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# Preparing for Future Pandemic Policing:

## First lessons learnt on policing and surveillance during the COVID-19 pandemic

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### Abstract<sup>1</sup>

Law enforcement organisations have faced a wide spectrum of challenges during the COVID-19 pandemic. Governments positioned police and other security actors on the frontline in enforcing compliance with an incremental series of restrictive measures, demanding a new dynamic and distribution of policing across communities and spaces. In particular, as the pandemic was subjected to a simultaneous process of crisisification as well as securitisation, public policing has suffered a set-back in terms of community-relationships and social legitimacy. For instance, marginalising the role of public police organisations in preventive policing and pushing them towards the use of coercive measures. Even though the pandemic has not yet ended, the questions we seek to answer on the basis of media and evaluation reports, include the first lessons that can be learnt for the global law enforcement theatre as well as insights into a potential paradigmatic shift in policing.

**Keywords:** COVID-19, police, security, surveillance, crisis

### Introduction

What the world population has in common is the onslaught of the COVID-19 pandemic. By many countries, the control of the ever-mutating virus that has killed so many people thus far, has been regarded as an uphill battle. Throughout this article, we seek to share some preliminary observations about how the COVID-19 crisis has affected the relationship between governments

and their citizens, as well as between security actors and society. A predominant observation is that the COVID-19 pandemic has been subject to “crisisification” (Rhinar, 2019) as well as “securitisation” (Waever, 2007), and that the health crisis has been accompanied by several other crisis dimensions, including a socio-economic crisis, a cultural crisis as well as an educational crisis.

Except for its sheer perpetuity and the return of different waves, the pandemic predominantly seemed

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to be framed from a security lens. For many people, the COVID-19 pandemic was not a mere health crisis, but it pervaded their lives to the extent that work, education, mobility and social bonding came under severe pressure. Hence, COVID-19 can be characterised as a multiple crisis with several layers that mutually interfered. Despite the fact that many governmental authorities previously established risk assessments including the preparedness for a new pandemic, security and government authorities did not seem quite ready for COVID-19. Moreover, there was little awareness of the possibility that a health crisis would affect different other atmospheres in life, and that it could have a dramatically destabilizing effect. In a sense, COVID-19 can be characterised as a catalyst that brought to light several social tensions.

The fabric of our societies has been hit hard by COVID-19 (Christakis, 2020), as it negatively affected social-psychological connections between people. With a view to learning and sharing lessons, on the basis of early data-gathering and open sources, including media reports and preliminary evaluation studies, we analyse the way in which policing and security may have been subjected to a paradigmatic shift. First, in a paragraph entitled “extraordinary times” we share our observations on the wide range of anti-COVID measures that were imposed on entire populations with a view to gain control over the virus, including (technological) surveillance and monitoring. Second, we analyse the nature of the crisis itself by distinguishing some of its dimensions, including the “crisisification” and the “securitisation” of the pandemic, with reference to the issue of leadership and governance and the way in which governmental authorities sought to manage the pandemic. Finally, we will evaluate whether and to what extent policing and security have been profoundly affected by the pandemic, even giving rise to the question whether we are witnessing a prelude to a paradigmatic shift in policing, and whether we are heralding a transfer from policing by consent to top-down repressive policing.

## An Extraordinary Era

While at the time of writing we have not yet witnessed the end of the COVID-19 pandemic, the pandemic can hitherto be characterised by its global size, its considerable duration, as well as its pervasiveness in all domains of life. The death toll of the pandemic has amounted

to between 7m and 13m excess deaths worldwide, according to a model built by *The Economist*.<sup>2</sup> In addition, when diving deeper into the distribution of the devastating impact of the pandemic, it is noteworthy to observe that low- and middle-income countries have incurred the highest mortality rates as a consequence of COVID-19. Moreover, what has made a difference as well is demography<sup>3</sup>: COVID-19 has hit relatively less hard in countries with high numbers of young inhabitants. What also matters, as claimed by *The Economist*, is the system of government and the degree of media freedom.

The longevity of the pandemic provided a rather demanding space for changing dynamics with respect to democracy, rights and justice. The political and administrative management of security governance and policing during the pandemic was interesting by itself: further below, we seek to tackle questions concerning leadership as well as the role of politics.

