What does the law hold for police officers, police organizations and police performance around the world? In general, legal frameworks provide a sheer comprehensive codification of norms and rules according to which policing activities should be performed. Laws and regulations prescribe the conduct of police officers. Hence ‘the law’ is a prescriptive canon and offers a series of normative guidelines for a significant range of activities, from routine activities such as information-gathering, conducting surveillance, taking a testimony or performing an arrest. At best, police legislation is coherent and consistent, but there are many instances in which it seems that legislation related to policing is scattered across many different laws and regulations, which have incrementally been adjusted and reformed. Nationally, and particularly within federal states with highly autonomous local or regional forces, there are multiple rules that may not necessarily be harmonious or compatible. Moreover, the responsibility for law enforcement may be entrusted with different actors and agencies, such as the public police service, private security providers, customs agencies, border control agencies and a range of specialized investigatory authorities. Hence, it may be argued that despite the inherent ambition of legislators to lay down coherent, consistent and sustainable frameworks for policing, norms for law enforcement are rather fragmented and cumulative, even within the realm of national jurisdictions.

Laws are applicable within relevant jurisdictions, accessible to citizens and police practitioners alike, legible for everyone and applicable in the daily practice of policing. However, consistent application of legal norms may be undermined as a result of different appreciations or interpretations, depending on the personal outlook of the police professional. Except for the fragmentation of legal norms within and between jurisdictions, the police organization is known to embody a rather ‘narrative culture’, in which stories encapsulate and transfer professional knowledge, values and opinions. ‘The law’ presents a normative benchmark for policing, but the gap between black-letter law and the daily routine of policing may be considerable. It is often when things go wrong – through police misconduct such as fraud, corruption, racial discrimination or physical abuse – that the system is put to the test. Examples are the many committees and inquiries that were initiated into policing matters: thorough investigations have laid bare substantial legal voids in which the practice of policing gradually drifted away from what the legislator had in mind. In several cases, these investigations provided an incentive for legal adjustments and legal reform.

Vested with the monopoly of violence, police act as the long arm of the state, and as they are loyal to their political masters, police monitor, harass, arrest, torture and even kill people who are categorically seen as government opponents, criminals or terrorists.1 History shows many

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1 See E Bittner, The Functions of Police in Modern Society (Gunn and Hein 1970); TB Bowden, ‘Guarding the State: The Police Response to Crisis Politics in Europe’ (1978) 5 Brit J L & Socy 69; DH Bayley, Patterns of Policing: A Comparative International Analysis (Rutgers University Press 1990),
cases in which whole police organizations completely derailed as a consequence of loyalty to dictators and abusive regimes. Often, in these contexts, the law offers no remedy or is even suspended. A book could be written full of examples of countries where the state of emergency was perpetuated and in which citizens’ rights were frozen. Hence, around the globe, legal black holes can be identified in failing or fragile states. When recuperating from these situations, states often have to undergo an entire refurbishment of police, judicial as well as prosecutorial authorities. This is often the context in which laws have to be (re-)written. But the reasons for refurbishing police rules and systems are often more mundane: governments are continuously adapting their structures and organizations in the search for more effectiveness, efficiency and accountability. Trivial as these legal changes may seem, they often have a profound effect on the functioning of the police organization and its officers.

**LAW AS A FORM OF CODIFICATION OF POLICING**

For those who adhere to Sir Robert Peel’s principles – that formed the cornerstone of modern British policing – there is a godfather-like sentiment when one realizes that these principles travelled all over the world, no doubt piggy-backing on the far-reaching waves of the expansive British Empire. The ‘apocryphal’ character of the Peelian principles is particularly interesting when reflecting that they provided a relatively easy, consistent, transposable normative template which apparently fitted almost every context. His principles had a mimetic effect: while first conceived in London, they formed the basis for many police models around the world, such as in the United States. Models like Community-Oriented Policing (COP) are heavily styled onto the Peelian principles as they are believed to contribute to police legitimacy.  

