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Innovating Responses to Managing Risk: Exploring the potential of a victim-focused policing strategy

Dr Craig Paterson and Dr Kerry Clamp

Introduction

A recent Policy Exchange (2012) paper, 'Future of Corrections: Exploring the use of electronic monitoring', encouraged smarter police use of electronic offender monitoring technologies as part of integrated criminal justice responses to problems of crime and disorder. The report envisaged new Police and Crime Commissioners as vehicles for the localisation of electronic monitoring service delivery and the development of more innovative and flexible surveillance responses to social risk management. The emphasis upon localisation is timely for both policing and electronic monitoring with the language of demand reduction dominating a cash-starved justice sector in the throes of long-term decreases in funding. Attempts to construct an electronic monitoring market in England and Wales have led to the creation of a duopoly dominated by Serco and G4S which has failed to deliver cost-savings or reductions in recidivism. The reasons for this are manifold and include; unrealistic expectations, the failure of the electronic monitoring market, the top-down development of misguided policies, and the myopic offender-focus of criminal justice agencies (Paterson, 2007; 2012). Despite this, we argue that there is indeed an important part that electronic monitoring can play in the criminal justice landscape and one that can assist with the re-invention of policing in a climate of demand reduction (Neyroud, 2012). What is required is a shift in gaze beyond offender monitoring to placing victims at the heart of surveillance responses to risk. We illustrate this by drawing on a victim panic button pilot scheme in Buenos Aires, Argentina. We argue that such an approach not only has the potential to reduce demands on police time and resources but also the added benefit of increasing and enhancing police-community relations and improving effectiveness.

Electronic Surveillance and Victim-Focused Policing

Human surveillance has been a core policing function since the advent of professional policing but it is the use of a range of surveillance software and technology to collect, classify and analyse data for operational police use that is the focus of this article. The operational use of surveillance technologies by the Police Service in England and Wales has broadly been utilised in two ways: firstly to investigate offences and secondly to pre-emptively deter offending behaviour. It is the latter area that provides the potential to reduce the demand for police resources; however, the extent to which technology can pre-emptively deter offending behaviour remains at the crux of debate about the use of surveillance technologies. The

early years of growth in CCTV were driven by a 'common-sense' belief that deterrence would naturally follow from more expansive surveillance systems but evidence from CCTV studies does not support this presumption (Gill and Spriggs, 2005). Similarly, experimentation with technologies such as electronic offender monitoring and biometrics has not produced conclusive evidence that they deter individuals from offending either (Paterson, 2012).

Curfews, active surveillance via GPS, drug and alcohol monitoring, facial recognition and other modes of electronic monitoring all have regulatory and punitive functions but there is little evidence to suggest they provide long-term solutions to offending behaviour other than temporary restrictions in time and space. The reasons for this are clear: offenders rarely want to comply with the restrictions placed upon them by technology and subsequently develop adaptive strategies that displace, resist and reformulate offending behaviour in new forms and arenas (Paterson, 2007). Thus, it seems peculiar that the role of technology in directly enhancing victim safety has been neglected in favour of a focus on offenders. A more imaginative use of electronic monitoring technology is evident in the use of bilateral electronic monitoring, which can retain a controlling function over offenders but crucially adds a protective 'early alert' system for victims (Erez and Ibarra, 2007). Bilateral electronic monitoring situates the active victim in an empowered position to contribute to their own safety via a re-imagined use of surveillance technology outside the traditional offender-focus of policing and criminal justice processes. Therefore, the system places the police in a position where their primary role is to protect the victim via pre-emptive alerts to potential offences.

A victim-focused approach represents an example of the smart policing referred to in the 'Future of Corrections' report where policing agencies work alongside technology providers to develop innovative local responses to prevent 'primary or secondary victimisation and reduce the effects of victimisation on the community' (Clark, 2005: 650). For the Police Service, this pre-emptive partnership approach has the potential to displace the high costs associated with subsequent investigations and to enhance public legitimacy via proactive engagement with potential and repeat victims. Negative perceptions of police contact with the public and subsequent deficits in trust and legitimacy emerge, at least in part, out of the context in which contact takes place (Bradford et al., 2009). By placing an emphasis on proactive police responses to the threat of victimisation it is possible to re-formulate the context through which police-community relations emerge and enhance public confidence in police action. Viewed in this light, the potential consequences for police legitimacy and

effectiveness are substantial. The following section introduces the panic button programme in Buenos Aires, Argentina and outlines its aims.