The COVID-pandemic was marked by a series of extraordinary, unprecedented and disciplinary measures. Except for several technology-based anti-covid instruments, such as the “Corona-app”, several measures were imposed by law enforcement officers:

- *Lockdown*: “By the first week of April 2020, 3.9 billion people – more than half the global population – were under some form of lockdown.”<sup>4</sup>
- *Curfew*: the imposition of stay-at-home orders during evening, night and early morning hours. This measure was used to reduce widespread community transmission and large outbreaks in order to decrease the pressure on the healthcare system and the impact of COVID-19 (morbidity and mortality).
- *Physical distancing*: physical distancing interventions aimed at strongly reducing the number of contacts per individual and decrease transmission of COVID-19 in the general population.
- *Face masks*: The use of face masks in public served as complementary means of preventing human-to-human

2 “Counting the dead”, *The Economist*, 15 May 2021. In the same issue (“The other epidemic”), *The Economist* writes that changes to the drugs market explained why more people in San Francisco died as a consequence of overdoses than were killed by COVID-19.

3 See e.g. Independent Evaluation Group in collaboration with the World Bank: *Covid 19 and aging populations*: <https://www.covid19-evaluation-coalition.org/documents/Reference-Guide-COVID19-Aging-WB.pdf> [accessed 6 July 2021].

4 Source: Property Crime Brief, UNODC; <https://covid19.who.int/table> [accessed 16 July 2021].

transmission and reducing the spread of the infection in the community. The face masks minimise the excretion of respiratory droplets from infected individuals (symptomatic, and who have not yet developed symptoms or who remain asymptomatic). The use of face masks in the community has been considered especially when visiting busy, closed spaces, such as grocery stores, shopping centres, or when using public transport.

- *Quarantine*: Self-isolation was imposed on individuals who had tested positive for coronavirus as well as on people arriving from countries considered as a high risk for transmission of COVID-19 to prevent or reduce re-impotment and further spread in the population, taking place in countries where the transmission is reduced in order to prevent new chains of transmission after introduction. On top of these measures, compulsory quarantine applied to individuals who had been exposed to the virus (e.g. within one household or at work), but who were not necessarily tested positive.
- *Mobility restrictions*, national, regional and international: Movement restrictions aimed at reducing further transmission and spread of COVID-19 by limiting population mobility, e.g. through decreasing public transport, especially in confined spaces such as train, bus and metro, and reduce transmission and further spread of COVID-19.
- *Interventions in public spaces*: Interventions mandating the closure of public spaces aim to reduce the level of contacts between individuals and reduce transmission and further spread of COVID-19.
- *School and university closures*: Preventing contact among children and juveniles is a prevention measure in influenza outbreaks and pandemics. Universities and other educational institutions are considered as areas where large numbers of people congregate in confined spaces.
- *Teleworking*: Interventions recommending teleworking aim to reduce the level of contacts between individuals at the workplace and during journeys to and from the workplace to prevent spread of COVID-19.
- *Protecting vulnerable people*: Risk groups and vulnerable populations were subjected to protection measures consisting of persons at higher risk for severe disease and poor outcomes if they acquire the infection, residing in facilities such as long-term care, psychiatric institutions, homeless shelters or prisons. Measures included 'cocooning' for vulnerable persons in the community or measures taken to protect vulnerable populations in institutions such as visitor restrictions.

Governments have predominantly relied on security services, in particular public police services, for enforcing compliance with the most restrictive COVID-19 measures, including quarantine, curfew, lockdown, and to some extent also physical distancing measures. Given the apparent limits in available capacity, the public

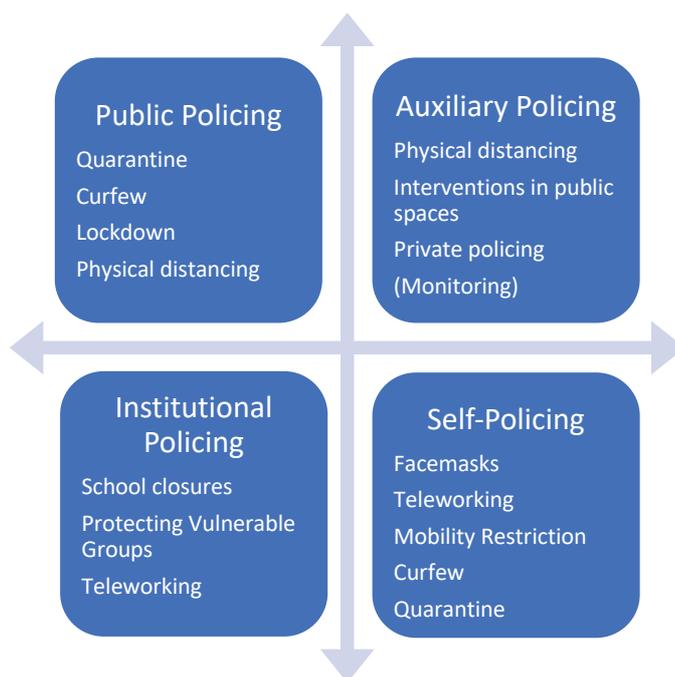
police had to rely on cooperative arrangements with auxiliary police officers (including volunteers, community police support officers and private security guards) for executing these tasks. Hence, some countries specifically promoted levels of individual responsibility and "self-policing" (e.g. Ayling, 2007). To some extent, the role of institutions and societal actors in self-policing seems to be overshadowed in the media and evaluation reports.<sup>5</sup> Policing, here defined as ensuring compliance with the COVID-19 measures, has been distributed among several different actors, as can be seen in the "plural policing" chart on next page.

