DEMOCRACY, BUREAUCRACY, AND THE PROFESSIONALISATION OF THE POLICE SERVICE

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Queensland Police Service education and training.

Democracy, Bureaucracy, and the Professionalisation of the Police Service

The Fitzgerald Inquiry may have begun as an investigation of police corruption but it developed into a review of democratic governance in Queensland. Through its recommendations it set up the means by which the formal structure of democracy might be strengthened and safeguarded against the abuses of power and position its investigation had exposed. But, in attacking secrecy and self–regulation as the harbourers of misconduct at all levels it went beyond the formal structure of legitimation and accountability to argue for a more substantive expression of democracy through informed and continuous social deliberation and direct accountability.

Fitzgerald's reform programme for the Queensland Police Service (QPS) clearly embodied that expansive view of democratic governance. Just as clearly, the Public Sector Management Commission (PSMC) Report denies it, preferring a restoration of bureaucratic control, only this time under more effective central command. Fitzgerald found in the police a closed culture of service values and a monolithic bureaucracy, both pathologised by their insularity. His response was nothing if not comprehensive, but the clear message that linked many of his recommendations was that the Service would only regain the credibility it had lost by direct collaboration with its sceptical constituencies. And not least of these sceptical constituencies was its own membership, all of whom, however undeservedly, had been tarred by the broad brush of corruption. Does the PSMC seriously believe that its hermetically sealed model of internal accountability based on contract relationships between hierarchically ordered individuals will serve either purpose? To me it promises the strangulation at birth of the Fitzgerald vision.

What the Fitzgerald Report and the PSMC Report share is, understandably, a deep mistrust in the capacity and commitment of the Service to reform itself. The irony is that the Service is in the throes of a process of transformation to professional status. All the signs are there – the development of national standards as a basis of peer review and professional course accreditation, the upgrading of recruit entry to university standards, the incorporation into the curriculum of a body of research based knowledge, even the tensions between theoretical and practical education. All these are historically characteristic of a field of practice emerging from an apprenticeship tradition to establish professional credentials. These developments confer on professions collegiate and

cognitive authority, on the basis of which they are normally entitled to assume a degree of freedom in the management and conduct of their own service. But there is a third, crucial credential underlying such freedom, and that is a credible claim to moral authority, a claim that professional judgement and action are oriented towards important social values. Clearly QPS can make no such claim at the present time, perhaps not for a generation, and that very deficit of trust justifies the continuation of the checks and balances that Fitzgerald sought to build into its governance. But within that structure of oversight, guidance and constructive critique there must be space for a professional community to grow and for its organisational framework to adapt to that growth. The rigidities of excessive bureaucratisation are calculated to entomb rather than scaffold such an enterprise.

Please note that I am not saying that the PSMC should go away and leave the Service to mind its own business and its own development. I have no quarrel with most of its specific recommendations for organisational rationalisation. What I take issue with is its model of organisational conduct – its system of internal regulatory procedures of control and accountability. I think of 'control' and 'accountability' as alternative approaches to quality assurance. 'Control' emphasises fidelity to planned commitments, 'accountability' emphasises post–hoc answerability for autonomous actions. Obviously any organisation will embody both values but in differing proportions, taking into account the nature and range of the activities that constitute its work, the degree of expertise required of its employees, and indeed the relative susceptibility of performance to control or accountability. Policing is an interesting case. It has an all–embracing primary duty to maintain the peace, a brief so broad that it calls for continuous interpretation and prioritisation in the light of unpredictable patterns of social turbulence. Some of its activities are rule–based (law and procedures) but even of those few are rule–bound, and most of its peace–maintenance is entirely discretionary. Operational policing typically calls for a judgement of appropriate action in specific circumstances. Such actions can be guided by values, and by policy orientations, but they cannot be programmed. Nor are they susceptible to control by surveillance, or by distant command.

The PSMC has little to say about these characteristics of policing, despite its apparently

