

The multi-level challenge in local governance of public safety.

An exploratory study of contemporary local governance of public safety in the Dutch region of Utrecht.

Lex Cachet
Ruth Prins

Erasmus University Rotterdam
Department of Public Administration
The Netherlands

Panel 4: Citizens and the governance of local safety

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Introduction

During the past decades society has become much more complex. And so did the challenges governments at all levels face, especially at the local level. This contemporary challenge seems to be present in a divergence of domains, such as youth and education, public health, social security and public safety.

For this paper we will focus on the domain of governing public safety in cities and municipalities. Providing adequate safety for local communities is one of the oldest functions of modern government.¹ Once upon a time it was a very simple and straightforward task. Now that has changed drastically. In contrast with the traditional monopoly of the national government and its police, nowadays various actors from public and private sectors are involved in public safety policy. Even within government, actors from different layers of government take their part in governing local public safety.

The multi-level challenge of governing local safety of the latter kind is the central subject of this paper. In this paper we will explicitly focus on this multi-level challenge and the mechanisms used by various *governmental actors* to cope with the complexity of governing local public safety. The central question of this paper is ‘How can (local) government effectively cope with the contemporary multi-level challenge in governing local safety?’

In the first part of our paper we will sketch the state of affairs for governing local public safety then and now and what happened during this course in the Netherlands. Then we will discuss some theoretical notions on multi-level governance with special emphasis on effectiveness and accountability. This will be followed by a summary sketch of the specific case of governing the local

¹ In this paper safety most of the time refers to social safety. Although we recognize the great importance of physical safety problems, we lack room and expertise to treat that here as well.

public safety situation in the Dutch region of Utrecht. We will focus our attention on the mechanisms introduced in order to handle the multi-level challenge. Furthermore we will analyze the case of Utrecht based on the earlier mentioned theoretical notions. We will conclude with some preliminary thoughts on the effectiveness of these mechanisms.

Providing adequate safety.

Since long, providing adequate local safety has been one of the main functions of the modern state. The 19th century 'watchman state' did not have many other functions altogether. During the first decades of the 20th century local safety problems were rather small, i.e. manageable for local government and the local police force².

How it was

Keeping the peace and controlling crime were rather small challenges and they were almost exclusively met by the local police force. Local government was not really involved. Supply (police capacity) and demand (order problems and crime levels) were more or less in balance. Therefore the need for planning or policy was very low as well. Local safety did not reach any agenda whatsoever. All went well, so why bother? So until the mid-sixties policing was a rather straightforward and a-political activity.³ Local safety policies did not exist – order and safety were left to the police - political pressure to develop them was not present. Political accountability for local safety was unheard of, even in the case of scarce large scale incidents like the 1953 flood disaster (1853 lives lost) or the 1962 train crash at Harmelen, which killed 93.⁴

What happened?

Dutch society has drastically changed since the end of the 1960s. And so have local safety problems. Social change and societal unrest during the sixties and afterwards led to a drastic increase in large scale public order problems such as demonstrations and provocations by the so called 'Provo' movement, occupations of university buildings by students and riots caused by anti-monarchist and squatter movements during the crowning of queen Beatrix (Cachet, de Kimpe, Ponsaers & Ringeling, 2008). Fast rising order problems were followed, shortly afterwards, by a rather large increase in crime rates.

² In the Netherlands the police function in small communities was provided, until 1994, by a national police force, the State Police (Rijkspolitie). But even this force was heavily decentralized in regional districts and local units. In that sense it is correct to speak about local police forces.

³ Cf. Reiner The politics of the police

⁴ Both were major incidents in which government and rescue organizations failed in many respects. Political accountability however was not invoked at all. Results of an impressive – and very critical - Dutch-American - research project on the 1953 flood disaster were kept secret for decades. See a.o. Flood disaster studies, Rosenthal RRR, Van Duin diss.

(Local) Government could not cope with the tremendous increase in order and safety problems. The once implicit principle of full enforcement – an open question whether it ever has been really realistic – became an explicit problem. The police could not cope with all demands and all transgressions any longer. So the need arose to make choices: what to enforce now, what later and what not at all. That kind of decision making in a democratic system under the rule of law can not be left to civil servants. Providing local safety became a political issue. Policies – what to do, when and to which degree – were formulated and decided upon by politicians.