What can be derived from this chart is that the public police forces have specifically been tasked with imposing "tougher" coercive measures in enforcing compliance with anti-COVID measures (see e.g. Ayling & Grabosky, 2006), particularly by ordering people to go home, issuing fines and by engaging in crowd and riot control during violent manifestations. For instance, in the UK, police were given new powers to enforce the anti-COVID rules, ensuring parents to do all they could to stop their children breaking the rules, issue a 60 GBP fixed penalty, lowered to 30 GBP if paid within 14 days, and issue a 120 GBP penalty for second-time offenders, doubling on each further repeat offence. Anyone who does not be can be taken to court, with magistrates able to impose unlimited fines.<sup>6</sup>

Auxiliary policing included imposing fines as well, but included "softer" measures such as recommending, advising and redirecting people. It should be noted that several of these measures were not codified in hard law, but subject to special emergency rules and regulations. Comparative and empirically-orientated research will have to be conducted to the question of whether certain sub-groups within the population were subject to over- or under-policing, or whether they were over-represented in the group of people who were being disciplined and/or sanctioned (Amnesty International, 2020a; 2020c; Dunbar & Jones, 2021; Stanley & Bradley, 2021).

5 However, two months prior to "Liberation Day" on 19 July 2021, Prime Minister Johnson of Great Britain expressed the following words: "And it is thanks to your effort and sacrifice in stopping the spread of this disease that the death rate is coming down and hospital admissions are coming down. And thanks to you we have protected our NHS and saved many thousands of lives." Source: <https://www.gov.uk/government/speeches/pm-address-to-the-nation-on-coronavirus-10-may-2020> [accessed 19 July 2021].

6 <https://www.bbc.com/news/uk-52053527> [accessed 8 July 2021].

**Figure 1:** Plural Policing Chart during COVID-19

### Omnipresent Surveillance

Several of the anti-COVID measures were paralleled by increased (health and mobility) surveillance for the purpose of prevention, mostly by disseminating preventive messages and increasing public access to health care. These measures were introduced in an incremental fashion, and certainly not all of them were imposed by members of the law enforcement community. Large-scale surveillance was introduced on the basis of the argumentation that the development and spread of the COVID-19 virus had to be monitored, in time, throughout the population, between countries and between spaces. The World Health Organisation (WHO) (2020) has been a strong proponent of these measures, arguing that surveillance aims at limiting the spread of the disease, to manage the risk and to monitor long-term developments (see also European Centre for Disease Prevention and Control, 2020). According to the WHO, surveillance measures aim at enabling rapid detection, isolation, testing, and management of suspected cases, identify and follow up contacts, guide the implementation of control measures, detect and contain outbreaks among vulnerable populations, evaluate the impact of the pandemic, monitor longer term epidemiological trends and understand the co-circulation of influenza and other viruses. In this line of thinking, the WHO has strongly advocated the bol-

stering of national health surveillance systems, as well as digital technologies for rapid reporting, data management, and analysis.

Surveillance instruments that were used throughout the COVID-19 pandemic have included:

- *Contact tracing apps*: to record inter-personal contact; most of these apps were either under development or newly introduced. In Poland, the government introduced an application prompting those under quarantine orders to upload selfies to confirm they were at home, using facial recognition combined with location data (European Data Journalism Network, 2020). In France, just 2% of the population downloaded the app and major concerns were expressed about sharing data and trusting the government to protect their personal information. Also, in Spain (57%) and in Italy (59%) the population expressed concerns about data security. Similarly, in Germany, where contract tracing apps were initially downloaded on a large scale, a minority of the population was willing to share data, and in the United Kingdom, a centralised app was abandoned amidst high levels of distrust of government to store data (60%) (European Data Journalism Network, 2020).<sup>7</sup> In the UK, guar-

<sup>7</sup> For a comparative overview of contact tracing apps in the European Union, see: [https://ec.europa.eu/info/live-work-travel-eu/coronavirus-response/travel-during-coronavirus-pandemic/mobile-contact-tracing-apps-eu-member-states\\_en](https://ec.europa.eu/info/live-work-travel-eu/coronavirus-response/travel-during-coronavirus-pandemic/mobile-contact-tracing-apps-eu-member-states_en) [accessed 8 July 2021].