extensive contact with serving officers. Instead it offers a restructuring and management package that would bring QPS into line with other public sectors, placing it under the control of the civil service hierarchy via the civilianisation of key posts. Bureaucratic control is to be enhanced by closure or restriction of interfaces that threaten such control (thus the minimalising of Criminal Justice Commission (CJC) involvement, the superficial interpretation of community policing, the reduction of community representation, the internalisation of Police Education Advisory Council (PEAC) and the breathtaking suggestion that PEAC's function of informing the public be reallocated to the Media Unit). The model of governance implicit in such recommendations is that of formal democracy. As I have said, it is against both the spirit and the substance of the Fitzgerald Report. If we then turn to the model of management within this insulated enclosure that PSMC wants to construct we find an old friend from organisational history. It's contemporary title is economic rationalism, but it is better known, and more easily understood, by it's original name – Management by Objectives (MBO). First you have to streamline the organisation in terms of coherent, non–overlapping strands to facilitate vertical loading and accountability, then you deconstruct mission statements into goals and outputs, goals into objectives, objectives into quantifiable outcomes, behaviours or performance indicators. In a parallel way responsibility for achieving pre–specified outcomes is devolved from one level to the next through a process of successive sub–contracting until every individual has his or her own role–related miniature variation of the master plan. It's elegant, it's logical, it doesn't work, and it consumes a lot of time and resources that might be put to more effective use in programme activity. The error is to assume that these paper plans then control behaviour. They do so only in the sense that they require employees to work for the model, rather than the model working for them. What's more, as should be clear from the profile of police work outlined earlier, if these plans did control behaviour in the field, the result would be extremely unintelligent activity.

What happens if we start from the other end, from the bottom up rather than the top down, to reconstruct the organisation? I have neither the time nor the space (not to mention the capability) to attempt such a task for the whole Service, so I will confine myself to recruit/probationer training, since that programme is currently under review. I shall try to show how the PSMC approach is ill–suited to a high quality induction process

and it's management.

1. The Curriculum Problem

how to give theoretical and formal knowledge practical meaning;

how to represent the reality of work without simply reproducing it;

how to equip novices to cope with operational situations that are unique, unpredictable, ambiguous, and stressful;

how to promote professional judgement and professional values;

how to conceive, manage and monitor forms of field-based education that promote personal confidence rather than cultural submissiveness;

how to design forms of assessment that measure real occupational competencies and support curriculum development for continuous improvement in the content and process of education;

2. A Response to the Problem

For some years now my colleagues and I have been advocating, developing and implementing an approach to professional police training based on the study of case materials. Studies of professional decision making in complex and fluid social settings suggest that competent practitioners draw upon stocks of stored knowledge about previously experienced cases, rather than upon abstract principles. But one does not have to wait until beginners have direct experience to begin to help them contextualise and integrate knowledge in a practically useful form. The principle of integration means linking together into a coherent whole legal/procedural theory, cultural awareness, situational understanding and skills development. Case-led approaches focus upon incidents that officers have to deal with, incidents chosen for their typicality, frequency of occurrence, or criticality in the workplace. These cases are portrayed in detail as social situations in which alternative courses of action are open to the officer involved. Ideally they will be real cases, researched and compiled for teaching use, as is now the practice in probationer training in the United Kingdom (UK), but they may be reconstructions of experience, or sophisticated simulations. Fidelity to reality is the criterion of case value. Through a repertoire of such case studies recruits learn, not just what they need to know and understand in order to act effectively, but the essentially discretionary nature of

professional decision making. Discretion is essential, because of conflicting organisational goals, different community expectations, and the ambiguity and latitude afforded by the law. They will learn, too, that many if not a majority of incidents can be resolved by a variety of means that, while different in their outcomes, are all equally legal. Everything that is relevant to competent policing is brought to bear as dimensions of situations which have to be analysed and acted upon.

Case study should be at the heart of the recruit curriculum as a core programme. It is the best means we have of enabling recruits to confront and begin to grasp the complexity in which professional judgement is located, to get a sense of what good practice involves, and to develop the required competencies. We believe these to be generic competencies – potentialities that generate professional performance of a high order.

From this perspective competence is a combination of generic abilities and motivational dispositions which are the source and distinguishing characteristics of expert performers. The generic construct of competence has as its source of values personal dispositions and ethics. For these reasons a process of case study learning aimed at developing situational understanding is best defined in terms of procedural rather than outcome criteria. It is a process model of education, as yet driven by notions (theories, desires, mission statements, and the like) of what kind of police officers we want to develop and what kind we wish to avoid, notions that are not empirically rooted because of the paucity of research, but from which we derive the kind of practical and moral capabilities we seek to recruit and promote.

Although research into the nature of the expertise of superior police performance is underdeveloped, there is a growing body of research that underpins the view that all professional preparation should aim to develop the conceptual, interpersonal and impacting capabilities that constitute the deep structures of judgement. This research has itself been triggered by what some have called a crisis in professional education, a crisis brought about by the increasing inadequacy of programmes devoted to technical proficiency alone. In the modern, educated and democratised world we live in, much more than technical proficiency is required of professional services.