Increasing pressures on the police easily could have led to a struggle between the traditional police authorities on the local level - mayor and public prosecutor – for a greater share of police capacity. That risk was averted by introducing the so called tripartite consultation (in Dutch: driehoeksoverleg). Tripartite consultation forced mayor, local public prosecutor and local police chief by law to consult with one another on police policy and action on a regular basis.⁵

Political involvement notwithstanding the implementation of local safety policies were left to the police and only the police for a very long time. Local government did not seriously contribute to problem solving. The same goes for other layers of government; they were hardly involved.⁶ Local safety policies long have been identical with police policies and activities.

The pivotal role of the police in local safety policies has not remained without consequences for the police itself. As a frontline organization without serious backup the police faced both too much work and partially the wrong kind of work. Both led to serious overload of the police, a low productivity, serious criticism of police effectiveness and finally to a core tasks debate and the police getting rid of many tasks⁷. Others *have* to get involved now. It is one of the reasons for the complexity we find in contemporary local safety policies.

How it is now

Local safety policy nowadays is far more than an exclusively local activity. Many other non-local actors are involved. What caused that change?

During the past decades safety has become a central issue in the Netherlands. Traditional problems like crime and order became major political issues. At the same time a lot of new issues, like nuisance, homelessness, psychic disturbance, immigration or religious radicalism, were labeled as issues of public

⁵ Van de Poel; Albert diss.

⁶ Dutch national government always has been pivotal in funding the police and distributing police capacity over the police forces. Direct involvement, however, with the content of police work has been very unusual for a very long time. Only during the past ten to fifteen years national government has broadened its involvement. See for example BNP, IVP, Landelijk kader and Prestatie afspraken.

⁷ Van der Vijver ; Mein, Van Sluis a.o., Van Bolhuis

safety.⁸ The already politicized field of public safety became broader and broader. Active political involvement on various levels became inevitable. City councils claimed their share in policy formation and decision making. Until then local safety policy had been police policy only and as such the mayor's prerogative⁹. Local political involvement helped change police policy into a broader local safety policy, in which (many) other actors than the police could be involved as well.

The politicizing of safety issues also brought central government and parliament into the game. National government deemed it necessary to reform the police system (in 1994) and to introduce its own priorities for (local) safety policies (later on during the 1990s). Both national as well as local steering of the police has increased considerably, during the past decades. But national steering seems to be more coercive or robust than local steering.¹⁰ National priorities have to be built into regional and local policy plans.

The police reform also introduced some new players into the game: force manager, regional council, sometimes district councils and most of the time local and sub local units or teams. Not all of them are really administrative bodies, but they all exert considerable influence on local police policy and on local safety policies especially.

Notwithstanding many efforts to change the Dutch administrative system the three layer model of public administration still survives¹¹. But within the formal main structure more and more supports (hulpconstructies) are needed; some of them formal, others more informal, based not on any specific law but on an agreement between parties involved. Many organizations involved in providing for local safety no longer are locally based. The police, for example, are organized on the regional level. Fire brigades slow but sure follow the same route and the control of large scale accidents and disasters – crisis and disaster control – also is organized on the regional level. Regional organizations like these do their work under the authority of local public administrators like mayor and public prosecutor.¹²

⁸ See Securitization etc.

⁹ In the Dutch system mayor and public prosecutor decide on what the police should do on the local level. Afterwards the mayor is accountable to the city council and the public prosecutor to the chief public prosecutor and the minister of Justice.

¹⁰ We have seen the trends towards more steering of the police and towards more robust national steering also in other Western-European countries. See Cachet, Van Sluis a.o. 2009.

¹¹ Amazingly so. The three layer model was introduced around 1850 by the liberal statesman Rudolph Thorbecke and nowadays often is called 'Thorbecke's home'. Until now Thorbecke's home successfully withstood all efforts at drastic renovation.

¹² Formally the public prosecutor is not a local official. But he is closely cooperating with the mayor and the local police chief, acting most of the time like a liaison between nationally organized public prosecutor's office and local government and locally based police force.