The Argentine Panic Button Programme: A Case Study

Panic buttons were launched in March 2012 in the Metropolitan City of Buenos Aires and suburban Tigre in Argentina. The programme was instigated by a 43% rise in reported domestic violence cases in Argentina across a two year period where 91% of victims were female and 42% of cases involved victims who had previously been identified as high or very high risk (Solano, 2012). These statistics reproduce findings in England and Wales that indicate that six out of ten victims of partner abuse experienced repeat victimisation during the same year (Povey et al., 2008) and, for high risk cases, just over one in three murders emerges out of a background of repeat domestic violence (IPCC, 2007; Stanko, 2008). Cognisant of this complex context, the panic button functions as a component of a holistic multi-agency support programme for victims of domestic violence that contains embedded social, legal and psychological support where this is required.

The buttons are issued by courts in domestic violence cases as well as other incidences where there is a high risk of violence towards an individual. The court issued 18 panic buttons during April 2012 which resulted in 20 panic calls but by June three calls a day were being received by the specialist communications centre in Buenos Aires. Fifty panic buttons were distributed in the first phase of the project in Tigre during March 2012 with the aim of increasing this figure to 100. A further 10,000 panic buttons have been ordered from China with demand expected to be significant for this high profile victim protection initiative.

When the panic button is pressed the victim is automatically connected to a repeat victimisation suite in the police communications centre. The GPS device simultaneously notifies police personnel of the location of the individual at risk as well as the nearest potential police response. The police call handler is able to speak to the victim via the device to determine the nature of the incident (if direct communication is not possible due to the victim's circumstances then an ambient monitoring system enables police responders to listen to the event without noticeable intrusion). The operator is able to use the case information that is on the system and forward a picture of the potential victim and offender to police officers to assist with the response.

While similar programmes have been developed in the United States and Spain, they have been comparatively small in their scope. The UK has also experimented with panic buttons

although mainly in rural areas where it is difficult to ensure a swift response to remote locations (Argyll, 2011; Brunetti, 2013; TVP, 2013). As such, the Buenos Aires model represents an innovative and imaginative leap in applying widely available and comparatively low-cost surveillance technology to enhance victim safety in an urban area with high density crime problems. Furthermore, the system represents an acknowledgement of the limits of the city's capacity to protect vulnerable victims of repeat violence and a desire to facilitate a smarter use of scarce police resources. The acknowledged limits of the sovereign state within a Latin American context thus allows the police to experiment with more innovative responses to risk management than would historically be politically permissible in the UK and other neo-liberal economies. Because of this, these often unexplored arenas present a potential site of new learning for police agencies to develop innovative surveillance responses to risk management problems.

Potential implications of the Panic Button Programme

It is essential to understand surveillance technologies as social and policy constructs where the function of the technology is determined by the environment in which it is utilised and experienced by the public. Technology manifests itself in different forms in different socio-political and cultural contexts. Therefore, new surveillance programmes must be understood as products of their environment; they are creations of the criminal justice agencies which have developed them and the offenders/victims who interact with the technology. The development of surveillance technologies within UK criminal justice has been characterised by initial expansion followed by clearer targeting of specific offender groups. With limited exceptions, these developments have excluded victims. Integrated surveillance systems supported by human contact have the potential to enhance trust and confidence in the police, particularly with young people for whom virtual visualisation and active real-time monitoring are normal social functions. Thus, the technology can be embedded in pre-existing everyday technology that renders it invisible and negates potential stigmatisation. This has potentially positive policy consequences for a Police Service that is increasingly concerned with the contested imperatives of service provision, economies of scale and issues of legitimacy (particularly concerning the consequences of police contact with its service users). The development of victim-focused surveillance programmes embedded in existing multi-agency policing structures fits neatly into the contemporary language of technological development, demand reduction and the smart use of scarce resources. The following sections outline three areas of potential value for policing agencies from the panic button programme, namely: victim-focused policing, compliance and effectiveness, and demand reduction.