3.   Some Implications

When my colleagues and I evaluated police probationer training in the UK in the mid–eighties, what we found was an approach very similar to the one we can anticipate from the recommendations of the PSMC, that is to say Training by Objectives. The approach begins with job/function analysis, from which training objectives are derived. These objectives are defined in terms of behaviours that constitute performance criteria so that, ideally, performance in the examination and performance in the job are indistinguishable. The next task is to vary the content and methods of instruction until the desired performance standards are reached by a reasonable percentage of trainees. This point having been reached the programme remains stable until or unless there is a change in the job specification, at which point the process of production is reviewed.

Although the systems approach demands in theory that all the goals and all the outputs of the system be specified and taken into account, in practice this is too difficult for the technologists to take on board, which means that some are left out, including the processes of organisational and occupational socialisation, arguably the major learning of recruits. The main requirement of the objectives model is that learning outcomes are behaviourally specifiable and lend themselves to depersonalised modes of assessment. It is most comfortable with propositional knowledge (criminal law and legal procedures, police procedures, formal knowledge of communities) and with relatively context–free skills (report writing, physical skills, machine mastery). It is least comfortable with tacit knowledge (human awareness and cultural understanding) with context–bound skills (the investigative, evaluative, negotiating and decision making skills where the judgement of skill is lodged in particular circumstances) or with attitudes (where it is inherently difficult to measure change).

I am not arguing that the objectives model has no place in police education. There are many technical skills to policing that can be specified in terms of behavioural standards, there is a body of formal knowledge that needs to be mastered. There is a place, but it is not a central place in an approach that seeks to cultivate the fully professional officer. Generic abilities cannot be defined in terms of performance outcomes. Their development presents an issue of judgement rather than measurement for those who have the

responsibility for assessment. The values, criteria and evidence for such judgements are matters for collective determination within an educational community which is committed to refining them progressively in a context of continuous development.

The distinction between 'education' and 'training' does not hold within such a view of professional preparation, nor does the distinction between personal and professional development. If we see policing as 'morally committed action' and generic skills as the cognitive equipment underlying such action, then educational values and professional values converge. These values − like 'situated judgement', 'understanding', 'critical thinking', 'psychological mobility' have no end point, no mastery levels. Like all educational values they constitute 'an infinitely receding standard'. They can be embodied in processes designed to promote them, such as the interpretation of cases, but they cannot be behaviourally specified as products, because their appropriate expression in specific circumstances cannot be standardised.

I have used the term 'educational community' rather than 'system' to indicate the lines of an organisational culture appropriate to support the process of educational practice and development. I emphasise 'support' rather than 'direct' because it is the task of educational management to structure resources in forms that support the realisation of the values in the primary activities of teaching and learning. Supporting these activities means embedding them in the processes of curriculum development, staff development, organisational development and evaluation that should guide and correct the actions and judgements of those who have the primary responsibility for converting educational/professional values into effective practices. The management of this support structure calls for educational leadership of a high order, and for the ability to insulate the community from piecemeal demands that can disrupt and destabilise its activities. These should be the criteria for the appointment of a Dean of the Academy.

I hope I have said enough to deter the Service from imposing MBO on the training sector. Historically and globally, there was a point when the introduction of a systems model of training offered a significant improvement in the 'chalk and talk' practices of an earlier period. We have now moved beyond the narrow construct of technical competence on

which the success of that improvement depended, and in so doing must move beyond the model of management and instruction by objectives. As far as its application to operational policing goes, the general conclusion of those who have studied its piloting in British Forces (including the London Metropolitan Police) is that policing by objectives serves only to obscure the contentious, ambiguous and incompatible demands created by trying to fulfil the police mandate. On a broader level Wildavsky has written of the 'headlong retreat from objectives' in American public policy and Campbell of the failure of performance indicators in the post-war period in both service and industrial sectors.

Conclusion

If bad policing is not to drive out the good (the universal problem faced by its training arm) then it's organisational culture must change in ways that support change in the occupational culture. Most police officers everywhere are cynical about their own organisation. They do not experience the support and trust which would enable them to operate as responsible professionals or encourage them to model such professionalism for new members. They have little say in policy making, no voice in the forum that should characterise a professional community. That must change if there is to be any possibility of making good on the promise of a more fully professional training programme.

If it is possible to create a training environment where the rhetoric and reality of policing can be openly and honestly examined, then is it possible to do this with the organisation as a whole? The quasi-military hierarchy of police organisation may be spared the burden of persuasion, but at what price? Functional instrumentality does not create the space in which professional discretion can thrive, and this is just as true of the new bureaucracy promised by the PSMC as it is of the familiar police bureaucracy. Although I accept the need to ensure both the formal accountability of the Service to the legislature and the integrity of its reward processes, there is an equally important need to develop an organisation that its own members can believe in, and that believes in them. PSMC's model of management will, I believe, widen the gap between the organisational and the occupational culture, and frustrate the development of the conditions necessary for significant improvements in service delivery.

