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POLICE[1]-PUBLIC RELATIONSHIPS
WHICH IMPROVEMENT PLAN(S) ?

The population's trust toward the state's institutions is the foundation of Western democracies. The quality of the service provided to citizens by the judicial-police system, which guarantees their individual freedoms, safety and security, is the source of the legitimacy of this political regime. However, current events in France and across the world show that this system and, more generally, all forms of authority have been more and more regularly called into question over the last few decades.

With regard to the police function in France in particular, there has been a recent breakdown in the relationship between police and population, accompanied by a rise in tension and violence. A fringe of the population, not necessarily lawbreakers, no longer perceive the police as a factor of de-escalation and security. Some even identify them, at best, as collectors and harassers [2] abusing their prerogatives, at worst as a threat to their security [3]. Whether fantasised, instrumentalised or real, this feeling has taken hold and tends to spread, jeopardising the French social pact. It hinders the efficiency of the service, because the quality of the relationship between a population and its law-enforcement is closely correlated to the capacity to gather intelligence, which is the basis of the police work.

Aware of this poisonous climate, the police and political authorities must find a strategy of "republican conquest"[4] to re-legitimise the work of the police in the eyes of the population. In this approach, in order not to become complacent with French particularism, it would be wise to consider how our European neighbours have approached this objective of improving police-population relationships. This note proposes in particular to present the conclusions of the pan-European work of Dr Dorian SCHAAP[5], criminologist and sociologist at the Radboud University of Nijmegen, Kingdom of the Netherlands.

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1   The term police should be understood here in the broad sense of a public entity responsible for enforcing law and order.
2   This category includes road safety checks (a far cry from the image of 'traffic angels' from 50 years ago) and, more recently, checks on the application of lockdown and barrier measures.
3   During a television programme on 23 May 2020, the singer Camélia Jordana declared "There are thousands of people who don't feel safe in front of a cop, and I'm one of them", adding that "men and women who go to work every morning in the suburbs are being slaughtered for no other reason than their skin colour". In September 2019, during social movements against the pension reform, it was a national politician who described the police as "barbarians" just waiting for a pretext to try and kill him.
4   Terminology used to describe the priority neighbourhoods where additional police resources have been deployed under the "daily security policing" programme (Police de Sécurité du Quotidien, PSQ).
5   SCHAPP, Dorian, *« The police, the public, and the pursuit of trust. A cross-national, dynamic study of trust in the police and police trust-building strategies »*, éditions Eleven, 2018.

I) Trust and legitimacy, two related issues for European law-enforcement forces

As a preliminary remark, it is essential to dwell for a few moments on the singularity of this State function : policing. It shares with Justice a coercive action which, by nature, has repercussions that are, to say the least, constraining, and sometimes negative, on the lives of citizens. Doing checks, calling to order, issuing fines, investigating, arresting and searching are all occasions for the use of constraint which, even if legal and legitimate, are likely to impair daily interactions between the police officer and the population. We can also observe that one's impression of the police is essentially based on the personal experience of these interactions. Were they in line with what I could - or what I thought I could - expect from the institution and the officer? This then leads us to the notion of the legitimacy of law enforcement action, which is not limited to the principle of legality, but requires the creation of conditions of trust that are conducive to the consent of the population to obey orders, without resorting to coercion or, worse, to the use of force.

The quality of relationships between police and population is complex to study and interpret, as it is not only based on the know-how and the interpersonal skills of police officers. It very much depends on national and local contingencies: the model of society (individualistic or collectivist); the nature of the political regime (democratic or authoritarian); the missions and role assigned to law-enforcement (from social support for the community to protection of the regime in place); the expectations expressed by the population (often linked to parameters mentioned above and the institutional history of the country). These multiple factors make international comparisons of the satisfaction and confidence level of the population toward the police hazardous. Consequently, the design and, even more so, the evaluation of strategies that could be put in place to improve these relations are particularly difficult to conduct without bias.

From a methodological point of view, it therefore seems useful to place oneself in a geographical area that is on the one hand, sufficiently coherent in terms of shared values to hope to obtain relatively comparable data and, on the other hand, large enough to obtain statistically significant results. Dorian Schaap therefore focused on Western democracies and, more particularly, the European Union, for which, beyond the cultural, political and institutional homogeneity sought, he was able to get standardised sociological surveys. His study was based on the four editions of the European Values Survey (EVS from 1981 to 2008)[6] and the seven from the European Social Survey (ESS 2002-2014)[7], each questioning the trust placed in institutions within European countries.

