

Legitimacy and Technology

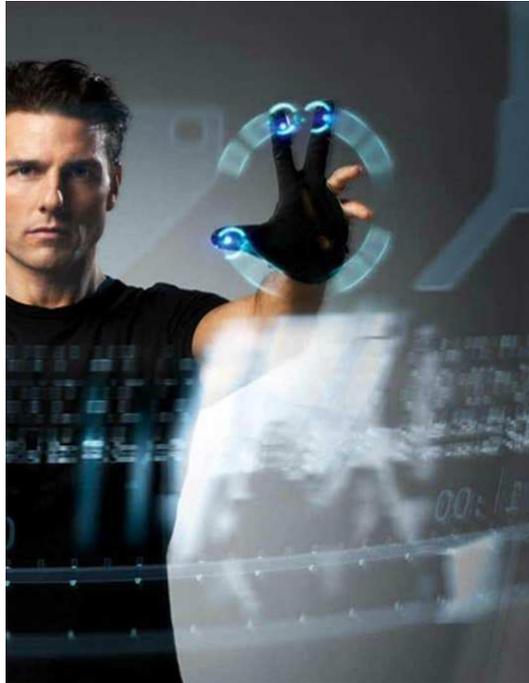
Street policing in a smart society
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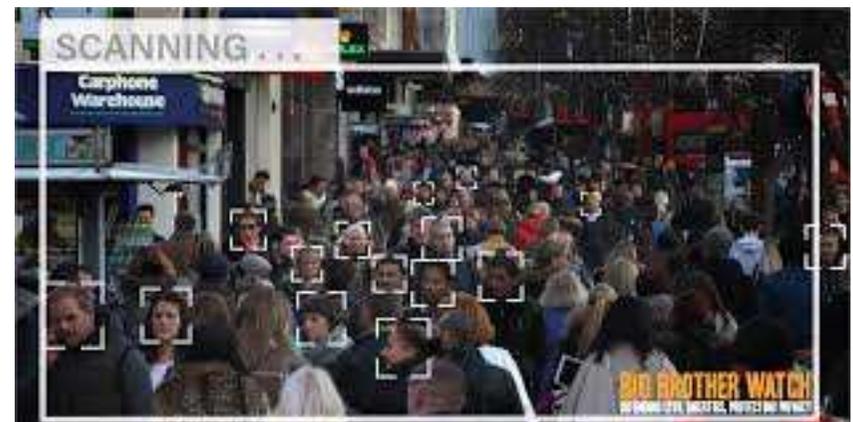
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The Scottish Institute for Policing Research



‘It was terribly dangerous to let your thoughts wander when you were in any public place or within range of a telescreen. The smallest thing could give you away. A nervous tic, an unconscious look of anxiety, a habit of muttering to yourself – anything that carried with it the suggestion of abnormality, of having something to hide. In any case, to wear an improper expression on your face (to look incredulous when a victory was announced, for example) was itself a punishable offense. There was even a word for it in Newspeak: facecrime, it was called.’



Outline

- Police legitimacy –what is it and why should we care?
- Technology & street policing in smart societies
- What do we know about technologically mediated contact & police legitimacy?
- Examples of tech & digital policing
- Considerations & concerns
- Legitimacy, technology & the Abstract Police
- Organizational justice, public confidence & information sharing: building legitimacy in community policing
- Concluding comments



Police legitimacy –what is it and why should we care?

- Four axes of legitimacy: trust & policing styles, police-citizen interaction, use of force, oversight/accountability (Noppe, Verhage, Van Damme, 2017)
- Purpose of policing? Crime reduction? safety/wellbeing?
- Policing by consent
- Procedural justice, legitimacy, public confidence, compliance & co-operation
- Riding ‘wave’ of legitimacy? (‘rise and fall’, Reiner, 2000)
- Legitimacy as dialogic & relational (Bottoms & Tankebe 2013)
- Context (historical, political, social, tech...)? Future?

Tech and street policing in smart societies

- Smart City as a cyber-physical system (geographic & virtual) –straddles local and international policing boundaries
- Crime as cyber-enabled, cyber-dependent
- Fits ‘globalised comparative criminology’ approach (Pakes 2010): focus on local with sight of global backdrop
- ‘Smart’ system as ‘solution’ (safety?) or problem? (e.g. risk of data security)
- Tech is not neutral (Heidegger, 1979)



What do we know about technologically mediated contact* & police legitimacy?

- Procedural justice & face-to-face interactions –but in digital sphere?
- Assumes co-presence*: ‘moves the focus of the debate firmly onto the street and everyday encounters between police officers and citizens’ (Bradford 2012: 15).
- Technology as disruptive to a field (online dispute resolution – Rabinovich-Einy and Katsh 2014)
- ‘technology is not neutral. Each technology has properties.... Each has constraints, preconditions, and side effects that impose requirements and changes on the things with which it interacts, be they other technology, people or human society at large.’ (Norman 1993: 243)

**acknowledge contribution of collaborators e.g. Dr Helen Wells*

Examples of tech & digital policing

- Tech in face-to-face police contact (mobile phones, body worn video...)
- Online contact e.g. crime reporting ('single online home'), police social media (Ralph PhD thesis)
- Surveillance, security & policing solutions (facial recognition, drones)
- Tech & investigation (digital forensics 'cyberkiosks', drones...)
- Big data, predictive policing, AI