Improvement calls for some faith in both the will and the capacity of police officers to reform their own culture and practice. Fitzgerald underestimated this resource in his comprehensive indictment, even though at least some evidence of both was available to his Inquiry. I refer to the submission from the Police Department dealing with recruitment, education and training. That document contained an excellent critique (I have not read a better one) of the then established model of training, and set out an agenda of reform of recruit training broadly into line with, if not ahead of contemporary theories of professional preparation. It offered clear evidence of a reformist impulse and capability that subsequent developments failed to capitalise on, even though its major recommendation of an integrated case study approach was endorsed by the Fitzgerald Report. No doubt this failure was at least in part due to the loss of police credibility in the aftermath of Fitzgerald, and a consequent loss of educational control. Nevertheless the existence of that document makes my point, and supports my argument that cultural change requires cultural credibility, and that a practitioner culture as intransigent as police culture will be changed by police officers, or it will not change. Not of course by them alone, but not without them.

Unfortunately Fitzgerald overlooked this potential for change, and the last four years have been shaped by outsiders. What is needed now is a probationary period in which police officers take the initiative in reconstructing the Service and in building the partnerships that will be necessary to do that job. But not behind closed doors, as the PSMC would have it, and not constrained by the apparatus of its paper regime. As Wildavsky says of MBO, it is a useful means of giving impetus to policy analysis but, having achieved that, it should be abolished as an impediment to achieving behaviour which connects thoughts to action.

An Agenda for the Development of Police Education

1. **Recruitment**

    (a)   In considering the needs of the Service we have to think in terms of organisational development over the next twenty years rather than immediate street duty requirements. I would go now for all-graduate entry (pace the special

exemptions) and seek university accreditation for the recruit/probationer course as a Postgraduate Certificate in Policing equivalent to the PGCE for teachers. I believe this will anticipate the future of police recruitment in Australia, and the direction of national standards, and I believe it to be a more effective model than the university–based nursing degree model, which has enormous difficulties in securing protected educational experience for its probationers in operational settings. That problem is even more acute in policing.

(b)   I believe the advantages of linking that entry requirement to the Justice Degrees at Griffith and QUT are overwhelming, especially given the TAFE Diploma exemption entry to the degree programmes. With closer collaboration, I see no reason why recruits should not arrive at the Academy with adequate word–processing skills, a basic knowledge of police powers, and some experience (perhaps by research assignment) of occupational policing. In the longer term, the possibility of developing such an entry path at a northern university should be explored.

(c)   Obviously something needs to be done about the stop–go vagaries of recruit numbers. There needs to be a five year plan to stabilise the staffing and programming of educational provision. The PSMC's recommendation of minimal staffing supplemented by hiring in as required is not my idea of a professional education community.

2.   **Recruit/Probationer Education**

(a)   As I have indicated, the ideas required to reconstruct the recruit programme have been available to the Service from within its own ranks since the late eighties, and were noted and endorsed by Fitzgerald. These ideas reflect a growing consensus among police educators that what is needed is a curriculum that integrates theory and practice through the study of scenarios in which officers have to act, action that reflects a synthesis of knowledge, skills and understanding.

I have talked with officers who are currently charged with redesigning the recruit

curriculum. Having visited New South Wales, which has been developing such a curriculum for some years now, they are, with the support of the tutoring staff at the Academy, moving in a similar direction, and should be encouraged. They would be helped a great deal if the authors of the critique that was submitted to the Inquiry could be identified and called upon to assist in this development.

(b)   The major problem, as with all professional training, is how to secure education in the field throughout the period of probation. I have no problems with the probationer education programme, which is excellent in conception, but I think more thought needs to be given to the consolidation of recruit/probationer education as a single, unified programme. It doesn't help that probationer education is currently defined as an in-service activity, nor that so much is made of the swearing in ceremony as if it were a termination point in the education process, nor that recruit training is almost wholly Academy-based, nor that Academy-based tutors see themselves as tied to specific programme responsibilities. I suggest that consideration is given to the following:

1.   That the structure of the recruit course be more modular, with alternate periods of Academy-based and structured field based education, thus providing a mix of real and vicarious experience, giving the field-based tutors more responsibility for recruit development and the Academy-based tutors more opportunity for effectively debriefing limited periods of exposure. This is always seen as high risk, but the fact is that unless field-based education is fully incorporated into a shared responsibility for and commitment to professional development, the process is likely to stop at the gates of the Academy.

