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Abstract

Against a background of recent structural reforms to police organisations in northern and western Europe, this paper examines the experiences of Scotland and the Netherlands where national police forces were established in 2013. Taking a comparative perspective, an analysis of the reform proposals is followed by a review of the arguments for reform, the challenges of implementation and the emerging findings from evaluations of police reform in each country. The paper concludes by drawing out the contrast between the ‘great expectations’ of reform articulated by governments and the realities of bringing about rapid organisational change, arguing that neo-institutionalist perspectives on police reform have much to offer in making sense of the challenges of the reform process.

Introduction

Several countries in Northern and Western Europe over the past years have experienced fundamental transformations of the structure, organization and governance of their police systems (Fyfe, Terpstra & Tops, 2013), among them Scotland and the Netherlands. In these two countries the police reforms have had many similarities. Both reforms started in 2013 and involved a highly comparable change from a regionalized police system to a single national police force. In both countries the police had had a strong traditional focus on local policing and local police governance. In the two countries the transition to a nationalized police system can be understood as a radical break with the past that confronted the new police organizations with highly similar questions and challenges (Fyfe & Scott, 2013; Terpstra, 2013). The similarities in the trajectories of the reform in Scotland and the Netherlands therefore offer a good opportunity for a comparative long-term analysis of police reform. In two earlier studies (Terpstra & Fyfe, 2014, 2015) we showed that both the plans of reform, the underlying policy processes, and the implementation of the reform over its first year also showed interesting differences between the two countries. This paper can be seen as a next step in our comparative study of these two police reforms. The analysis that we provide here, gives us the opportunity to have a look over a longer period, where we can draw on a greater body of evidence than before. Now, five years after the reforms were introduced, the transitions to national policing arrangements in both Scotland and the

Netherlands have been studied more extensively, creating a larger body of evidence with which to assess the implementation of the reforms and their impacts.

In this paper first we will deal with the reforms proposals and examine the reasons why the Scottish and Dutch governments wanted these radical transformation of their police systems. Next, we look at the implementation and evaluation of the two reforms, which show the gaps that emerged between what was set out in the reform proposals and what was established in practice. In our conclusions we return to the issue of the great expectations of reforms in a complex institutional context.

The reform proposals

In both Scotland, and the Netherlands the introduction of the national police system in 2013 was underpinned by new legislation. In Scotland this was the Police and Fire Reform (Scotland) Act 2012 and in the Netherlands the *Politiewet* (Police Act) 2012. Three key elements are relevant in the original reform proposals of the governments of Scotland and the Netherlands. For each of these elements some important similarities and differences can be highlighted.

First, in both countries a central aim of the reforms was a radical reconfiguration of the organization of the police through the creation of single, national police services, with originally only a limited number of organizational levels (two in Scotland and three in the Netherlands). In both countries, however, soon it was decided to add more organizational levels to the original design of the structure such that both national police services now have five organizational levels. This can be seen as a first indication that the reform process was much more complex than originally anticipated.

Secondly, both countries have experienced important changes in the governance and accountability of the police. Since the early 1960s Scotland had a tripartite structure of local police boards, comprising of elected councillors, local chief constables, and the Scottish Ministers (Fyfe, 2011). Local police boards contributed to the costs of local policing and appointed the local senior officers. The local chief constable had to account to the local police board, although formally he had operational independence. With the 2013 police reform, the

local police boards were abolished and the formal role of the local councils in the governance of the police has now been restricted to consultation (Fyfe & Scott, 2013).

In addition, the 2013 Scottish police reform also changed the governance and accountability of the police at the national level. A new unelected body, the Scottish Police Authority (SPA) was created. Its main functions are to resource Police Scotland, to hold the Chief Constable to account and to contribute to 'the continuous improvement' of the police in Scotland. The SPA is also involved in the elaboration of the police priorities set by the Scottish Government into a three-year police plan (Scott, 2013).

In the Dutch Police Act 2012 the traditional legal distinction remained between the 'administration' of the police (the formal power to make decisions about the organization and resources of the police) and the 'authority' over the police (the power to decide about what the police should do). What is also similar with the situation before 2013 is that according to the new Police Act the authority over the police is largely concentrated at the local level, divided among two actors: the mayor as the head of the municipality (who has the authority over the police with respect to the policing of disorder and police services) and the public prosecutor (with the authority over the police concerning criminal investigation). In the Netherlands both the mayor and the public prosecutor are non-elected, appointed officials. The most important changes in the governance and accountability of the Netherlands' police concern the administration of the police (the formal power to make decisions about police resources and organizational issues). Before 2013, the administration of the regional police forces was usually with the mayor of the largest municipality of the region. With the Police Act 2012 this was transferred to the national level. Now the Chief Constable of the national force has the formal responsibility for the administration of the police (although he has to account to the Minister for the use of this power). In sum, in the Netherlands the power of the authority over the police is still largely at the local level, whereas the power to decide about police resources became to be fully concentrated at the national level.