antees were given that the data would not be shared with the police. In a tweet, the official account for the NHS COVID-19 app said the app could not be used to track one's location, for law enforcement, or to monitor self-isolation and social distancing.<sup>8</sup> However, in Singapore, despite previous assurances, police now seems to have access to TraceTogether App Data.<sup>9</sup>

- CCTV-networks, some equipped with *facial recognition*, as well as *thermal imaging technology*. In Russia, for instance, a network of 100,000 facial recognition cameras was installed to keep track of quarantined individuals. If people went outside to buy groceries, they were contacted by the authorities within minutes and subsequently fined (European Data Journalism Network, 2020). In Dubai, where the police has rolled out a large-scale surveillance programme with facial recognition and artificial intelligence to track down wanted criminals has been expanded with thermal imaging technology to identify rising body temperatures.<sup>10</sup>
- *UAV's or drones* to enforce curfew and social isolation regimes, introduced in Belgium, Croatia, France, Greece, Hungary, Poland, Spain, Turkey and the United Kingdom in order to monitor the public's compliance with lockdown regulations and social distancing. In France the highest administrative court ruled the use of drones unlawful on the grounds of privacy infringement; and drones used by Greek law enforcement were deemed to be insufficiently regulated (European Data Journalism Network, 2020). In Derbyshire, UK, the police issued a 60-second clip that was shot by the force's drone unit, showing people walking their dogs and taking photos.<sup>11</sup>
- *Thermal tracking*, used at airports and in other spaces to identify persons who may carry the virus: this is also called "fever-tracking" because it is one indicator of a COVID-19 infection. Temperature tracking can take place in two ways: (1) "smart" thermometers that are connected to the internet, allowing the company to collect the data when a person takes their temperature; and (2) remote temperature sensing devices (Just Futures Law, 2020).
- *Geo-location tracking and automatic number plate recognition* to monitor mobility: on top of increased helicop-

ter usage<sup>12</sup> during the COVID-pandemic, geo-location tracking and number plate recognition were intensified. Geo-location tracking is a method often used by law enforcement agencies. Criminals can be monitored and identified through GPS-tracking, but this method is now widely applied to the wider public.

- *Biometric detection technology*: in some countries, including Germany, Romania and Liechtenstein, biometric bracelets were tested on quarantined individuals, in order to verify their location and informing the authorities (European Data Journalism Network, 2020). In the US a tech company developed a smart ring that could easily measure temperature as well as other vital signs: The University of California San Francisco Medical Centre had 2,000 emergency medical workers wear these rings to identify early symptoms (Just Future Laws, 2020).

To some extent, these means of surveillance were introduced long before COVID-19. However, the combined application of these means of surveillance has had a pervasive effect on the private lives of citizens, particularly concerning the exchange of privacy-sensitive health data (see e.g. Keshet, 2020). Moreover, during times of crisis or emergency, regular checks and balances tend to be suspended, which may imply that the introduction of these health surveillance technologies and their application for law enforcement purposes has not been subject to extensive parliamentary scrutiny and privacy impact assessments. It remains to be seen in the future whether law enforcement agencies will continue to use these technologies for other purposes than health governance. Hence, the surveillance technologies mentioned above can easily be introduced for the purpose of law enforcement. However, any future application of these technologies that amounts to the consolidation of security governance should be preceded and paralleled by a sound privacy impact assessment as well as guiding principles concerning human rights and ethics.

## Security Governance during the Pandemic

Global observations concerning the style of government and leadership revealed that in autocracies or weak democracies, several incidents were reported of excessive violence by the police as well as the (widespread) use of coercive powers by security forces, even beyond what was allowed under the emergen-

8 <https://www.bbc.com/news/technology-54599320> [accessed 8 July 2021].

9 <https://www.cpomagazine.com/data-privacy/police-have-access-to-singapores-tracetogogether-app-data-in-spite-of-earlier-assurances-will-trust-in-contact-tracing-apps-be-undermined/> [accessed 8 July 2021].

10 <https://www.thenationalnews.com/uae/government/coronavirus-dubai-police-surveillance-cameras-to-be-used-to-boost-covid-19-detection-rates-1.1021168> [accessed 8 July 2021].

11 "Coronavirus: Peak district drone police criticised for 'lockdown shaming', *BBC News*, 27 March 2020: <https://www.bbc.com/news/uk-england-derbyshire-52055201> [accessed 8 July 2021].

12 See e.g. "Helicopters to police compliance with COVID-19 restrictions in Tasmania", <https://www.examiner.com.au/story/6717630/helicopters-to-police-compliance-with-covid-19-restrictions/> [accessed 8 July 2021].