Their use allows us to identify a general trend towards an increase in the confidence level of European citizens in the police forces of their countries, with the notable exception of the United Kingdom, although often cited as an example of the quality of police-population relationships. The second constant is that, with the exception of the armed forces, law-enforcement forces all enjoy a much higher level of trust than other national institutions, in particular the judiciary and political institutions[8]. While these two observations put into perspective the existence of a supposed golden age of police-population relations, they should not lead to inaction in the search for ways to constantly improve a relationship that is at the heart of the social pact of democracies.

II) Three generic strategies for legitimising law enforcement action

It is difficult to clearly identify when the quality of relationships between the police and the population became an issue for governments. However, from the end of the 19th century, a majority of countries embarked on a process of professionalization of police forces (emergence of forensic science, increasing specialisation of units) accompanied by a significant effort in terms of training and equipment (provision of cars and then of means of communication, development of files and the beginning of data processing). This improvement in competence was synonymous with an increase in confidence and in the legitimacy of forces, which were perceived as less arbitrary and violent by the public. However, this positive perception deteriorated in the 1960s and 1970s, marked by violent social unrest and the development of a feeling of insecurity linked to a significant increase in media coverage of delinquency. Beyond these factual elements, other theories have been put

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6   Survey carried out every 9 years (evolution over nearly 30 years allowing medium-term trends to be identified).
7   Survey carried out every 2 years (less time lag but more sensitivity to the economic situation).
8   The 2018 Eurobarometer still gave a trust rate of more than 75% in the French law enforcement agencies, while the judiciary and political institutions were at 46% and less than 30% respectively. In the SSE 2018, France ranks among the bottom countries in terms of interpersonal trust.

forward to explain this deterioration. The most popular ones are: the 'desacralisation' of the police function, which now gets criticised publicly; the disappointed utopia of a pacified and safe society with the increased media coverage of minor news items[9]; the disenchantment of the young democracies liberated from communism which are struggling to meet aspirations for socio-economic improvement and, more recently, the social unrest linked to the 2008 financial crisis or to persistent economic difficulties which have led to violent confrontations.

It was necessary for the political and police authorities to find ways to regain this trust, which is the source of their legitimacy and capacity for action.

Dorian Schaap identifies three main orientations in the strategies deployed in recent decades to improve police-population relations.

The first is the 'community policing' approach. It was initially developed in the Anglo-Saxon countries to respond to the criticism that the police were too focused on fighting crime to be concerned with the real needs and expectations of the population in terms of security services. To remedy this, the concept promotes a more accessible police officer, who is also more autonomous and proactive in his management local problems of insecurity and incivility, while relying on partnerships and involving the population in particular. Several variations have been added to the doctrine, such as "problem-oriented policing", "intelligence-based policing" and "hot spot policing"[10]. Although the concept is theoretically very attractive, it remains complicated to implement in its partnership dimension. It is even sometimes rejected, as was the case in France in the early 2000s, to the point that the terminology is still banned today. In the countries where it is applied, it covers very diverse realities, the effectiveness of which in terms of crime prevention remains essentially difficult to measure.

The second, 'instrumentalism', applies the paradigm of the new public management inspired by corporate examples. French practice boiled it down to the 'figures-driven policy'. It is based on the assumption that statistics account for the effectiveness, or even the efficiency, of police services. Taxpayers should get their money's worth. It sees a correlation between performance in reducing crime and the level of satisfaction of the population, which generates confidence. This managerial approach of the public security service aims at rationalising professional processes, following the example of the private sector, in search of profitability. It implies a prioritisation of police activity (the 'core business'), in contrast to the versatility of community policing. This strategy has contributed to the phenomenon of 'desacralisation' of the police function by making it 'auditable and open to criticism' just like any other profession, and based on questionable criteria[11].

The last major strategy is the application of strict 'procedural justice', a notion that excludes deviations, in a broad sense, from police behaviour. Police operating procedures and decisions must be transparent, free from discriminatory bias or abuse of authoritarianism and use of force. Fairness of treatment, justification of police actions are bulwarks against negative perceptions of citizen-police interactions that are heavily and long term detrimental to trust in the police. Based on individual behaviour, 'procedural justice' can be combined with one of the two previous strategies which further define the role given to the police.