2.   I think that the creation of Schools was a mistake. They encourage rigidity, specialisation, and territoriality. We need a more collaborative, fluid and adaptive community of educators that can turn its hand to any task. Given the legacy of neglect of education in the Service that has been revealed, the demands that will be made upon the Academy will increasing require it to achieve more with fewer resources. If it is to meet that challenge, it will need multi-skilled individuals,

high levels of commitment to the common enterprise. This will call for professional development, and effective leadership (of a Dean, not a co-ordinator). Clearly, the PSMC emphasis on individual responsibility and accountability will not help such an aspiration.

(c)   What are called 'operational skills' in the Academy have been de-emphasised in recent years and need to be re-emphasised. In particular, recruits need to be confident of their capacity for self-defence and physical restraint in confrontational situations.

(d)   The Educational Standards Unit should remain where it is, within the education community, and not be moved to the Inspectorate. Its evaluative role in the development of programmes is essential and must not be confused with the Inspectorate function. Its capacity to obtain and deliver formative feedback rests upon its independence, and this needs to be protected. As it develops its work, the CJC might consider a meta-evaluation role for its own evaluators, to ensure that protection.

(e)   The Academy is poorly equipped. The PSMC quotes a figure of 10 million dollars required to bring it up-to-date, but doesn't back it, settling instead for the sale of Chelmer. I have no views on the latter proposition but confirm that Oxley is poorly provided for in terms of the resource base needed for the new curriculum that is being planned. In this respect the video production equipment is a vital resource for the development of case materials, and I oppose its recommended removal to the Media Unit of the Department of Administrative Services.

3.   Professional Development and Research

Discussions have been held about the possibility of a joint initiative on the part of the police and the universities to set up a Professional Development Centre. I believe that this should be pursued with determination. I would call it a Professional Research and Development Centre. It could meet the following needs:

(a)   The generation of a research programme that would provide a more secure knowledge base for both police education and operations, and for organisational development.

(b)   An information base about police practice, police organisation, and police education programmes elsewhere in the country and in the world at large. This is much needed, especially in regionally based developments.

(c)   Policy and provision for in-service officers seeking to enhance their career opportunities.

(d)   Training the trainers. A modern curriculum along the lines indicated earlier calls for advanced teaching skills of a high order. The education of police tutors has been seriously neglected in Queensland. By contrast, in the UK, in the context of a reconstructed probationer training programme, we recommended an extension of such training from the then existing nine week full-time course to nineteen weeks. We got twelve. I don't expect such a dramatic change in provision from Queensland, given its starting point and the pressure on resources, but the matter serious attention. The quality of courses depends crucially on the quality of the educators, and we are talking here about a dramatic switch from transmission teaching, and the need for new forms of assessment.

4.   State-Wide Education   ,

Queensland is so large that it is difficult to comprehend it being under the control (even quality control) of a single police service. I assume that regionalisation, the first step towards community policing, will evolve its logic internally to a point where variations in particular community needs and expectations are reflected in policy and practice, generating differing profiles of policing both across and even within regions, and different training needs. As that happens the possibilities of central control will recede, and the Service will look more like a federation than a unitary structure. The inculcation of shared values through training at all levels will increasingly be the mean by which a familial resemblance throughout the

Service can be promoted and maintained. Regionally based training will be the big growth area, and will combine autonomous initiatives with centre–collaborative programmes. Already it is clear that regionally based trainers need more support from the centre than they feel they are getting, that the quality of trainer appointments is not under quality control, and that training in some regions is under–resourced and under–powered. I suspect that if it is left to the academy to respond effectively to State–wide growth, it will be over–burdened in the first place and in the second will be tempted to unduly favour its own on–site needs. I have already recommended the setting up of Research and Development Centre to take up some of the load, the most important part of the load being the training of trainers State–wide to a high level of professional commitment and teaching skill. But it will become at some point soon necessary to conceive the training community as a multi–site organisation with its responsive capability centred in Police Headquarters rather than merely its management, creating more of a level playing field and less of a line management structure. Finally, I must say that I don't believe the post of Director should be civilianised at this point in time. For me it is a matter of checks and balances. Many of the changes proposed and already in place constitute collectively, a destabilising and demoralising shock to the traditional culture and expectations of the Service. Many of the hopes for transformation are invested in the educational process, and much of the resistance to the values embodied in that process is located in the supervisory ranks of operational policing. It is vital to send the strongest possible signal to the opposition that the Service is committed to change through education. The appointment of a police officer to take charge of that mission (subject to the same criteria that I recommended for the post of Academy Dean) would send such a signal.