Regional organization of emergency services brings advantages, like more capacity, higher levels of specialization and craftsmanship. But the trend towards regionalization also makes local administrators more dependent on non-local organizations in the implementation of local policies. Regional organizations are a joint responsibility of many. Some police regions bring together more than thirty cities which also vary in size significantly. A single mayor's power or influence over these regional organizations will thus be small. Now and then local authorities even become vulnerable due to mistakes or failures on the regional level.¹³

In this paper we focus (only) on administrative complexity. However it is good to mention the fact that local government also has become more and more dependent on semi-governmental, non-governmental public or even private organizations. Nowadays local government has to cooperate with many other governmental and non-governmental organizations. Providing local safety is no longer exclusively a (local) governmental task. Many others contribute to local safety - housing corporations for example - or provide safety themselves, such as public private cooperation to provide safety in football stadiums, shopping malls or business parks.

However, in the remaining parts of this paper we explore only how local government can cooperate with other governmental organizations involved in public safety policy.

How to cope?

The central question nowadays is thus how to cope with the tremendously increased complexity. How can local government organize, steer and work effectively within such a complex administrative environment?

We will seek answers to that question first in public administration theory. Next we will describe and analyze solutions developed within one of the Dutch police regions, that of Utrecht.

The multi-level challenge from a theoretical perspective

Contemporary governance of public safety is characterized by (in)formal interactions and collaboration between multiple actors from various governmental layers. Before we delve into its specific empirical manifestations of multi level governance in the police region of Utrecht, we will first introduce some theoretical notions. What is multi level governance and what do we know about its effectiveness and legitimacy?

¹³ Most of the time this is the case when police actions are not adequately Groningen, Pijnacker-Nootdorp en recent Hoek van Holland

The shift from government to governance

The traditional Weberian model of formal governmental organizations undertaking top down actions in order to control society has been contested during the past decades. This model has been confronted with new horizontal forms of steering and joint action by various actors from different sectors influencing society and handling public problems. This paradigm shift in public administration has been marked as the shift from government to governance. The rationale behind the shift from government to governance can be found in the assumption there are limits to the controlling capacity of the state. Central government is not able to control society all by herself. Mutual resource dependency (Rhodes, 1988) characterizes the relationship between the central state and other governments as well as between governmental actors and others (Peters & Pierre, 1998).

In case of governance, policymaking and implementation is no longer a sole responsibility for traditional, formal and central governmental actors (government), but a joint action of public, semi- public and private actors (governance). Governance can be seen as co-production of policy by actors representing government, market, society and citizens (Bekkers, 2007). It can be defined as “sustaining co-ordination and coherence among a wide variety of actors with different purposes and objectives such as political actors and institutions, corporate interests, civil society, and transnational governments” (Pierre, 2000: 3–4).

Governance is about networks controlling public policy (Peters & Pierre, 1998). The (resource) dependency between actors calls for cooperation in order to address public problems effectively and this collective action goes through self regulation and –organization. These collectivities or networks can be seen as hybrid cooperation networks in which political decisions on policy and society are being taken. The networks or collectivities of governance can be characterized as public-private-, national-international- and partnerships of central-decentralized governmental actors defining and implementing public policy. This paper focuses on the latter.

The multi-level challenge of governance within government

As already noted, governance is often described as a joint venture of actors of *different* sectors (public, private, hybrid organizations) that are forced to ‘blend their recourses’ (Peters & Pierre, 1998) in order to address public problems effectively. However, also within the governmental organization actors of several governmental layers find themselves interrelated in networks challenged to handle policy problems collectively.

The involvement of several levels of government (national, regional, local) with issues of public safety, shares key characteristics with the concept of multi level governance which is about “cooperative rather than hierarchical relations between governmental units attached to different territorial levels”

(Papadopoulos, 2003:473). In this paper, we focus on the (cooperative) relations between several governmental layers, namely governance as coproduction by a collectivity of national, regional and local actors. We will characterize this form of governance as *multi level governance within government*.

Multi level governance within government is not restricted to formal levels of administration like the nation state, provinces and local government only. During the past decades the inflexibility of the traditional structure of public administration has been mitigated by the introduction of all kinds of intermediary structures. Some of them are rather formal – like the Dutch WGR structures and the police regions – others more informal, based on voluntary cooperation between especially local governments.¹⁴

Effective multi level governance

The complexity of public problems is the main cause that traditional, vertical forms of steering and are no longer sufficient and traditional models of responsibility and coordination are questioned.