One can hardly think of any legal framework which has had such a vibrating effect on policing. It almost seems forgotten that Sir Robert Peel, who was Home Secretary of England, introduced a special Bill for Improving the Police in and Near the Metropolis (Metropolitan Police Act) to Parliament, leading to the establishment of the London Metropolitan Police on 29 September 1829, which ought to focus primarily on crime prevention.

Hence, by introducing this Bill, Peel prepared the ground for the codification, consolidation as well as ‘canonification’ of modern policing.

The intrinsic relationship between the police and the law delineates the jurisdiction within which the police organization holds responsibility and in which it is made accountable to the relevant central authority. Furthermore, the law delineates the discretionary powers that can be exercised by sworn police officers and provides legal legitimacy to the police organization as a whole, seeking to ensure systematic and unequivocal adherence to the law.

By adopting a living law perspective throughout this volume, it is proposed that legislation coins the basis for the transition of informal to formal policing, thus removing the voluntary, private or even militia-type character of previous models of policing.

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2 Peel still enjoys support around the world, see the blog by Nick Pinto, ‘The Point of Order’ (<www.nytimes.com/2015/01/18/magazine/the-point-of-order.html?_r=0>) accessed 5 January 2018.


**Table 0.1  Transitional impact of the law on policing**

<table>
<thead>
<tr>
<th>Presence of a legal framework</th>
<th>Absence of a legal framework</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Formal</strong></td>
<td><strong>Informal</strong></td>
</tr>
<tr>
<td><strong>Sworn, professional</strong></td>
<td><strong>Voluntary</strong></td>
</tr>
<tr>
<td><strong>Public police</strong></td>
<td><strong>(Potentially) private police</strong></td>
</tr>
<tr>
<td><strong>Embedded at state level, centralized, uniformity, cohesive</strong></td>
<td><strong>Embedded in local community, decentralized, differentiated, fragmented</strong></td>
</tr>
<tr>
<td><strong>Legal uniformity</strong></td>
<td><strong>Legal pluralism</strong></td>
</tr>
<tr>
<td><strong>Standardized rules, legal coherence</strong></td>
<td><strong>Locally dispersed rules</strong></td>
</tr>
<tr>
<td><strong>Official rule-based supervision</strong></td>
<td><strong>No official supervision</strong></td>
</tr>
<tr>
<td><strong>Parliamentary endorsement of legal rules for policing</strong></td>
<td><strong>No democratic legislative process</strong></td>
</tr>
<tr>
<td><strong>Legal accountability</strong></td>
<td><strong>Lack of legal accountability</strong></td>
</tr>
<tr>
<td><strong>Official entitlement of governmental authority</strong></td>
<td><strong>No legal entitlement of governmental authority</strong></td>
</tr>
<tr>
<td><strong>High guarantee of political neutrality</strong></td>
<td><strong>Low guarantee of (political) neutrality</strong></td>
</tr>
<tr>
<td><strong>Equity of justice</strong></td>
<td><strong>Disparity in the distribution of justice</strong></td>
</tr>
</tbody>
</table>

A legal framework is defined as an indispensable cornerstone of modern policing. The effect of legislation on policing is manifold and originates from several different legal disciplines, i.e. anti-terrorism legislation, security acts, crime acts, criminal procedure acts, data protection legislation, human rights legislation, police reform legislation, (special) investigatory powers, serious organized crime legislation, traffic and traffic offence legislation, financial investigation /anti-money laundering legislation (asset seizure, confiscation etc). Moreover, jurisdictional mimesis and cross-overs may be witnessed: police legislation may be subject to ‘copying and pasting’ across jurisdictions. International police co-operation and the globalization of policing stimulate the transnationalization of legal frameworks which apply to different realms of policing.

**THE INTERACTION BETWEEN THE POLICE AND THE LAW**

The law entitles the police organization to exercise its powers and to perform its tasks and duties. Moreover, the law also gives rights, privileges and immunities to police and law enforcement officers. On the other hand, the law can be regarded as ‘permissive’ with regard to policing, but it is also ‘restrictive’ in that it lays down conditions and limitations for the functioning of the police. Laws also lay down norms for police supervisors, managers, leaders, legal and governmental authorities.