Dorian Schaap's work consisted in measuring the effectiveness of each of these strategies by analysing the data collected by the European studies mentioned above. His scientific methodology is described at length in his book, and only the results will be reported here, with the conclusions that could be drawn from them with regard to the current situation in France.

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9   SECAIL, Claire, *Le crime à l'écran. Le fait divers criminel à la télévision française (1950-2010)*, Nouveau Monde éditions, 2010.

10 Methods for analysing the difficulties of a territory to understand the real causes, in order to activate the right levers and concentrate efforts in a collective action to solve them.

11 The police cannot be accountable for the production of crime, as Alain BAUER points out, it would be "as if doctors felt responsible for diseases and little for the effectiveness of their treatment! ".

III) Officers' behaviour trumps the operational effectiveness of services

The first research result is to establish that none of the theses supporting the general deterioration of the police-population relationship is verified in the long term (with the exception of the British situation during the last two decades of the 20th century, where 'desacralisation' had a deleterious effect). They may, however, have had a temporary negative effect, in response to a particular national or even international event (socio-economic crisis, police reorganisation), but it fades as the general level of confidence improves. Dorian Schaap explains this discrepancy in perception by the "nostalgic" effect of a past that human psychology embellishes, confronted with the media coverage of news items that prominently feature images of violence. An illustration of this phenomenon in France is the controversy surrounding the 'ensauvagement[12]' of French society and the resurgence of police violence. Beyond media and electoral agitation, an analysis of the data contradicts this perception over time[13].

The most striking finding of the improvement strategies deployed is that the 'instrumentalist' strategy is ineffective and even counterproductive. There is no positive correlation between the performance of a service in the fight against crime (resolution rate, crime rate) and the evolution of the confidence of the population toward its police. A high victimisation rate is even associated with a higher level of trust in the police, probably because the need for protection is more prevalent. A particular illustration of this phenomenon in France is the enthusiasm for the police after the attacks of 2015, when the security situation was particularly deteriorated and the operational response was not always beyond reproach.

The application of the community policing principles, on the other hand, only marginally affects the population's perception of the police, no doubt because the countries implementing it already enjoy a high level of trust. Beyond the daily preventive presence, it is the quality of the care given to the victim that constitutes a lever for lasting improvement of the police-population relationship. Much more than whether or not the crime is solved, it is the quality of the contact established when the victim came to file a complaint and the investigation that will determine the individual's level of satisfaction at this traumatic moment.

This last point supports the observation that 'procedural justice' is the most efficient strategy, or more precisely, that the existence of 'procedural injustice' is particularly and permanently damaging to police-population relations. Minorities are particularly sensitive to any form of deviation, which will also be seen as discrimination. Any misbehaviour by a law enforcement official has a strong impact on the citizens' perception, whether they are witnesses or victims of it. The effect is increased tenfold by the media coverage of these situations, making all viewers witnesses to scenes that are not always contextualised[14]. From an individual drift, the conflation is made with the entire institutional body whose image of integrity is tainted.

What can we conclude from this? That the figures-driven policy will not help to restore the trust that has been lost with the population, and that the efforts of community policing (PSQ, #répondreprésent) will only pay off if proven ethical violations are punished without complacency and officers are made aware of their destructive effects.

Translated by SLT Max VRTOVSNIK and the French Gendarmerie Officers Academy Language Department

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12 Controversial term used to describe the rise in delinquency in certain parts of French society, condemned for a potential racist undertone.

13 LETTERON, Roseline (dir.), *La liberté de manifestation, du XIXe siècle aux Gilets jaunes*, Sorbonne Université Presses, 2020. Professor Jean-Noël LUC reminds us, on page 250, that more than a hundred demonstrators were killed during crowd and riot control operations between 1945 and 1968, compared to only nine from 1969 to the present day (this finding being even more edifying if we take into account overseas France). During the "yellow vests" movement, in view of the particularly serious violence perpetrated by a radicalised fringe of the demonstrators, with almost 2,000 injured in the ranks of law enforcement, no deaths were reported among demonstrators (the only death concerned an octogenarian accidentally hit by a grenade on the balcony of her flat).

14 The survey, published in February 2020, by the Centre de recherches politiques de Sciences Po (CEVIPOF) shows that French people's confidence in the police stands at 66%, down 14 points over five years, including 8 points lost in the year of the "yellow vests".