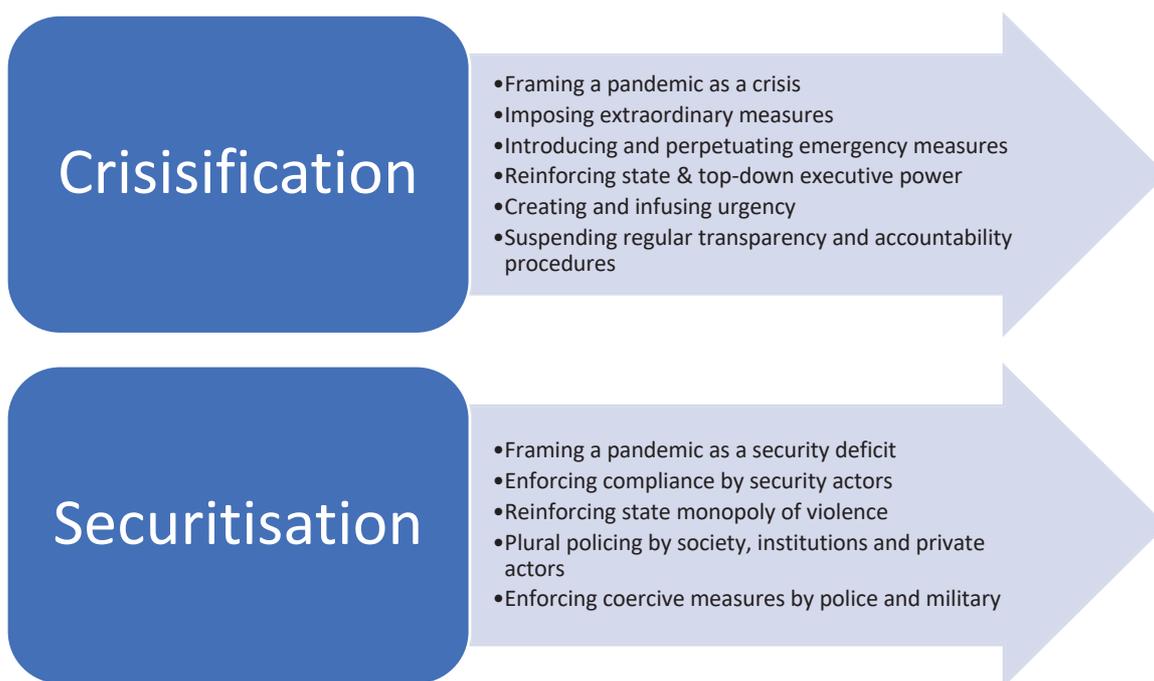
cy measures (Amnesty International, 2020-a). In the African region, excessive police brutality was reported in South Africa, Uganda and Kenya, even leading to the claim that more people died at the hands of security forces in 2020 than from COVID-19 (Amnesty International, 2020-a; Amnesty International, 2020-b). Across Latin-America, militaries were prominent in COVID-19-management, signifying a form of militarisation of policing.

Largely, the pandemic was subject to a process of “crisisification” and “securitisation” at the same time. Rhinard (2019) defines “crisisification” as a process by which “changes to collective policymaking processes in the EU”, propelled by finding the next “urgent” event, prioritizing speed in decision-making, ushering in new constellations of concerned actors, and emphasizing new narratives of ‘what matters’ in European governance’. At national and international level, the pandemic has been framed as a common narrative requiring urgent and joint action from governmental authorities.

On the other hand, there has been a process of “securitisation”. Following on from Waever (2007), we define securitisation as a discursive process in which perceived threats are (re-)framed to the extent that they amplify the need for concerted action, state power and urgency. That COVID-19 was subject to securiti-

sation can be demonstrated by the process by means of which the virus itself was turned into a crisis (“crisisification”), ensued by large-scale management of the health situation through a security lens (“securitisation”), authorizing security actors to enforce compliance with health-governance measures. In this context in particular, the monopoly of violence has been exercised in the ambiguous terrain where health management and public order have interacted. It is precisely in this grey area where citizens encountered several new definitions of non-compliance and even lawlessness.

Across the globe, governments reinforced the role of executive power, which seemed to be at the expense of parliamentary power as well as local civil power. For instance, Aston et al. (2020) observed emerging internal security action by the defence forces. Guasti (2020) found a range of varied responses to the responses to the COVID-19 crisis by populist leaders in Europe and identified two patterns: the rise of autocracy and democratic resilience. In Hungary and Poland, the state of emergency was instrumental to the increase of executive power. But at the same time, there were several examples of democratic resilience, showing that the COVID-19 pandemic alone did not infuse the rise of authoritarianism. Toshkov et al. (2020) argued that governments passed emergency measures that strengthened the executive, streamlined decision-making and delegated the daily management of the pandemic to



special councils and committees, away from the scrutiny of society, media and parliament.