In this context, we may observe deep differences between national jurisdictions. For instance, police forces in England and Wales enjoy higher levels of discretionary autonomy than their colleagues on the European continent, where one finds mostly inquisitorial systems in which the prosecution service leads the police. The law endows police officers with rights and duties. After having been sworn in as a police professional he or she acts as a representative of a civil authority or government. They are supposed to guarantee equity of justice. While over- and under-policing should be avoided, police organizations have to think hard about how they

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wish to distribute policing, for instance through the provision of regular surveillance, call-centres or crime prevention programmes. In addition, budgetary allocations for policing may differ significantly between different levels of government and hence indirectly contribute to a regulatory gap between the legal norm and the actual practice of policing.

The law lays down an expectation of rule compliance. The police act when rules are not abided by or are violated. Or do they? Police also have to act permissively in the sense that violation of the law by citizens may be accepted or tolerated. Police officers are even expected to ‘emancipate’ the citizens and make them aware of legal rules. In many countries, police organizations actively engage in wide-ranging (crime) prevention programmes. But in order to assess whether a citizen acts in contravention of the law, individual police officers have to have recourse to their knowledge of the law, allowing them to judge the confines of their own professional discretion.

Notwithstanding the important significance of the law as a form of codification, consolidation and canonification, legislation alone does not suffice to infuse life into policing. Additional components are required to ensure a proper functioning of police organizations and their officers. As Kelling and Moore argue:

There is a renewed emphasis on community, or political, authorization for many police tasks, along with law and professionalism. Law continues to be the major legitimising basis of the police function. It defines basic police powers, but it does not fully direct police activities in efforts to maintain order, negotiate conflicts, or solve community problems. It becomes one tool among many others. Neighborhood, or community, support and involvement are required to accomplish those tasks.

Moreover, Marx argues that in a democratic society, police is based on three pillars, namely a police force is ‘subject to the rule of law embodying values respectful of human dignity, rather than the wishes of a powerful leader or party’, ‘can intervene in the life of citizens only under limited and carefully controlled circumstances’ and ‘is publicly accountable’.

Without doubt, given the vast demands which are also subject to rapid expansion and change, policing as a profession has gained in complexity. Police officers are accountable under ‘the law’, but what does that mean in practice and, even more importantly, what does it mean for their understanding and appreciation of the law? Legislation itself is a very complex and dynamic process, leading to continuous adaptations in the professional arena of policing. While police officers may be represented in trade unions and professional (lobby) organizations, they may not necessarily be welcome participants at the negotiation table. ‘Law-making’ is often done for police officers and hardly even by police officers. Still, during the process of legal reform, when drafts of new laws or bills are circulated and discussed, they may be in a position to express their opinions. Surprisingly little is known about whether, and if so to what extent, police officers can and do exercise influence on the legislation process. In the era of

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7 E Bittner, The Functions of Police in Modern Society (Gunn and Hein 1970).
deliberative democracy, our academic inquiry ought to be extended into whether and to what extent police officers participate in law-making processes.

We also have a remarkable lack of knowledge about how (new) legislation relevant to policing is taught at police academies and how this legal knowledge is then applied in practice. When analysing police training programmes, limited attention seems to be paid to the legal dimension. In a way, ‘law’ can be seen as a compulsory part of any curriculum. Paradoxically, the omnipresence of the law in police training and education programmes turns it into an almost invisible sub-stream of policing. How well-versed should a police officer be in legal norms and rules? Particularly with the adoption of police principles and their sheer evangelical spread across different jurisdictions, policing seems more about implementing value-based strategies than about policing which is legally compliant. Should we read models of policing as a disguise for a legal-normative disentanglement by police organizations? Or, vice versa, how do the prevalent models of policing ingrain legal norms and principles? Often, there are references to human rights or civil rights, but there is mostly talk of ‘effective’, ‘efficient’ and ‘legitimate’ policing, the latter more often connoting public legitimacy than legal legitimacy. This gives us reason to assume that the significance of ‘the law’ has gradually been overshadowed as the basis for policing.