Victim-focused Policing

The value of victim-focused policing for enhancing police legitimacy is widely recognised (Clark, 2005). Policy trajectories within criminal justice have increasingly emphasised victims' interests and led to the development of victim-focused policies that emphasise the management of risk and the psychological benefits of victim-focused policing strategies (Ibarra and Erez, 2005). Yet, there remain concerns about how police resources should be deployed to minimise the threat of repeat violence. Lessons from domestic homicide cases highlight the importance of understanding the profile and needs of repeat users of police services and their relationship with policing services (Stanko, 2008). A 2007 IPCC 'Learning the Lessons' report noted the limited capacity of the Police Service to proactively promote the safety of victims and to understand, audit and monitor the escalation of dangerous behaviour that can lead to murder. Furthermore, there remains evidence that, despite their high risk status, some police officers do not regard victim-focused domestic violence cases as a core police function (Loftus, 2010).

These knowledge gaps and cultural dynamics have led to a policy emphasis upon increasingly intrusive and extensive offender monitoring in the UK that has almost wholly excluded the potential of monitoring technologies to enhance victim safety. Exclusion orders and small victim-oriented pilot programmes remain rare exceptions to these developments. The panic button system overcomes the problem of needing, but not having, constant supervision to make an individual feel safe at times of high personal risk. The advantage of the panic button system over the multitude of personal safety applications available for smart phones is that the system provides an individual's GPS location in conjunction with immediate support over the phone and an emergency service response. While private security providers emphasise the speed of response to their services, independent evidence suggests that the co-ordination of an immediate police response can be problematic (McCahill, 2002). The system is also protectively designed to send out an alarm if the panic button is switched off or if the battery runs out to which operators respond by calling after fifteen minutes to perform a verification and safety check (the phone can still receive calls).

It is the potential of imagined observation as much as observation itself that can act as a source of reassurance for the victim. Erez and Ibarra's (2007) evaluation of bilateral electronic monitoring systems in the United States identified an impact on the way that victims' interpret their own safety once a programme has been instigated that validates their safety concerns. This includes the positive influence of criminal justice personnel engaging

directly with victims,, recognition of their right to protection, and improved police understanding of victims' needs (Bittner, 1967). This positive engagement avoids the damaging impact of victims' perceiving that their problem has been trivialised and the potential exclusion of the problem from criminal justice processes. Over time, this victim-focused approach may help to re-configure how individuals function in social spaces as their confidence is re-built in the absence of physical threat. This has positive implications for policing agencies as victims engage with a form of personalised justice that validates, rather than marginalises, their experience of victimisation.

Compliance and Effectiveness

Surveillance technologies often do not work as expected within the arena of criminal justice due to resistance from non-compliant offenders. This resistance can lead to the displacement of offending and a variety of other adaptive strategies utilised by offenders to circumnavigate the restrictions placed upon them (Paterson, 2007). Thus, a gap emerges between policy intentions and practical consequences. This is not necessarily the case with victims who are much more likely to embrace a self-selected technology that makes them visible to the authorities when they are in need of assistance. The active and responsibilised victim has previously consented to the use of technology which enhances compliance and the potential for pre-emptive action. Thus, surveillance potential is harnessed to enhance victim safety, to decrease the risk of more serious violent offences, and to reduce demand for police resources that would be used in subsequent investigations. This approach also protects other members of the household, such as children, from the psychological impact of violence.

Furthermore, an understanding of the risk of violence can be generated via the digital traces left across a myriad of partnership policing agencies to develop an intelligent, proactive and, potentially pre-emptive, response to the threat of violent victimisation. The panic button programme provides the potential to task police officers with specific expertise in domestic (or other) violence to manage these incidents and to negate any impact from the enduring legacy of reactive, action-oriented canteen culture. The incident-led focus of reactive policing is not structured to respond to the ongoing social process of prolonged repeat victimisation that occurs with domestic violence and hate crimes (Chakraborti, 2009). While police officers may believe that an incident has been managed effectively, the low-level impact of the experience of victimisation continues unresolved, resulting in dissatisfaction with the Police Service. Therefore, a victim-focused bilateral electronic monitoring strategy provides the potential to both control a potential threat and to protect an individual. Within this context,

police officers perform a key role in recognising the continued threat to an individual and reinforcing a victims' sense of their right to occupy space (Erez and Ibarra, 2007:103).