Comparative observations in Europe showed that while France adopted a nationwide uniform application with recent regional-level measures, Spain tended to recentralise decision-making in spite of regionally autonomous and health and police systems (Vampa, 2021). Similarly, in Germany the Federal Government made all crucial decisions, not so much the *Bundestag* (Aden et al., 2020; Vampa, 2021). In Belgium, the pandemic laid bare the complex ‘institutional lasagna’ of the country: No fewer than ten ministers were in charge of health-related portfolios (Popelier, 2020). In the Netherlands, central authorities delegated major responsibility to manage the anti-covid measures to decentral authorities (“Safety Regions” and local mayors), and when this began to show incomprehensible friction, back again to the central level (Cavalcanti & Terstegg, 2020).

Within the European Union, there was no sense of harmony or standardisation in tackling the pandemic: it has led to a late awakening that perhaps, the EU should develop into a full-blown health union in the future. The international co-operation was rather dramatic at first, particularly as it seemed to infuse unilateralism instead of solidarity. Nevertheless, for example, Dutch COVID-19 patients were admitted to intensive care wards by German hospitals. In addition, on the most fundamental principles underlying the European Union, namely free movement and the abolition of internal border controls, the EU failed to pass the Schengen stress-test: Rijpma (2020) noted that it is hard to see the irony in commemorating the principled decision to lift checks at the internal borders at a time where most Member States have reintroduced those very checks to counter the spread of COVID-19; some even restricted the right to free movement of EU citizens. It serves as proof that Schengen should not be taken for granted.

Another observation is that political and administrative leadership changed throughout the successive waves of the pandemic (Boin et al., 2021). In the first phase leadership seemed reasonably successful, because governments had to navigate in thick fog: they could easily be forgiven for potential misjudgements. While anticipating formal evaluations<sup>13</sup>, several ques-

tions have been raised concerning the assessment that was made by the governments, how they responded, and whether their genuine objective was to manage a health crisis or whether they used the pandemic for political gains. In the Netherlands, the complete crisis infrastructure was abolished in the course of the summer of 2020 before it had to be rebuilt in the face of the second COVID-19 wave. In the summer of 2021, history seems to repeat itself: some governments prove to be hard learners.

## Impact of the Pandemic on Policing and Security

The COVID-19 pandemic has confronted us with “Unforeseen and unprecedented challenges to policing”; (Laufs & Waseem, 2020). The International Association of Chiefs of Police (IACP) notes that the COVID-19 pandemic has “significantly affected the operational landscape of policing”, as the police has been asked to act on the frontline, tending to emergencies as well as having to respond to social consequences, “while at the same time providing safety and reassurance to their communities.” (Lum et al., 2020). For instance, a survey revealed that 43% of the responding law enforcement agencies had stopped or significantly changed their response to at least twenty per cent or more of their calls for service (Lum et al., 2020).

In the domain of public order management, police had to deal with distress, tension, anxiety, civil dissent (see also Frenkel et al., 2020): some communities have been disproportionately affected by the COVID-19 crisis as they faced several crises at the same time:

*“civilian distress and grievances after disasters may disproportionately affect socio-economically disadvantaged communities, leading to violent confrontations between police and communities (...). This is especially the case for contexts that have seen the militarisation of policing (e.g. in form of the deployment of armed forces for policing duties during a public health emergency)”* (Laufs & Waseem, 2020).

The COVID-19 era has been rife with protests and demonstrations against restrictive confinement measures relating to curfews, compulsory face masks, and social isolation measures. Several analysts believe that the COVID-19 pandemic gave rise to the expression of underlying social tensions. Moreover, a spill-over effect was rather visible as protests spread between different

<sup>13</sup> However, see the Audit Compendium on the Response to COVID-19, that refers to 48 audits and evaluations conducted by 10 national courts of audit as well as the European Court of Audit (ECA): eca.europa.eu [accessed 23 July 2021].

communities, not only physically but also virtually (an example are the online revolts in China).<sup>14</sup>

Police found themselves sandwiched between vertical governance and the duty to enforce government instructions on the one hand, and professional self-discretion, improvisation and creativity on the other hand. In several cases, law enforcement officials resorted to the unlawful use of force to impose lockdown measures on people who did not offer any resistance or constitute a significant threat, many of these occurred in the context of police identity checks. Existing data regarding police stops, searches and identity checks suggest that the enforcement of these powers has a disproportionate impact on racialised groups (Amnesty International, 2020a; Amnesty International 2020c; Dunbar & Jones, 2020; Stanley & Bradley (2020)).