POLICE LEGISLATION AS STRATEGY OF GOVERNANCE

The public police is often defined as the long arm of the nation state.\textsuperscript{8} Given the intimate connection between the state and the public police organization(s), it is instructive to perceive police legislation as a governing strategy aiming to achieve constitutionalization, legitimization, institutionalization, standardization and empowerment. Policing is part of everyday society as well as a public administration instrument. Hence policing is a way to perform public governance. Legislation lays down the distributional contours of the different segments of policing. As such, the law may pave the path for centralization, amalgamation or a fusion of different forces. A restructuring process can hardly ever be effectuated without the adoption of legislation. As legislative processes take place at state as well as non-state level, police governance strategies may be stretched beyond the strict delineations of national sovereignty.

Police Legislation as a Constitutionalization Strategy

Police legislation can first be defined as a constitutionalization strategy, or, in the words of Ajevski,\textsuperscript{9} as a ‘hegemonic narrative’. Defining the police as an extension of state hegemony implies that the police acts as an essential pillar of a constitutional state.\textsuperscript{10} Police law brings the police under the realm of the national constitution, aligning the status of police with different

\textsuperscript{8} See e.g. MC Guzman, AM Das and DK Das (eds), The Evolution of Policing. Worldwide Innovations and Insights (Taylor & Francis 2014).


\textsuperscript{10} See e.g. J Hall, ‘Police and Law in a Democratic Society’ (1953) 28 Indiana LJ 133.
levels of government, e.g. municipal, regional, provincial. The constitutional order can create legal coherence and unity, or – in a jurisdictionally differentiated context – it can establish or restore fragmentation. Yet authors warn that there is no guarantee that this strategy of governance actually produces the intended outcome. In this volume, the law may be conceived as a constitutionalization strategy, providing the police organization with a binding set of fundamental normative principles and linking the police with its constitutional context. With Walker, we perceive policing as being profoundly influenced by the constitutional order in which the police is situated.

**Police Legislation as a Legitimation Strategy**

The second proposition is to view police legislation as legitimization strategy. In the face of civil unrest and protest, there has been a need to ‘legitimize’ policing. In laying down rules, police malpractice can be prevented in that police corruption and lawlessness (gambling, prize fighting etc) can be countered. Legislation defines in a way what legally accountable policing is but also lays down the professional demands on policing on the basis of institutionalized training, licensing and the alignment of professional practices. Legislation provides citizens with a frame of reference for evaluating the performance of police officers and for holding them to account. Moreover, legislation can contribute to the legitimization of already existing or quietly adopted practices, such as in the realm of undercover policing. An example of the latter is the adoption of legislation on special police investigation methods in countries like the Netherlands and Belgium. In the end, procedural justice in particular has been identified as a key component in influencing police legitimacy and trust in the police.

**Police Legislation as an Institutionalization Strategy**

The third proposition is to view the law as an important building block in the police institutionalization process. Police historians such as Emsley, Fijnaut or Williams reflected on...

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tion’ (2014) 87 Police J, 75.
the significance of legislation for the creation of the police institution. Police organizations are highly formalized structures, most often characterized by a vertical bureaucracy, specialized units and technical rules. Moreover, police organizations adapt themselves to their institutional environments too. Legislation provides police organizations with the rules for the distribution of powers and mandates. Moreover, legislation can buttress isomorphism within and between police organizations. Institutionally, legislation can be regarded as a homogenization of values and principles. As legislative frameworks are meant to provide legal coherence, they can be seen as elementary building blocks in institutionalization processes.