It is highly probable that multi level governance is presumed an approach to manage (public safety) problems more effectively. But what are the actual key-factors determining the effectiveness of the mechanisms of multilevel governance within government? In other words how can (local) governments effectively steer and coordinate these multi level activities? We will discuss internal factors influencing the effectiveness of multi level governance. Although we are aware that multi level governance also is influenced by external factors such as the political situation and the manifestation of real world events, this goes beyond the scope of our research and this paper.

Effective multi level governance requires coordination and steering of the activities actors from several governmental layers decide upon. Effectively co-producing public policy depends on the quality of the internal relationships between actors in collectivities and the recognition of their (mutual) dependencies (Bekkers, 2007). Since (multi level) governance is about creating policies within networks, its effectiveness is influenced by the quality of the interactions in these networks (Löffler In Bovaird & Löffler, 2009). This could be achieved by the strategies of game management and network structuring (Klijn & Teisman, 1994;1997).

Network structuring refers to activities aimed at structuring the network permanently in order to improve the conditions under which policies are constructed. Examples of these activities are (re)formation of the network, changing the relations between actors, changing the distribution of resources, the (re)framing of actors' perceptions and creating the rules of the game (institutional arrangements). *Game management* refers to the short term interactions between

¹⁴ WGR (Wet Gemeenschappelijk Regelingen) is a Dutch law that regulates cooperation between local governments. It is both a much used as a much criticized instrument.

actors in networks in producing policy. Core game management activities create convergence in actors' perceptions toward a common vision, selective (de)activating of certain actors and resources, anticipating on existing rules and creating compromises about policy. Other internal factors influencing the quality of the co-production of policy in multi-level governance arrangements are traditions and leadership as well as the openness of the network (Bekkers, 2007). Finally, Löffler (In Bovaird & Löffler, 2009) mentions the importance of priority setting in order to achieve effective governance.

*Democratic multi level governance*¹⁵

Multi level governance challenges our ideas of accountability and legitimacy. Networks consisting of several (in)formal levels of governments might not easily fit in to the traditional checks and balances of the administrative system. These joint efforts by various actors do not always follow the division of traditional governmental layers, like those established in the Netherlands by Thorbecke, closely. They even might be in conflict with the formal distribution of responsibilities in public safety governance. This raises questions, both about effectiveness as well as democratic accountability.

Papadopoulos (2003) mentions the 'democratic deficit' of governance. This deficit can be a problem of *responsiveness* where policymaking is not sensitive enough to the people's demands. Responsiveness is about substance. The democratic deficit can also refer to a problem of *accountability*. This deals with the legitimacy of the process of policy formation and democratic control. Although challenges of responsiveness and accountability are often being described in literature taking as manifestations in governance by public-private networks (...) it also might be present in governance within government.

In case of *problems of responsiveness* "there is a risk that the uncoupling of policy networks from the arena results in a marginal role for the legitimacy provided by the state by democratic bodies" (2003:479-480). Seen from the deliberative democratic perspective, every individual should be able to contribute equally to public matters. (Multi-level) governance seems to downplay the democratic influence of individual citizens by replacing elected representatives with "influence tied to sectoral or local expertise" (2003:479). Policy is formulated in "the shadow of hierarchy" (2003:480) and networks of governance consist of actors who might dominate the process of policymaking while not being (direct) representatives of the citizens. The lack of legitimacy could in turn endanger the effectiveness of the policies and measures, since they are not fully reflecting the voice of 'the demos'.

The democratic deficit of governance can also be seen as a *problem of accountability* which is "about the 'throughput' that permits citizens to express their views on policy outputs" (2003:482). Networks of governance consist of actors which might dominate the process of policymaking even though they are

¹⁵ Based on Papadopoulos, 2003

not under (direct) democratic control. The main argument here is that policy making in multi level settings of governance is not accessible enough for formal control. In case of governance within government, the controlling capacity of system of traditional democratic checks and balances in policymaking becomes disturbed because of the interplay of many actors from various governmental levels.

Tackling the multi-level governance problem. The case of Utrecht¹⁶.

Utrecht¹⁷

Since 1994 the Dutch police are organized in 25 police regions. Each police region covers a number of cities and villages. The police region of Utrecht holds 29 of them. The police region covers 1.439 square kilometers and has 1.190.604 inhabitants. The size of the cities varies considerably from 294.737 in Utrecht and 141.211 in Amersfoort to 4482 in Renswoude¹⁸. The police region itself is subdivided in ten districts. Within each district various teams operate on the local or sub local level.¹⁹ In order to understand the way in which the multi-level challenge of governing public safety was handled in the police region Utrecht, we first have to mention some general developments within the Dutch police organization.