Technology & frontline policing

- Mobile phones, mobile data terminals (focus of research on police user perspective... public attitudes?).... [Potential future use -PredPol?]
- BWV: reduce complaints & use of force (e.g. Ariel et al. 2017). Improve trust & transparency (Sousa et al. 2015) BUT Rowe, Pearson & Turner (2017) BWCs may raise standards of police-citizen interactions but concern they may constrain discretion.... [tech & 'organizational justice'?... self-legitimacy?]
- *What the police do* when they interact? (engagement methods more associated with public confidence than enforcement methods -Hail, Aston O'Neill, 2018)



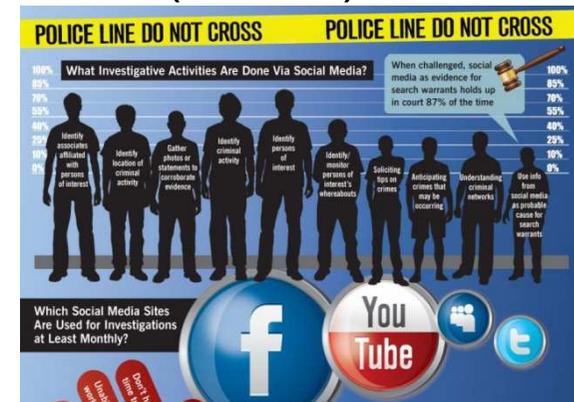
Policing, online contact & social media

- Responsive? (reach new demographic?) efficiency? (cuts?)
- Single Online Home' / 'channel shift' (England) –reporting etc
- 'The public now expect us to have a significant online presence, with a similar level of functionality and ease of use to other services they access on a daily basis' (NPCC)
- 'all of the generations coming up, that's how they communicate.' (Div 5, Aston & Hail ENU strategic analysis of local policing) BUT public want geog presence
- Social media followers & public safety /resilience
- Ralph (PhD thesis) dynamics of police legitimacy within & between police & citizens; digital & physical spaces: interplay between instrumental & normative models of policing; how power is enacted



Surveillance, security & policing solutions & investigation

- CCTV & online surveillance
- Foth et al. 2014 & participatory sousveillance (Mann)
- Facial recognition
- Investigation on social media
- Digital forensics ‘cyber kiosks’
- Drones ‘visual monitoring’
- Big Data and predictive policing & Artificial Intelligence





Big data surveillance, policing [& legitimacy]

- ‘rationalizing force, with potential to reduce bias, increase efficiency, and improve prediction accuracy.’ OR ‘technologically reify bias and deepen existing patterns of inequality’ (Brayne 2017: 978)
- Discretionary assessments of risk supplemented & quantified using risk scores, self-perpetuating cycle (Brayne 2017) [...expertise & self-legitimacy?]
- ‘automated data grazing’, automatic alerts surveil larger numbers & threshold lower –wider and deeper (net-widening) [legit?]
- ‘prediction’ & merging of datasets fits with prevention & partnership working BUT *implementation* can increase inequality in CJS, reduce access to support services & extend net of social control [impact on legitimacy of police & wider organisations?]

Considerations & concerns

‘the introduction of technology is happening before legislators and society at large have had the chance to reflect on the consequences; the mechanisms required to ensure technology is used with appropriate transparency, fairness and accountability are not yet in place’ (Bowling and Iyer, 2019: 156)

- Ethics? Challenges to public confidence?
- Accountability /governance (multiple actors in ‘system’)... what is the impact of other parties involved in policing on the state police (& vice versa?)
- Context (historical, political, social) & globalisation e.g. migration, terrorist threats
- Communities, inaccessibility, equity? Inequality?
- Discretion, automation & professionalization?

Legitimacy, technology & the Abstract Police

‘relations with citizens may become less personal and direct and more dependent on abstract police information systems... One may wonder what consequences the increasing abstractness of the police have from the perspective of citizens.’

(Terpstra)

- Historical amnesia? Cars & radios as tech innovation BUT new systems/tech transcend micro, meso and macro scales at click of a button
- Reliance on systems (system/police driven [public?])
- Mobile working, canteen culture & wellbeing [OJ, self-legitimacy?]
- Access, audit trails & governance (OCGs & corruption) [but – sousveillance & impact on police & self-legitimacy?]

*Organizational justice, public confidence & information sharing:
building legitimacy in community policing (*Aston et al.)*

- Barriers & facilitators to sharing information with police
- All aspects of organizational justice (procedural, interactional and distributive) salient in interactions with police & public
- Org justice builds legitimacy... increases confidence (as do trustworthiness & effectiveness)... information sharing
- Alongside public confidence, data security and accessibility (esp. face-to-face long-term relationships) also important for info sharing

**forthcoming -acknowledge co-authors (O'Neill, Hail & Wooff) & Unity partners*



Concluding comments

- Gap re PJ & experiences of tech in policing –neutrality? [equality over equity?]
- Tech, sousveillance (Mann 2004), wellbeing? Distance, multiple actors & governance... impact on public & police legitimacy?
- Abstract police, systems reliance, sousveillance... wellbeing & self-legitimacy... implications for street policing (Bradford & Quinton 2014)
- Legitimacy dialogic & relational (Bottoms & Tankebe 2013)... so tech /abstract police disrupts legitimacy & policing by consent
- Dynamic model of org justice (Aston et al. 2019), legitimacy dialogic & relational: explore tech within police org & CJS
- Unintended consequences, difficult to scale back (Brayne 2017) –but humans important [... so question & resist? OJ]

THANK YOU!
Any Questions?

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