**Police Legislation as a Standardization Strategy**

The law embodies the creation of uniformity and standardized practices throughout the police organization on a wide array of policing tasks, such as public order control, traffic control or criminal investigation. Hence, legal frameworks provide an essential basis for compliance across the whole police organization as well as for the professionalism of civil service standards and delivery. By seeking to guarantee an equity of service, they have normative significance for civil service standardization. Concrete examples include (the need for) an enforceable definition of terrorism and organized crime in the context of European police cooperation, and more specifically in the context of police information exchange. Standardization can also be achieved on the basis of a shared tapestry of internationally ratified human rights norms, such as in the EU Charter on Fundamental Rights, the European Code of Police Ethics and international data protection frameworks.

**Police Legislation as an Empowerment Strategy**

The law awards an official status to police organizations as public service institutions and they are thus put in the position to exercise their duties and rights. The law gives agency to the police in the sense that it authorizes the police service to perform its services and duties. At the same time, the law empowers society and its citizens to monitor and scrutinize the performance of the police. On the basis of the law, they are legally entitled to file complaints against the police, and to demand access to justice as well as fair trial procedures. Within nation states as well as within international jurisdictions, legislation has been developed to protect citizens against the misuse of police powers. Citizens can use the law and refer to it in their demand for a human-rights-based police performance. For instance, in January 2016 the European Court of Human Rights delivered a judgment in the case of *Szabo and Vissy v Hungary*, in which the Court held that broad surveillance activities that had been conducted under the Hungarian anti-terrorism legislation had violated the rights of the applicants. In other words, mass

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23 PM Schneider and PD Martin, ‘Criminal DNA Databases: The European Situation’ (2001) 119 Forensic Sci Intl 232. See also the discussion about the standardization of crime prevention measures, such as anti-theft technology (see Manning, chapter 14).
surveillance activities by the special police force were regarded as a violation of the right to privacy, home and correspondence.24

LIVING LAW PERSPECTIVE

This volume seeks to adopt a living law perspective. Legal frameworks are continuously adapted as a consequence of socio-legal changes. Particularly in the era of the post-modern society, globalization, multi-culturalism, shifting governance structures and privatization, laws have to be adjusted to meet newly arising challenges and demands.25 A challenge within a rapidly changing world is that legal frameworks are generally not very elastic. Instead, legal frameworks can be rather rigid and immune to change. Hence, in many contexts, such as trade and industry, but also the arena of policing, one may witness a substitution of ‘hard law’ by ‘soft law’, such as regulations, protocols and rules of conduct, which may even have the effect of micro-normativity in the workplace. Laws related to policing may hence come in many different guises.

Law and History of Policing

From the many publications about policing it emerges that police organizations are not created out of the blue, but generally experience a long evolutionary process, closely associated with the development of the state. Hence, the book works on the view that legislation related to policing should be regarded as a sediment of legislative history: not so much a sentimental journey but a ‘sedimental’ journey which takes us across a chronology of different legal layers and regulatory interstices. This book seeks to avoid a tunnel vision when revisiting the police legislation process. The different topics have not been described against the backdrop of a static legal reality. There has been active discouragement right from the start to be trapped in a purely national or sectoral perspective. Instead, the chapters are based on a shared perspective of the law as an organic and interactive discourse. The living law perspective sees the law as being continuously exposed to political, legal, social and economic changes,26 necessitating the introduction of legal adaptations.

Law and Policing Culture

In his book The Politics of the Police Reiner refers to McBarnet,27 who argued that civil libertarians failed to draw a distinction between the general values which underpin the rule of law and concrete legal rules, i.e. a distinct gap between the ideology and the substance of the law. Reiner argues that: ‘The laws governing police practice are sufficiently permissive to give

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26 Newburn (n 25) 708.
27 D McBarnet, Conviction. Law, the State and the Construction of Justice (Palgrave 1981).
officers a wide range of discretion. The courts have often seemed ready to accommodate extensions of the rules to legitimate police practice.28

From a cultural perspective, it may even be questioned to what extent police practice is influenced by legislation: ‘Legal rules are neither irrelevant nor completely determining of police practice. Rather than acting as operational rules, legal rules may be used presentationally and act as an ideological façade.’29 Meanwhile, McLaughlin30 reflects on the cultural construction of the police, in which laws and regulatory frameworks which underpin the function of policing are combined with identity-shaping instruments for the police, for instance by means of symbols and narratives.