The introduction of the regional police

The introduction of regional police in the Netherlands was meant to face the challenge of rather fast rising crime rates. A drastic increase in the scale of the forces could help, so it was supposed. But the introduction of regional forces also meant local governments no longer had police forces of their own. Even the larger cities now became dependent on supra local, regional, forces. Local government's dependence on regional police forces was not much of a problem in 1994, at the start of the regional police. Autonomous local safety policies almost did not exist in most of the cities and villages in the region of Utrecht or elsewhere during these years. Local safety policy was what the police did or did not.²⁰

¹⁶ Note that 'Utrecht' in Dutch stand for three different bodies: the city of Utrecht, the province of Utrecht and the police region. In this paper 'Utrecht' stands for the police region Utrecht. Although police region and province Utrecht both cover the same 29 cities and townships, they are quite different bodies. The province since long is one of the three democratically legitimated and multifunctional administrative layers (national government, province and local government). Police regions are based on the Police Law 1994, they are not directly democratically accountable and their sole responsibility is adequately organizing and equipping the police.

¹⁷ Parts of this case are based on Esther de Pee's Master thesis,.....

¹⁸ CBS, 2008

¹⁹ At this moment – fall 2009 – a debate is going on within the police region about reducing the number of districts to (probably) five. That would mean up scaling the teams within the districts as well.

²⁰ De Kimpe and Cachet, in Cachet e.a. 2008.

Shortly afterwards the scene changed drastically. The police were faced more and more with both qualitative and quantitative problems of public safety.

They had to do jobs they were not equipped for, such as tackling youth problems and nuisance, providing shelter for some of the mentally disturbed or providing some social control and cohesion in many neighborhoods. And so the police faced an ever increasing and unmanageable workload.²¹ In Utrecht – and in many other regions as well – a debate followed about core tasks ('kerntaken') of the police and – even more important - about what to do with non-core tasks. The police now urgently wanted to transfer parts of their workload to local governments and other organizations. Thus, one of the main consequences of the core tasks debate was that local governments had to start rethinking *their* role in providing safety. Local safety policy was developed, although rather slow and (much) earlier in the larger cities than in the small villages.

Bridging the gap: RVS and drivers

Developing autonomous local safety policy within a police region like Utrecht introduces multilevel complexity into the game. Local authorities are dependent on a regional organization to execute their policies. Police forces, on especially the team and district levels, at all costs should avoid a situation in which all their principals wish to carry out quite different policies.

*Through a uniform and coordinated design and execution of policy solving problems throughout the region as a whole will be more effective. Cooperation by many will strengthen the professional support for policies that have to be executed, thus contributing to the effectiveness.*²²

So the need for coordination between local and (sub) regional level arises. How have they coped in Utrecht? At least five different mechanisms were used.²³

The first mechanism was a broad working group – the so called Janssen committee on Steering and Connecting – chaired by Koos Janssen, mayor of the city of Zeist²⁴. The working group brought together politicians, local public administrators, police officials, the public prosecutor's office and public servants. The working group explored possibilities for effective steering by local officials, within the framework of a regional police. One of its main conclusions was that assertive local officials – both mayors, alderman and city councilors – could exert a lot of influence on regional policies, even if their formal powers were very limited. Therefore the committee encouraged local politicians and public

²¹ Van Bolhuis

²² Concept- notitie voor het Regionaal College van 22 september 2008, p.1

²³ In this first draft of our paper we can only summarily sketch the various mechanisms. In later versions we will elaborate on them further.

²⁴ Sturen en Schakelen. Over verbetering van de besturing van de politie in de region Utrecht. Zeist, februari 2007.

administrators to be less fatalistic about their influence within district or region. It pays, to be more assertive.

Perhaps the most important mechanism in a situation of multilevel governance is developing policy together. At first it might be a slow and difficult process and it is not without risks.²⁵ However, in Utrecht like in many other regions, we see fast gains due to processes of learning by doing.

A central role in the processes of steering and coordinating on different levels is played by the medium-term Regional Safety Strategy (Regionale Veiligheids Strategie; RVS)²⁶, which is the second mechanism dealing with the multi level challenge. Developing and deciding about the strategy is one of the most important political processes on the regional level. Local governments fight for their specific local interests, but have to take into account other interests as well. Additionally they need to reach some kind of agreement on the essentials of regional (police) policy during the coming years. The resulting medium-range policy essentially is a political compromise.²⁷ However, it seems to be a workable compromise.