Despite this potential, it is important not to over-emphasise the value of bilateral electronic monitoring programmes. It is important to recognise the limitations of the technology so as not to generate high expectations of the programme and technology that result in a negative reaction whenever the programme fails to produce its pre-determined outcomes. Therefore, it must be acknowledged that new technologies experience problems and do not provide the physical protection required in the highest risk cases. The technology also needs to be embedded in a holistic programme that recognises the needs of repeat victims of violence and the psychological impact of surveillance. In contrast to Erez and Ibarra, Römken (2006) found in Dutch and United States studies that victims often did not use the panic button as they associated it with a potential criminal justice outcome for the perpetrator. In Römken's example the continued presence of offender-focused mandatory arrest policies ran counter to the aims of the victim-focused approach. Thus, programmes premised on a deterrence perspective may neither enable demand reduction nor integrate a victim focus into domestic violence policing.

Demand Reduction

The tightening of public expenditure and the sustained presence of demand reduction language within UK policing and criminal justice since 2010 has encouraged innovative ways of thinking about strategic, problem-oriented responses to crime problems. The Police Service face an estimated total workforce reduction of 34,000 staff from 2010-2015 which will return its overall size to 2003-4 levels (HMIC, 2011). While the relationship between police numbers and crime levels remains unclear, the effective deployment of police officers can have a direct impact on crime levels (Bradford, 2011). In response to this, many forces have undertaken demand analysis to look at creative and innovative ways to reduce the need for resources and some have used GPS devices to support this (Murray and Campfield, 2011; Geoghegan, 2012:66).

An audit of police call demand in 2000 indicated that the police in the UK receive a request for help related to domestic violence every minute (Stanko, 2001). Furthermore, evidence suggests that 30-50% of all calls to the police relate to repeat incidences of domestic violence (Farrell, 1999). Both of these figures represent only a small proportion of actual incidents of domestic violence with the British Crime Survey estimating that only 13% of partner abuse is reported to the police (Stanko, 2008). Panic buttons have the ability to

assist in the management of resource intensive cases involving repeat victimisation and to help minimise the possibility of the escalation of violence. While estimating the scale of domestic violence, both visible and hidden, remains an enduring challenge, it is clear that serious violent behaviour is predictable. This makes the combination of intelligence-led policing and a surveillance-enabled response a smarter use of scarce resources within a challenging economic climate. Response speed can be accelerated through an interconnected system that enables action at-a-distance to identify high risk instances and anticipates potential threats against vulnerable repeat victims. The system also allows the police to simultaneously collect evidence for investigations (van Brakel and de Hert, 2011).

The implementation of surveillance technologies in criminal justice and policing has often been met with prolonged evidence gaps as policy-makers rely upon an intuitive sense that technology is able to solve social problems. This has resulted in a scattergun targeting of surveillance technologies at often poorly understood problems. Evidence-based policing remains of vital importance to the practical use of surveillance technologies as it helps challenge uncontested sales pitches from the private sector and ensures the more effective use of scarce resources. In Buenos Aires, the cost of the panic button programme is one person monitoring the system in comparison to the four officers required to resource 24 hours of police officer monitoring for one person (Solano, 2012). Yet, initial programme development will require significant investment in personnel. Previous studies on the use of surveillance technologies have indicated that investment in technology must be supported by a similar investment in human resources to ensure the speed of response to the people monitored is maintained (McCahill, 2002).

Conclusion

Each electronic monitoring review has demonstrated frustration at the inability to integrate electronic monitoring technologies into policing and offender management structures due to the limitations presented by restrictive centralised contracts that stifle local innovation. The potential of current electronic monitoring technologies to enable smart policing via flexible monitoring schemes for victims and offenders, crime scene correlation, live monitoring satellite maps, and inclusion/exclusion zones is clear. Police recording systems have the potential to monitor repeat service users and to use this data to assess risk. This allows an integrated criminal justice response to identify the most effective forms of support and/or intervention to prevent repeat victimisation and the escalation of violence. It is possible to draw inferences about the potential use of panic buttons in the UK from existing evidence on the use of surveillance technologies to improve the policing of domestic violence. Most

clearly, the programme enables victim-focused policing that enhances a victims' sense of their own safety, reduces the risk of repeat violence and has indirect benefits for police legitimacy. The programme does this by focusing the surveillance gaze on self-selected victims who are more likely to comply with the aims of the programme than offenders who actively resist attempts to monitor their behaviour. The programme subsequently enhances police effectiveness through the more efficient deployment of resources and the pre-emptive prevention of crime. The potential to reduce domestic violence homicide and associated investigations is clear, as is the opportunity to efficiently manage the high volume of domestic violence calls that dominate police business outside of major urban areas.

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