Law and Transnationalization of Policing

Globalization introduces several legal interstices between national and international law,31 which are hardly ever harmonious and may unleash tensions. Policing is far from immune to globalization as it is increasingly an activity that reaches across the borders of national jurisdictions. Gradually acknowledging their interdependence in the face of transnational terrorism and organized crime, police organizations perform their activities beyond traditional jurisdictional barriers.32 With this move, policing has become ‘transnational’ in nature as it encompasses activities such as cross-jurisdictional information- and intelligence-sharing, joint investigations and even operational activities.33 Transnationalization has transformed the state into a different institution than the one which was contemplated by the architects of the modern police, say Bowling et al.34

Enforceable legal mechanisms in the field of transnational crime control are still growing, illustrated by the growth of international criminal tribunals such as the International Criminal Court and war crime tribunals such as the International Criminal Tribunal for the former Yugoslavia (ICTY) and the United Nations International Criminal Tribunal for Rwanda.35 As Ip36 argues, the jurisprudence evolving from the decisions of relevant judges permeate and shape national criminal laws. Moreover, transnationalization of law has intensified international scrutiny of policing and criminal justice more generally.37 For instance, border polic-
ing, the policing of migrants and penitentiary policing are subject to international monitoring and (peer) evaluation commissions which screen and scrutinize on the basis of internationally agreed norms.

The current globalization era was preceded by several others, for instance very clearly demonstrated in the ‘exportation’ or ‘transposition’ of policing models to other jurisdictions. Former colonial policing was accompanied by normative transposition, i.e. the development of legal frameworks. Examples include police-related legislation in formerly colonized countries like India, Myanmar (Birma) and Indonesia, where substantial parts of the law were based on the legislative templates of the colonizing countries. Several and successive legal reforms are required to provide a new legal basis for policing, as has happened in former communist states in East Europe.

Law and Non-State Policing Actors

This brings us to another perspective in this volume: living law also takes us beyond the realms of the sovereign nation state. While the Westphalian model takes the state as the ultimate point of reference in both domestic and international law, the study of police in the context of legislation in the context of this book takes us beyond the nation state. This does not merely imply the study of policing in a transnational rather than national context, but also of policing beyond the public sphere, into the realm of non-state actors. Indeed, as Shearing and Stenning argue in their chapter, private policing has adopted vast dimensions and is still growing everywhere: has this development been matched with adequate legislation and how does it square with the law which governs the domain of public policing? Moreover, in several jurisdictions recent trends point towards increased civil-military co-operation as well as the activation of volunteer police for a range of activities. Do these trends presage legal adaptations? And how can legislation for public policing benefit from legal insights from legislation in – for instance – the private security industry?

Law and National Police Legislation

In line with the ‘living law’ perspective, this book also adopts an (international) comparative perspective in that it seeks to carve out the differences and the links between police legislation in different jurisdictions. Comparative perspectives can be enriching in the sense that they widen our knowledge horizon about police legislation. Hence, this book also attempts to analyse police legislation beyond the traditional realm of Anglo-Saxon policing. Several chapters will introduce material and cases from different countries, thereby underscoring the ‘vital importance of cross-national comparative research’. One of the leading questions in the

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context of this comparison is whether different jurisdictions build legal bridges and whether they are witnessing a gradual harmonization of criminal justice legislation and other legislation that may have an impact on policing. Particularly in regions with a close-knit form of co-operation, such as in the European Union, there are several examples of international legal instruments which have an impact on national policing and which therefore introduce legal convergence through the backdoor. Various authors in this book offer a reflection on the convergence between practices and procedures in and between police services.