Thirdly, in both Scotland and the Netherlands an important issue in the political deliberations about the police reforms was the potential consequences of the introduction of a national and centralized police system for local policing. Partly to address this concern, the Scottish police act made 'local policing' a statutory requirement. The Scottish police act also had a set of Policing Principles that state that a main purpose of the police should be that they are accessible, should cooperate with others where appropriate, should engage with local

communities and promote measures to prevent crime, harm and disorder. In the Netherlands many observers feared that the establishment of National Police might have negative consequences for local policing. The Netherlands' Police Act 2012 hardly contains any information about local policing, with one exception: the legal requirement to have one community police officer for every 5000 inhabitants. The organizational plans for the new police service also provided hardly any information about local policing. The only information available at that time was that the new force would have 'robust basic teams', with between 60 and 200 full-time equivalent officers, and that all regular police tasks should be done by these teams. Comparing the 2012 police acts of the Netherlands and Scotland there is an interesting difference. The Netherlands has a much stronger governance structure surrounding local policing, but Scotland has a much more elaborate arrangement in its legislation with regard to local policing and Policing Principles. At the time of the start of the two national police forces, it remained an open question what consequences these different legal arrangements might have for local policing in each of the countries. An important consequence of the reform plans was that in both countries the relations between the top executives of the police forces and the national governments (Minister) became much closer than it used to be, raising new questions about the risks of politicization of the police and the balance of power between central governments and local politicians in setting the strategic context for policing.

Arguments for reform

Although there are important similarities in the proposals and timing of the police reforms in Scotland and the Netherlands, the arguments for reform used by the governments in the two countries were not completely the same. There was, to be sure, some common ground in that the governments in both countries viewed the fragmented structure of their regional police systems as increasingly problematic given the changing character of crime and disorder. The old regional force boundaries were perceived as anachronistic given that criminality has become increasingly transregional and transnational. The lack of coordination between the regional police services was also seen as a major impediment for effective policing. In both countries the drive towards a national police system was also motivated by the lack of integrated IT-systems that could be used by the police in the whole country (Terpstra & Fyfe, 2014). In the Netherlands, the governments' wish for national police was also motivated by a

shift in policy frame: while in the past decentralization was generally perceived to be a ‘good thing’, now it was often framed as a main cause of powerlessness, irresolution, and delay in making the police more effective (Terpstra, 2013).

In addition to these arguments that were more or less similar for the two countries, there have also been some important differences. In Scotland the most important argument to reform the police was probably the deep cuts on public spending made by the UK government in Westminster. The case made by the Scottish Government was that the economies of scale and reduced duplication associated with the creation of a single police force would save approximately 10% of the police budget per year without any reduction in the number of police officers (Fyfe & Scott, 2013). Compared with this, in the Netherlands the financial savings argument was far less important for the government in its case for a national police force.

In Scotland a second argument of the government for a single force was to create more equal access to specialized police units, resources and expertise. Under the previous regional arrangement there was uneven capacity and capability to deal with complex investigations resulting in different levels of service depending on where people lived. The government argued that a single police service would be better able to realize that all local areas could access specialist expertise when necessary. A third consideration in the decision to create a national force in Scotland related to the political context with a nationalist government seeking to distinguish Scotland from the rest of the UK as part of an independence agenda. In such a context, both the decision not to follow the approach to police reform in England & Wales (with its emphasis on decentralization) and the creation of a *national* Scottish police force have fulfilled important symbolic needs in creating a national Scottish identity (Terpstra & Fyfe, 2014).

In contrast, for the Netherlands’ government other considerations were important in its aim to reform the police. For several years before the reform, the government had asked the regional police forces to improve their collaboration and to implement the agreements that they had made to tackle some pressing problems in the Netherlands’ police, such as with regard to the failing IT-systems and the exchange of information between the forces. However, in 2010 studies of the General Audit Office (Algemene Rekenkamer, 2011) and the Police Inspectorate (Inspectie OOV, 2010) showed that in fact hardly any progress was made on

these two issues. This failure of the regional police forces contributed to a radical change in the political views on the need of a police reform. In 2010 and 2011 the most important reasons for the Netherlands' government to launch the plan for a single national police force were to centralize the resource management or administration ('beheer') of the police; to stop the fragmentation and lack of cooperation between the regional forces; to reduce the power of regional and local actors especially with regard to matters of resource management of the police; and to contribute to the solution of some long-term and pressing problems of the Netherlands' police (such as with regard to police IT) (Terpstra, 2013).