Notably also, as has been identified by Amnesty International (2020a; 2020c), coercive measures were not always used as a matter of last resort. Hence the principle of proportionality as well as subsidiarity were under pressure. Legitimate civil protests as well as clashes between police and citizens attracted a vast amount of media attention, thereby overshadowing the high levels of civil compliance with and public endorsement of the anti-COVID 19 measures.

In the domain of criminal investigation, the impact of COVID-19 appeared to be rather heterogeneous, as there was significant variation across countries and the types of crime. Any significant changes were short-lived and pre-pandemic dynamics soon returned (Broekhuizen et al., 2020). Forewarnings have highlighted the potentially adverse effect the economic downturn caused by the pandemic may have, particularly on property crime. Changes in the criminal landscape seemed to be rather short-lived, according to UNODC, and Halford et al. (2020) note that:

*“(...) the relatively short-term rapid changes in crime experienced during the covid-19 pandemic appear consistent with the explanation offered for the longer-term international crime drop, but so too with increas-*

*es in cybercrime, fraud and other new and emerging crimes that emerged as the result of increased crime opportunities.”*

Initial findings on crime trends during the COVID-19 pandemic indicated that “physical crime” dropped significantly, while the volume of online criminality (online fraud, phishing) rose. Robbery, theft and burglary fell by 50 per cent in most countries. The decrease was relatively larger in countries with stricter lockdown regimes, as lockdowns lower the opportunities to commit certain types of crime, such as burglary. According to UNODC, homicide underwent a short-term decline of 25 per cent or more in some countries. In others, there was no visible change or the variability in the number of homicide victims remained in the usual range. Crime-reporting was also affected, which was not only the result of a decrease in the number of crimes committed but reporting numbers were affected. Domestic abuse and gender-based violence tended to be under- or unreported in the early phases of the pandemic. Significant warning shots have been given on corruption and criminal exploitation of (post-) Corona recovery funds, but there have also been several cases concerning medical supplies, healthcare products and supplies, and insufficient compliance with public procurement legislation. In general however, the UNODC has observed a paucity of data and heterogeneity of emerging measures.

In the field of community policing, the general observation is that the COVID-19 pandemic has adversely affected police-community relations as well as relations among citizens themselves. The International Association of Chiefs of Police (IACP)<sup>15</sup> notes that 73% of responding agencies had adopted policies to reduce or limit community oriented policing activities. However, 39% of responding agencies had adopted specific policies to increase community presence for certain locations (grocery stores, hospitals, or other public spaces) (Lum et al., 2020). Maintaining relations with the community while ensuring compliance with new regulations and restrictions has turned out to be one of the predominant challenges during a pandemic (Laufs & Waseem, 2020): on the one hand, communities may be under stress whilst on the other hand, police has to ensure compliance with restrictive measures. Thus, the Peelian Principles on Policing by Consent have been severely under pressure, negatively affecting police-community-relations:

14 Sources: <http://gettoinfo.com/news/a-rare-online-revolt-emerges-in-china-over-death-of-coronavirus-whistle-blower-the-new-york-times/>; <https://www.amnesty.nl/wat-we-doen/landen/china-informatieplatform/china-covid19>; <https://timesofindia.indiatimes.com/world/china/covid-19-xinjiang-residents-protest-online-against-virus-lockdown/articleshow/77717507.cms>; <https://www.theverge.com/2020/2/24/21151404/china-wechat-twitter-coronavirus-critics-protest-information-share> [all accessed 16 July 2021].

15 <https://www.theiacp.org/> [accessed 16 July 2021].

“Trust within communities and towards governments is a key feature that underpins effective public policies; while not unique to democracies, such trust can be more easily thickened through bottom-up inclusion and pluralism” (Youngs & Panchulidze, 2020: 6).

## Preliminary Lessons Learnt

One of the take-aways from policing and security during the COVID-19 pandemic is that the messaging and communication towards citizens has often been inadequate, combined with a lack of a national and internationally coordinated communication infrastructure(s). The communication toward citizens should have been far less ambiguous, not merely in the initial stages of the pandemic, taking account of the high learning curves of the population. Most communication was directive and executive in nature, not leaving much room for persuasion. The potentially pejorative character of the communication towards citizens has likely been one of the fundamental weaknesses in the pandemic.