In the current RVS agreement was reached on five priorities or as they are called in Utrecht, central themes:

1. Tackling (serious) nuisance like disturbances by youth groups, drunks or addicts.
2. Tackling frequently occurring (petty) crime, like bicycle theft, breaking into cars or vandalism.
3. Fighting discrimination and extremism.
4. Tackling societal disruption; i.e. the less visible but often influential actions of organized crime, like fencing, providing illegal goods and services.
5. Tackling crimes with a drastic impact on victims, especially violent crimes end breaking and entering.

These priorities nowadays have a large impact on other regional and local policies. An analysis of local (integrated) safety plans taught us that in most of them allowances are made for regional priorities. In the interviews held mayors told us that regional priorities left enough room for local differentiation and specification.

²⁵ See for example the clash, some years ago, about safety policies in Twente between mayors and police officials; TvP 2x etc.

²⁶ *Samen in actie. Gezamenlijke Veiligheidsstrategie 2008 - - 2011*, Politie Utrecht, 2009.

²⁷ Explicitly recognized as such in some of the interviews we held.

RVS also solves another multi-level problem, that of working at the local level within both regional and national policies. During the last fifteen years Dutch national government steadily strengthened its control over police policies. Nowadays on the national level priorities are formulated which are binding for all the regional forces. Practically, the impact of national priorities is slight while there still is a lot of overlap based on consensus between national, regional and local priorities. This kind of multi-level steering of the police will become really complex and problematic if and when local or regional priorities diverge largely from national priorities. Until now national priorities are incorporated easily in the RVS. So the RVS plays an important role mediating between priorities on three different levels of government.

Within the Utrecht region other mechanisms for multi-level steering and coordination have been developed. The third one among them is the so called format for local safety plans developed by a committee chaired by Albertine van Vliet the mayor of Amersfoort. The format is an attempt to bring some order in local variety. The principle of local autonomy is accepted. Local government is encouraged to develop its own local safety policy. After all joint responsibility for local safety is an important point of departure. However, local government is also asked to develop their policies using a fixed format provided by the Van Vliet committee. The format helps local government to develop policy in a systematic fashion, grounding it in data and analysis.

The format also helps making local policies more or less comparable, thus enabling the police on the team, district or regional level to adjust their actions better to problems and priorities in various communities.

Decisions about the RVS are a bottom up coordinating mechanism to a certain degree. On the other hand the format the Van Vliet committee developed is primarily a top down instrument. But both help to bridge the gap between local government's problems and aspirations and policy and police work on the level of district and region.

Redistribution of responsibility

For a very long time one of the main problems within local safety policies was the rather limited involvement of local government.

Police forces accepted an unusual large part of the responsibility for local safety. And they paid a high price for it: overload and ineffectiveness. Formal control, like police and criminal justice, proved to be a weak instrument to maintain public order or to fight rising crime.²⁸ It took a long time and a serious crisis within the system of policing for these insights to work through in day to day policy making.

²⁸ See for example Roethof Interimrapport or Cachet diss

Local government or government in general left safety matters to the police for a very long time. And the police accepted that and even enjoyed tackling an ever and ever broadening range of (safety) problems.

Core task debates were a rather crude and negative way to end the existing police monopoly on safety. The police (and the police authorities) decided which tasks the police would *not* fulfill any longer in the near future. But nobody made sure whether other organizations were willing or able to replace the police.

Recently the police region Utrecht opted for a more positive redistribution of responsibilities between local government, public prosecutor and police. They have done this by installing so called 'drivers' and 'driver groups', the fourth mechanism dealing with the multi level challenge. A driver is one of the 29 mayors in the region, who heads a small working group – the driver group – and is responsible for developing strategies to tackle one of the priorities from the RVS. The driver is assisted by two co-drivers, representing the police and the public prosecutor's office.

Working with driver groups puts local government i.e. the mayor in the lead. It helps to redistribute responsibilities for safety between police, public prosecutor and especially local government. And part of the driver groups mission is to involve others – societal organizations, citizens – as well in the provision of safety.

