: www.ogc.gov.uk/index.asp?id=2361 (accessed 24 August 2005).
11. Kent Police were the first to use e-auctions, leading a consortium of ten forces in this practice and winning an award at the UK Government eProcurement Awards in 2004; see www.ogc.gov.uk/index.asp?id=1002696#_Best_use_of (accessed 24 August 2005).
12. In 2005, six UK police forces (Avon and Somerset Constabulary, Devon and Cornwall Constabulary, Dorset Police, Dyfed-Powys Police, Gloucestershire Constabulary, Wiltshire Constabulary) have signed up with a private organisation, IDeA:marketplace, to pilot a system called Bluelight Marketplace which is part of PEPS. This system allows them to publish, control and access supplier details at a National, Regional and Police Constabulary level and process requisitions and purchase orders using a hosted shared secure application from their local desktops via a standard web browser: see www.egsgroup.com/egsgroup/display?id=282 (accessed 24 August 2005).
13. See Victorian Auditor-General (2003).
14. See Victorian Government Purchasing Board (n.d.c).

15. See Department of Treasury and Finance (n.d.).
16. The study was conducted by surveying samples of the public and the police in Perth, Western Australia and Brisbane, Queensland. While each group agreed that criminal investigation should be a high priority, the surveyed public felt that police should place a higher priority on a wider range of tasks, particularly those concerning community service, while the police felt that their current attention to community service tasks (as well as prisoner servicing) was taking away needed attention from criminal investigation.
17. A partial exception is the Australian Federal Police (AFP) which, when listing its consultancies, states the reasons why a consultant was engaged in a particular case. These include a lack of available in-house resources, a need for specialist skills, a need for access to the latest technology and a need for independent study or a facilitator. See Australian Federal Police Consultancy Services for 2003-2004, at www.afp.gov.au/afp/raw/GovCorporate/consultancy_services_2005.pdf (accessed 24 August 2005).
18. See Australian Federal Police Consultancy Services, at: www.afp.gov.au/afp/page/GovCorporate/GovtReporting/consultants.htm (accessed 13 September 2005).
19. See Australian Federal Police Consultancy Services for 2004-2005, at: www.afp.gov.au/afp/raw/GovCorporate/consultancy_services_2005.pdf (accessed 24 August 2005).
20. See www.wcpo.com/news/2004/local/10/24/oxford_alzheimers.html (accessed 8 June 2006).
21. See Scottish Prison Service (2004).
22. See Custodial Escorts Act1998 (ACT).
23. See <http://faculty.ncwc.edu/toconnor/polstruct.htm> (accessed 7 June 2006). According to this site, the average size for a police agency is 25 sworn officers (that figure excludes non-sworn officers and/or civilians).
24. Singer writes about private military firms (PMFs). Because of the fact that both police and the military deal with security issues, many of Singer's observations about government outsourcing to PMFs are relevant to issues of police outsourcing.
25. See *National Business Review* (1997).
26. See *Jarratt v. John Fairfax Publications Pty Limited* [2001] NSWSC 739; Australian Associated Press (1999); Hills (1999a, b, c, d).
27. The Procurement Integrity Act, 41 USC §423, requires contracting officers to notify their superiors if they are offered jobs by contractors and bans those who take such jobs from disclosing certain information about the government procurement processes. It applies a one-year ban on accepting compensation from a contractor to former federal employees who were engaged in procurement activities. A summary of the provisions can be found at: www.uah.edu/research/resadmin/information/integrity.html (accessed 8 June 2006).
28. Paul Dopp, Senior Associate in a firm of corporate investigators headquartered in Dallas, USA, cited in Australian Federal Police (2001).
29. Personal communications to authors from police organisations.
30. In a similar case in Denver Colorado in 2002, a county court found that the City breached state law by delegating police department duties (the preparation of summons and complaint) to ACS, the contractor: *Denver v. Pirosko, County Court of Denver*, Case No. S003143859 (28 January, 2002). The City dropped 446 pending photo-radar cases as a result of this case.
31. See www.lscp.org.uk/faqs.asp?id=14 (accessed 15 November 2005).
32. One submission to the New Zealand Review of Police Administration and Management Structures conducted in 1998, in discussing the possibility of outsourcing speed camera operations, stated "The public see traffic cameras as police and often stop to report bad

- driving, accidents etc. Remove this and the police are even harder to find” (New Zealand Review Team, 1998, p. 29).
33. Personal communication with Police Federation of Australia (PFA), January 2006. See also Australian Federal Police (2001).
 34. These concerns are drawn from submissions to the New Zealand Review Team (1998) which canvassed outsourcing of prisoner escort/custody, scene guarding, infringement processing, speed camera operation, document serving, commercial vehicle investigation, search and rescue, photography, video unit, lost and found, communication centres, information technology, property management, fleet ownership/maintenance, stores, payroll, management review and audit, accounting, records, cafeteria and welfare.
 35. See *USA Today* (2004).
 36. See Schönsteich (2004a, pp. 23-4), citing inefficiencies in the overloaded South African court system which inconvenience and cost the poor.
 37. This problem is not exclusive to police, of course. In the Australian Capital Territory, the use of junior public servants to undertake purchasing for Territory Government Departments was recently criticised by the Auditor-General, who said that such officers generally did not have the technical knowledge needed to ensure value for money: see Doherty and March (2005).
 38. See www.gao.gov/ For an illustration of GAO oversight of procurement by the FBI, see www.gao.gov/new.items/d05363.pdf (accessed 8 June 2006).
 39. See www.anao.gov.au/
 40. A number of cities in the USA have put in place civilian oversight mechanisms designed to monitor police compliance with civil rights requirements and to investigate civilian complaints. For example, the Los Angeles Police Department uses independent monitors: see www.lacity.org/oig/ and www.lapdonline.org/consent_decree/content_basic_view/9010 (both accessed 7 June 2006); and in Albuquerque a 1998 Ordinance put in place a civilian Police Oversight Commission and an Independent Review Office: see www.cabq.gov/iro/ordinance.html (accessed 7 June 2006). Such mechanisms may also be suitable for addressing policing policies and practices that lead to police misconduct in the context of commercial relationships.

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