Reading Guide

Police law covers a vast terrain. The ambition of this Handbook is not to be comprehensive, but to highlight the significance and the impact of the law on a range of policing fields. By means of analysing specific topics and themes, we will highlight the interactive dynamic between police and the law. When we study the vast amount of literature on policing, what seems to be strikingly absent or ill-represented is an analysis of national and international norms that impact – in one way or another – on policing. Even the search that forms the fundament of this book has revealed that legal knowledge on policing is somehow hard to find, and that it has been difficult to identify ‘legal silence’, ‘voids’ or ‘gaps’ in police legislation. What is not covered by the law but important nevertheless? Are there legal anomalies or, in history, legal intervals when nothing happened in the police legislation area at all? Moreover, future perspectives on policing force us to reflect more profoundly on the legal changes that are required to keep up with developments: Is e-policing going to be the new reality, taking into account the fact that a lot of crime goes ‘virtual’ on the Internet, with fewer physical offences? How does technology change the profession of policing, and will the law follow suit?

All authors in this volume are experts on a certain topic or field in policing, such as criminal investigation or public order policing. Rather than seeking to straightjacket the authors, each of them was asked to write about his or her specialist topic around some leading questions. Every author is original in the sense that he or she has written the relevant chapter from his or her own national, legal, cultural or organizational background. All authors can be regarded as absolute specialists in their topic field and many bring substantial experience with comparative and international academic research on the relationship between policing and the law. The authors were not constrained to a discussion of either primary and secondary law, hard and soft law, or law and regulations. In this volume, ‘the law’ is broadly defined as a set of codified norms that have been adopted by a legislative authority, and that are publicly enforceable.

This Research Handbook includes 22 chapters on a wide range of perspectives. It is particularly pleasant to see that there is a rich variety of authors from different jurisdictions all over the world. Moreover, the authors represent a flamboyant collection of early- and late-career academics, some of them with a practitioner background, but all with a passion for sharing knowledge on policing. With its huge variety of themes and topics, it is expected that this Research Handbook offers solid reading material for students of law and policing all around the world. With the increasing demands on training and professionalization standards for police officers at police academies and universities, Research Handbooks like this one often provide a welcome tapestry for the curriculum.

For reasons of convenience, the Research Handbook has been clustered around three main themes, which are: Models of Policing from a Legal-Comparative Perspective (Section I); A
Comparative policing from a legal perspective

Comparative Overview of New Issues in Policing (Section I); and Police Organizations from a Comparative Perspective (Section III).

Section I deals with classic themes in policing: international policing, plural policing, comparative policing, public order policing, criminal investigation, intelligence-led policing and undercover policing. The section opens with chapter 1 by Saskia Hufnagel, ‘A Comparative Legal History of International Policing’, in which she explains that although national police organizations tend to be enshrined in state sovereignty structures, the acknowledgement that crime, terrorism and public order issues move across borders has necessitated national jurisdictions to join their efforts in establishing international legal instruments and agencies for international police co-operation. In chapter 2, Clifford Shearing and Philip Stenning delve into a historical and analytical treatise of plural policing, in which they discuss the gradual privatization and specialization of policing functions that were previously considered of a public nature, primarily associated with the core functions of the state. Rob Mawby lays down a comparative perspective on policing in a legal context in chapter 3 and he does so from a global point of view, in which he observes dynamic policy transfer processes between jurisdictions, where contest and co-operation tend to be at work simultaneously. In chapter 4, Willem de Lint and Adam Pocrnic describe the development of public order policing from a global perspective, set against the background of ‘post-sovereignty’ policing: public order policing and crowd and riot control have functioned as a vehicle for the transfer of legal norms between national jurisdictions. Martin O’Neill describes the evolution of modern criminal investigation from a legal-comparative perspective in chapter 5, analysing the relevance of the Rule of Law on the individual discretion of police officers who work as criminal investigators, while taking into account the mutual influence between national jurisdictions as well as the harmonizing effect of supranational norms such as the European Convention on Human Rights (ECHR). Adrian James continues in chapter 6 with an international comparative perspective on what is widely called ‘intelligence-led policing’, which is a shift in policing from standard responsive policing to a proactive style in policing, in which the analysis of sensitive information plays a crucial role in determining police interventions. Section I is rounded off with chapter 7 by Clive Harfield on undercover policing from an international comparative perspective, still considered to be a highly exceptional form of policing that is applied in serious and complex investigations into organized crime, with the ultimate aim of preventing it from being committed.