Implementing regional safety policy

Activities of the drivers and driver groups cover the four year period of the RVS (2008 – 2011). So it is much too early to evaluate results. First impressions however show serious commitment by mayors, especially the drivers, and others. But we also witnessed rather large differences between the driver groups. Moreover support for some of the more abstract priorities like discrimination or subversion seems more difficult to attain within the region.

Initial implementation of RVS also was hindered by the absence of a regional body that could help local government, both professionally as well as financial, with the local implementation of the five RVS themes.²⁹ Therefore it was decided to restructure the already existing Office for Chain Management (Bureau Ketensamenwerking, BKS) into a Program office RVS.

BKS, the fifth mechanism dealing with the multi level challenge, was initiated as an (externally funded) experiment to further cooperation between police and public prosecutor's office. Within the bureau officials from the police force and the public prosecutor's office worked together closely to adjust and coordinate procedures within both organizations. As such the bureau has been successful.³⁰ In 2008 the region decided to institutionalize the bureau and to involve local

²⁹ Commissie De Vos. Eindadvies aan het Regionaal College, 30 maart 2009.

³⁰ See Evaluatie etc.

government as well. Upgrading the bureau to a full fledged but still small program bureau and including local government in 2009 was a logical next step.³¹

Policy coordination between local government, police and public prosecutor is still hindered by a weak coordination between the various policy cycles. Policy planning between the three partners still is rather asynchronous.³² The since long existing tripartite consultation between these partners on the local level apparently does not adequately solve this problem. The tripartite consultation seems to be primarily part of operational procedures and less of policy formation.

Utrecht analyzed and evaluated. Empirics meet theory. What to expect in the near future?

What can we learn from the Utrecht case?

Developing and executing local safety policies no longer seems to be an exclusively local activity. Other layers of government – especially national government – and other organizations within public administration – like the police region - are involved as well. However traditional intermediary government, in the Netherlands the province and in this case the province of Utrecht, is conspicuously absent from making and implementing local safety policies. The province seems to have been replaced by other intermediary organizations, such as the regional council (regional college) and the regional triangle (regionale driehoek), which do not belong to the traditional main structure of Dutch public administration. We define them as quasi-governmental. On the one hand they are part of government on the supra local level while on the other hand they are not regular government, directly steered and controlled by elected representatives.

Intermediary organizations bridge the gap between local needs and wishes, regional and sub regional implementation of policies (especially by the police) and to a lesser degree national priorities. Some of these intermediary organizations within government belong to the more or less permanent internal structure of the police region: regional council (regionaal college), regional triangle (regionale driehoek), district and districts council (districtscollege), local, sub local or supra local teams. Other intermediary structures have an ad hoc character: committees, driver groups, program bureau BKS.

Until rather recent the police was the most important liaison between local government and (sub) regional organizations. Now however a lot of pressure is placed on local government to take the lead in the formation and execution of local safety policies. Local government has to be the director – in Dutch:

³¹ See Programmaplan Programma Ketensamenwerking. Concept; versie 0.4 dd 03 09 2008.

³² Master thesis Esther de Pee

regisseur – of local safety policies. Mayor and aldermen should take responsibility for local safety. Their policy decisions have to be executed by the police together with local governments own apparatus, other governmental and quasi-governmental organizations and many other non-governmental organizations, like schools, housing corporations, public transport boards or companies.

When comparing the reality in Utrecht to what we know from theories about effective multi-level governance, our conclusion is twofold. At the one hand Utrecht seems to employ many instruments that theoretically are supposed to be effective or could become so in the near future. But at the other hand this kind of multilevel governance seems to suffer from a political accountability deficit. In the next two paragraphs we explore both. First we compare instruments used to the instruments mentioned in literature as effective. Then we elaborate shortly on problems of democratic accountability³³.

Effective multi level governance in the region of Utrecht?

In the table we list the most important mechanisms used in Utrecht dealing with the multi level challenge and compare them with theoretical knowledge on effective governance.

Empirics	Theory: effective governance?
Steering and Connecting (Janssen committee)	<i>Network structuring</i> (Klijn et al): -Creating a network by changing the relations between actors through activating local government and mayors in contributing to regional safety policy.
Regional Safety Strategy (RVS)	<i>Setting priorities</i> (Löffler) <i>Game management</i> (Klijn et al): -Creating convergence in perceptions by creating a common view on public safety policy.
Format for local safety plans (van Vliet committee)	<i>Game management</i> (Klijn et al): -Mobilizing certain actors (local authorities) and their resources to develop policies regarding public safety. -Creating a common view on local safety policy by introducing a common format.
Drivers	<i>Game management</i> (Klijn et al): -Mobilizing certain actors (local government, public prosecutor, police) and their recourses to contribute to implementing RVS. They in their turn activate others to contribute to implement the RVS.

