

See discussions, stats, and author profiles for this publication at: <https://www.researchgate.net/publication/351014128>

Vulnerability and Policing Practices

Chapter · April 2021

DOI: 10.1007/978-3-030-62870-3_1

CITATIONS

0

READS

774

2 authors:



Nicole L. Asquith

University of Tasmania

76 PUBLICATIONS 586 CITATIONS

[SEE PROFILE](#)



Isabelle Bartkowiak-Théron

University of Tasmania

66 PUBLICATIONS 311 CITATIONS

[SEE PROFILE](#)

Some of the authors of this publication are also working on these related projects:



Law Enforcement and Public Health [View project](#)



Police education [View project](#)

POLICING PRACTICES AND VULNERABLE PEOPLE

Nicole L. Asquith
Isabelle Bartkowiak-Théron



Policing Practices and Vulnerable People

“Today’s debates over reimagining policing highlight the harms that police cause. Yet for vulnerable people, police are often the only source of honest advice, service, and protection. This excellent book explains why policing vulnerabilities is important, and shows how the work can be done more fairly and effectively”

—Professor Gary Cordner, *Professor Emeritus and Academic Director, Baltimore Police Department, USA*

“Building on their previous work, in their new contribution Asquith and Bartkowiak-Théron provide new assessments of policing and vulnerability. Introducing new themes, new perspectives, and updated legislation and policy, *Policing Practices and Vulnerable People* is an essential resource for scholars and practitioners alike. Demonstrating the importance of vulnerability informing police practice, an important characteristic of this book is the inclusion of practitioners’ vignettes from the field, illustrating the issues in practice. In a world of siloed practice, Asquith and Bartkowiak-Théron advocate for collaboration in the broader field of law-enforcement and public health and invited those on the frontline to contribute their points of view. This is a timely contribution, and a comprehensive resource for all those interested in the topic of vulnerability in policing”

—Professor Jenny Fleming, *Head of Department, Sociology, Social Policy and Criminology, University of Southampton, UK*

“It is immediately clear that the authors have formed a trusted bond with those in policing over their many years of academic research, and this book oozes that close relationship throughout. The authors ability to garner an ‘as-is’ perspective from those who carry out this work and combine it with emerging academic research, sited in the evolution of this field of study, makes for a compelling read. This book is an authoritative and practical guide for those charged with this precarious area of policing around the world. The book has a logical flow, with fourteen chapters divided into three sections, it explores with great professionalism the world of policing vulnerability; providing rationale and multiple perspectives throughout. I particularly enjoyed the appropriate and timely use of case studies to bring the subject areas to stark reality and provide powerful down-to-earth examples of the criticality in getting these important disciplines in policing right. Having spent a lifetime

in policing I have nothing but admiration for this comprehensive narrative of what is almost certainly the number one priority for the majority of police agencies throughout the world. My only regret is that this was not available during my operational police service to guide and inform me!”

—Dr Ian Hesketh, *Senior Responsible Owner for the UK National Police Wellbeing Service and the Wellbeing Lead at the UK College of Policing, UK*

Nicole L. Asquith
Isabelle Bartkowiak-Théron

Policing Practices and Vulnerable People

palgrave
macmillan

Nicole L. Asquith
Tasmanian Institute of Law
Enforcement Studies
University of Tasmania
Hobart, Tasmania, Australia

Isabelle Bartkowiak-Théron
Tasmanian Institute of Law
Enforcement Studies
University of Tasmania
Hobart, Tasmania, Australia

ISBN 978-3-030-62869-7 ISBN 978-3-030-62870-3 (eBook)
<https://doi.org/10.1007/978-3-030-62870-3>

© The Editor(s) (if applicable) and The Author(s), under exclusive licence to Springer Nature Switzerland AG 2021

This work is subject to copyright. All rights are solely and exclusively licensed by the Publisher, whether the whole or part of the material is concerned, specifically the rights of translation, reprinting, reuse of illustrations, recitation, broadcasting, reproduction on microfilms or in any other physical way, and transmission or information storage and retrieval, electronic adaptation, computer software, or by similar or dissimilar methodology now known or hereafter developed.

The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.

The publisher, the authors and the editors are safe to assume that the advice and information in this book are believed to be true and accurate at the date of publication. Neither the publisher nor the authors or the editors give a warranty, expressed or implied, with respect to the material contained herein or for any errors or omissions that may have been made. The publisher remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.

Cover illustration: teh_z1b

This Palgrave Macmillan imprint is published by the registered company Springer Nature Switzerland AG.