The next section of the book – Section II – deals with emerging themes; ‘emerging’ in the sense that although these themes have been written about, they develop and mature rapidly, demanding an adaptive attitude from police organizations and from the national and international legislators. This section deals with topics ranging from the policing of terrorism, organized crime, mobility and migration, technology, to cyber and extraterritorial policing. Chapter 8 by Sirpa Virta, Tarja Mankkinen and Monica Den Boer sketches the latest legal developments in the rapidly transforming landscape of transnational terrorism and radicalization, and the role that police can play in addition to the secret intelligence services. This is followed by chapter 9, authored by Felia Allum and Stan Gilmour, who pose pertinent questions about the definition and strategic agenda-setting of organized crime within national and international police agencies; despite ample law-making, there is still room for improvement, they argue, particularly when it comes to standardization and implementation. Mo Egan continues in chapter 10 with a treatise on the policing of illicit financial flows, particularly money laundering, which
Introduction

has become part and parcel of almost every jurisdiction. In chapter 11, Tine Munk deals with the many facets of policing in the virtual space: cyber-policing has come along with national and international norm-setting, and confronts police forces around the world with huge challenges, given the rapid changes in the virtual world. Police forces across the world also carry the task of border policing, and in Europe, border policing of migration and mobility has been firmly on the rise, the legal context of which is analysed by Maartje van der Woude. Another challenge in policing that brings along the introduction of new legal norms is extraterritorial policing, which is dealt with by Maira Hassan in chapter 13. Peter Manning contributed chapter 14 on emerging themes by analysing the impact of new technology on legal norms and practices of policing. The section is drawn to a close by chapter 15, written by Paul de Hert and Juraj Sajfert, on the impact of international data protection and privacy requirements on police services around the world and more particularly in Europe, given that personal data are regarded as a goldmine for law enforcement and security purposes.

Finally, Section III predominantly deals with police organizational issues, including the increased militarization of policing as well as the civil-military co-operation, the need for more diversity in the still-traditional male police organizations, the reforms that were introduced in the police organization in China, police recruitment and training from an international comparative perspective, police research and evidence-based policing, police leadership and good policing. In chapter 16, Michael Head deals with legal perspectives on the growing militarization of domestic security and policing. Monica den Boer and Saskia Hufnagel analyse the legal norms pertaining to gender diversity in police workforces in chapter 17, with particular attention to international norm-setting activities for security and police organizations. Tom Xu and Yang Nan have laid down a historical perspective in chapter 18 on the successive legal reforms that were introduced in the Chinese policing environment. In chapter 19, Eduardo Perreira, Silia Gomes and Sandra Perez have synthesized their international comparative findings on training requirements for police work forces all around the world. Nick Fyfe, in chapter 20, puts down his perspective on the salience of police research and evidence-based policing for the perpetual development of policing as a law-embedded practice. In chapter 21, Vicki Herrington and Joe Schafer take us through an international comparative perspective on the legal imperatives for police leadership, by focusing on three Anglo-Saxon jurisdictions. Finally, Monica den Boer closes this Research Handbook with chapter 22, in which she lays sets out a comparative view of the developments in good governance of policing, police oversight and human rights.

Despite the vast territory that is charted in this Handbook, the themes of the chapters are necessarily based on a selection, which naturally means that large areas may remain uncovered, such as Community Policing, the policing of specific forms of crime, and the role that citizens play in support of public policing. The good news is that much remains to be researched and written about. Hopefully, this book helps to advance knowledge about policing one step further as regards understanding the complexity of a professional practice that has been much in debate – and will be, as long as policing continues to be one of the core tasks of public government.

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