³³ This is altogether very preliminary. A lot of work still has to be done later on.

	-Creating convergence in perceptions of actors towards a common view on regional policy (awareness of the importance of actively addressing the five priorities of the RVS) - <i>Leadership</i> by drivers and co-drivers
Bureau Ketensamenwerking (BKS)	<i>Network structuring</i> by aiming at changing the relationship between national, regional and local actors by integrating their policies.

The table³⁴ shows the most important instruments used in Utrecht seem to fit rather well in what the theory of multi-level governance teaches us about effectiveness. Various actions are being undertaken that could be marked as game management and network structuring in order to coordinate and steer the activities of various actors from several governmental layers handling problems of public safety. The most emphasis seems to lie on the activation and combination of specific actors and the creation of common perception on key priorities regarding public safety.

A weak link

The multi-level game in Utrecht is complicated by the fact that some of the levels involved are more quasi-governmental than governmental. Neither district nor region is a regular political-administrative layer within the Dutch system. Developing the RVS at the regional level lacks direct political legitimacy. As long as regional policy is almost exclusively police policy the problem is rather small. In the Dutch local politico-administrative system *ex ante* steering of the police is supposed to be an administrative not a political task, executed by the mayor and not by the board of aldermen or the city council. Only control – *ex post* - is a political act. This will change when police policy is broadened to (integral) safety policy.

The board of mayor and aldermen is responsible and politically accountable to the city council. Even if mayor and aldermen join the move towards regional or sub regional coordination and adjustment of local safety policies they remain politically responsible in full. This could be characterized as a problem of accountability (Papadopoulos, 2003); networks of governance consist of actors (mayor and aldermen) which influence the process of policymaking even though they are not under direct democratic control (in the specific situation of policy construction and implementation on the quasi-governmental level of the region).

Those involved at the regional level in Utrecht are aware of this possible legitimacy problem. The region has held various informal meetings with city councilors to explain to them why and how the RVS was developed and implemented. It is a kind of informal accountability that is meant to fill the formal accountability gap that exists between the regional and local levels.

³⁴ First draft.

Conclusions³⁵

Local safety once, rather long ago by now, was a rather simple local affair. Nowadays many different actors are involved. Among them are various non-governmental as well as governmental and quasi-governmental organizations.

Part of the contemporary complexity in local safety policies is caused by the involvement of many (quasi)governmental actors. Complexity within government is due to the involvement of more governmental actors than in the past. But complexity is especially enlarged by an increasing involvement of quasi-governmental intermediary organizations. Their involvement evokes questions about both the effectiveness and the democratic quality of such kinds of arrangements.

We will now return to our research question; 'How can (local) government effectively cope with the contemporary multi-level challenge in governing local safety?' The case of Utrecht shows the use of various instruments installed to handle the multi-level challenge which at first sight seem to be effective. We have seen how the multi-level challenge in governing local public safety is being met in the case of Utrecht by five different mechanisms (the Janssen committee, the RVS, the format for local safety plans designed by van Vliet, the various drivers and BKS). These mechanisms seem to meet key factors of effective governance namely, active game managements and network structuring (..) in order to coordinate and steer the actors and activities within network of various governmental actors involved with public safety policy. The real, lasting, problems seem to bear on questions of democratic political accountability.

For the time being the problem of political accountability only seems to be able to be solved by an indirect approach. Political administrators are held responsible by city councils or parliament for their actions on another level, within quasi-governmental bodies. This kind of indirect accountability however could be detrimental for an effective functioning of quasi-governmental bodies. Political administrators will be inclined or forced to give priority to the demands of their political home base, the administrative level where they were elected. Supra local quasi-governmental arrangements are subordinated to traditional layers of government.

The ultimate paradox is that traditional layers of government in a situation of governance need to be supplemented by a lot of quasi-governmental bodies. But the arrangement at the same time seriously hinders the effective functioning of public officials within these quasi-governmental bodies.

³⁵ First and incomplete draft