Another lesson learnt is that there has been insufficient variation in styles of policing, whilst citizens’ expectations change in time. A long-term pandemic requires a solid strategy on adaptive styles of policing. For police organisations, lessons learnt include the following:

- *Adaptivity and/or adaptability:* Law enforcement agencies were confronted with the need to adjust working schedules, deployment formations (Lum et al., 2020), but also needed to be adaptive in their response to the public. This raises a question for further reflection, namely the normative question on whether law enforcement agencies should have been more adaptive, or whether law enforcement agencies lack the type of agility that is required during testing times like a pandemic?
- *Communication:* Internal as well as inter-agency communication and external communication with administrative authorities and communities are and remain essential (Lum et al., 2020), using various forms of communication, which may improve morale as well as be a good medicine against fake information.
- *Collaboration:* The control of the COVID-19 pandemic required multi-disciplinary co-operation and ‘plural policing’ and it is essential to acknowledge this at the forefront (Maczak, et al., 2021).
- *Transparency:* Citizens have felt deprived of their rights, infusing stress, anxiety, frustration and anger. Not only should communities be prepared for collective resilience, but there should also be far more transparency

and accountability of why governmental authorities and police organisations make certain choices. Former community links have suffered a set-back and self-policing in terms of “responsibilisation” (Garland, 2001) has been marginalised in the discussion.

- *Professional ethics:* Police officers themselves have lived through extraordinary times and have been asked to impose a wide range of restrictive measures, potentially going against their oath and professional ethics. Moreover, law enforcement officers have endured stress at home as well as in their engagement with communities. In future pandemics or global crises, there needs to be far more awareness of the mental health as well as the moral and physical well-being of police officers. A group of nineteen Ontario police officers launched a constitutional challenge against the provincial and federal governments and several police chiefs, claiming that enforcing sweeping pandemic health restrictions puts them at odds with their oath to uphold the charter.<sup>16</sup> Except for these important ethical issues, the COVID-19 pandemic had a strong impact on the mental and physical well-being of police officers (Stogner et al., 2020). For instance, Stogner et al. (2020) refer to the imposition of several anti-COVID measures by the police at the same time: Law enforcement officers were expected to coordinate local shutdowns, encourage social distancing as well as enforce stay at home mandates. COVID-19 thus provided a “significant stressor for officers.”
- *Equity of justice:* The equal treatment of citizens seems to have been suspended – at least temporarily - because of the disproportionate targeting of minorities. Discriminatory practices and ethnic profiling have occurred particularly in urban areas with mobile workforces and small housing: these communities have been subjected to relatively high levels of surveillance by police and law enforcement. For instance:
 

*“The COVID-19 pandemic revealed the heavy policing and the recurrent unlawful use of force in urban areas in France with high rates of poverty and where a large proportion of the population are of North African or other minority ethnic origin. For example, in Nice predominantly working class and minority ethnic neighbourhoods were subject to a longer night-time curfew than the rest of the city. The police enforcement of COVID-19-related restrictions on movement reinforced already existing discriminatory and unlawful policing trends in those neighbourhoods”* (Amnesty International, 2020c, p.20).
- *Rule of Law:* What the COVID-19 pandemic has also revealed is that the Rule of Law may rapidly land on a slippery slope. In many democracies, governments have built in concerns over privacy rights to their tracking

<sup>16</sup> “Group of police officers files constitutional challenge over Ontario pandemic rules”, *Toronto News*, 5 May 2021 [accessed 16 July 2021].

apps; however, lack of anonymisation and information leakage. Various governments across the world have used technology for surveillance beyond the originally stated purposes. Surveillance technologies ordinarily used for counter-terrorism were now used for managing a health crisis, hence undermining one of the fundamental data-protection principles, namely that of finality. In other words, the COVID-19 pandemic has allowed function or mission creep of surveillance technologies.

- *Resilience*: Finally, if there is one profound lesson to be learnt from this pandemic is that it is crucial to be prepared at all times. For this, it is necessary to build “pathways to future resilience” (Boin et al., 2021) by anticipating, monitoring, training, preparing, and exercising. Pre-crisis training for police officers is conditional, police leadership has to be drilled in complex settings, crisis

management scenario's need to be shared and raw data and media coverage need to be collected (Broekhuizen et al., 2020).<sup>17</sup> During and after a pandemic, evaluations combined with empirical research are important to draw lessons for the future as well as to collect real-time intelligence in order to act promptly and professionally (Van Ham et al., 2021)

<sup>17</sup> Such as the CoroPol Monitor and research programme in The Netherlands, in the first six months of the pandemic, by four police researchers (Ferwerda, Bervoets, Landman and Broekhuizen). The Monitor was established in order to provide Dutch law enforcement agencies brief information (“headlines”) on crime, (plural) policing and public order elsewhere in Europe and the world, specifically during the stages of a lockdown. Besides, the monitor meant to indicate what to expect and what to prepare for in The Netherlands as well as to offer an action perspective on policing the pandemic in this country. CoroPol originates from the words ‘Corona and Policing’.

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