The registered company address is: Gewerbestrasse 11, 6330 Cham, Switzerland

Contents

Part I Framing Vulnerability

1	Vulnerability and Policing Practices.....	3
2	Conceptual Understandings of Vulnerability.....	17
3	Politics, Policies, and Practices of Vulnerable People Policing.....	35
4	Public Health Models of Vulnerability.....	51

Part II Vulnerability in Practice

5	Community Engagement.....	69
6	Working with Vulnerable Offenders.....	85
7	Interviewing Vulnerable People.....	107
8	Police Liaison.....	129

Part III Critical Vulnerability Issues

9	Southernising Vulnerability.....	149
10	Police Vulnerability.....	165
11	Targeted Violence.....	183
12	Public Order Policing.....	203
13	Coda on COVID-19: Reframing Vulnerability: Policing Pandemics, Protests, and Disasters.....	221
Bibliography.....		233
Index		259



Vulnerability and Policing Practices

1

Introduction

The issues linked to vulnerability in the criminal justice system were showcased in 2020 in ways that leave us with no doubt about the inadequacies of policing practices. A global pandemic unfolded as we sought to map out our arguments for this book. Then, after yet another officer-involved death in the US, the nascent social movement initiated in 2013 after the acquittal of George Zimmerman for the murder of Trayvon Martin was reinvigorated and went viral across the world. The confluence of COVID-19 and Black Lives Matter created the conditions to question with renewed vigour the role and remit of police, especially as it related to vulnerable people. While 2020 will be marked and remarked upon for decades to come, the issues foregrounded in this year of pandemics and protests are not new. The interest and capacity to resolve these issues are novel, however, and may provide the fertile ground from which to fundamentally re-orient policing to account for the harms caused and vulnerability exacerbated by current policing practices.

We have seen an increase in scholarly and policy discussions focusing on vulnerability over the past 20 years. Specifically, the topic of vulnerability has grown significantly in the area of policing, in response to the realisation that most police encounters with the public are with vulnerable people. In this chapter, we reintroduce the topic of vulnerability in terms of its conceptualisation and operationalisation in policing. We address issues of group identity versus individual experiences of vulnerability and address the importance of procedural and trauma-informed

practices in policing to address the safety, legal, and wellbeing rights of all vulnerable people in the policing process. In addition to framing the overall topic of vulnerability in policing, we establish the building blocks for some more vibrant conversations around how vulnerability can be taught, addressed in policing practice, and researched empirically.

Legitimising the Attention to Vulnerability in Policing

The topic of vulnerability is now widespread; whether in the media, in policy documents, legislation, or scholarly debate. It is either used in lay terms or within specific definitions guided by legislation and disciplinary confines. It is not that the topic is new, however. The fields of philosophy and bioethics have long discussed vulnerability, particularly in terms of understanding the human condition (Macklin 2012; Luna 2009).

What is new is how the language of ‘vulnerability’, ‘vulnerable people’, ‘vulnerable groups’, or ‘vulnerable populations’ (and all other labels; Howes et al. 2017) now permeates policy and practice discourse in the field of policing. The terminology is not without its detractors, and the introduction of vulnerability as a topic of attention in policing has been, and is still now, accompanied with calls for better definitions of the term (Keay and Kirby 2017; Enang et al. 2019; Ford et al. 2020). A clear definition of vulnerability is critical to its operationalisation, which currently remains fragmented, and fenced in maximalist or minimalist frameworks.

An example of minimalist understanding of ‘vulnerability’ can be found in the UK, where vulnerability is operationalised using the Ministry of Justice Code of Practice for Victims of Crime definition, which states that “... a victim as vulnerable if they are under the age of 18 years or have a mental or physical disability, disorder or significant impairment” (Ford et al. 2020). According to this minimalist framework, vulnerability attributes can be conveniently listed and ‘ticked off’ in legislation and policy, and attendant supports are perfunctory. For example, identifying someone as speaking English as second language automatically gets a translator; a child is provided with a parent, guardian, or child protection worker; a person with a medical issue is provided with a medical practitioner. Much legislation and policy around the world have adopted this minimalist approach (Enang et al. 2019); albeit, with some jurisdictional discretion as to who is and who is not vulnerable. For example, Section 28 of the *New South Wales Law Enforcement (Powers and Responsibilities) Regulation 2016* only allows space for five specific categories of vulnerability (with some loose onus on custody managers to assess this vulnerability): children, people with physical or intellectual impairment,