The Challenges of Implementation

Our first comparative paper about the police reforms in Scotland and the Netherlands was written at the time (autumn 2013) that the implementation of these reforms was still in its infancy. At that time we already found that the implementation of the two reforms was confronted with serious problems, tensions and delays. In that paper we supposed that although the police reforms of the two countries had many similarities, in the end their implementation might be quite different (Terpstra & Fyfe, 2014). Now, more than five years after the start of these police reforms, it shows there have been important similarities in the implementation of the two reforms and in the problems that have arisen in these trajectories. In both Scotland and the Netherlands, the implementation of police reform has proved to be much more difficult and complex than was originally anticipated by the governments and has been associated with significant political and leadership problems.

In Scotland, five main areas of concern have emerged during this police reform. First, the cuts to the police budget that have accompanied the implementation of reform have been a significant challenge. The political decision that the number of police officers should not be reduced meant that the financial savings had to be found elsewhere, such as through the closure of local police stations and by reductions in civilian staff. Both measures have led to significant concerns. The public often view the closure of police stations as a retreat from local communities, while police officers now have to take on administrative tasks previously carried out by civilians (SIPR et al., 2017). Second, there was a general perception that Police Scotland came to be dominated by the management and policing styles of the largest of the former regional forces, Strathclyde Police, which had also been the force from which the first

Chief Constable of Police Scotland was drawn. The term ‘Strathclydificaiton’ was coined to capture the policing styles which were perceived as increasingly dominant in Police Scotland’s approach such as a focus on enforcement and the use of strict performance targets (Fyfe, 2015). Third, the reform of the Scottish police has increased the tensions between national policy and local priorities. Local police officers, councillors, members of the public and partner-agencies have all been concerned that local partnership working and engagement activities by the police have been marginalised during the reform. It was felt that police officers became less well-known in their local communities (SIPR et al., 2017) and that local authorities found that their position in the local governance and accountability of the police had become much weaker (COSLA, 2014; Terpstra & Fyfe, 2015). Fourth, Police Scotland has come under intense scrutiny from the media and politicians during the implementation of the reform, partly because of the style of policing with its strong emphasis on enforcement, but also because of failings in the organisation’s response to some serious incidents. For instance, the delay of two days in sending a police patrol to investigate a report of a car crashing off a motorway, which resulted in the deaths of the two occupants of the car, was seen as a symptom of the problems created by the centralization and standardization following reform. This incident was an important catalyst in the decision of the first Chief Constable of Police Scotland to resign. The appointment of his successor was seen as creating the opportunity for a ‘fresh start’. However, less than two years later the new Chief Constable was suspended following allegations about ‘bullying’. Finally, the implementation process has been viewed very negatively by many frontline police officers. In their view it meant increased workloads, a lack of information and poor communication about the aims of reform measures, which contributed to low levels of morale among officers (SIPR et al., 2017).

In the Netherlands in the summer of 2013 there were already the first signs that the implementation of the police reform was not going as was intended. At that time the Dutch Inspection of the Police published its first report on the progress of the reform. Only six months after the start of the national police system, the Inspection concluded that there should be a ‘reconsideration’ of the reform, especially with regard to ‘the pace of change and the reorganization of the workforce’ (Inspectie V&J, 2013). In its follow-up reports the Inspection often repeated similar conclusions: much delay in the reform process, a lot of uncertainty among police officers, and many officers at supervisory and managerial positions

who had serious doubts about the feasibility and realism of the aims of the reform (Inspectie V&J, 2014; 2015a; 2015b; 2016).

In the following years several studies showed that the Dutch police reform was much more complex than was suggested before, that there were tensions between national and local levels, and that it proved to be difficult to remain the traditional balance between the 'authority' and 'administration' of the police. Some studies showed that although most of the mayors were satisfied with how the local police did their job, a considerable number of them were not so pleased with the room that they had to realize their formal 'authority' over the police. More than half of the mayors (especially of the small and rural municipalities) felt that they should have more influence and information about 'administration' issues to be able to realize their authority over the police. About two thirds of the mayors thought that national policing priorities could be detrimental for the realization of local priorities. Many mayors felt that national levels of governance interfered with local affairs, even if these concerned a domain in which only the mayor had the formal powers (Karsten et al., 2014; Terpstra, Foekens & Van Stokkom, 2015).

According to the original design of the National Police, the local teams should be an important element of the new organization. A study on these teams showed that in practice their management structure was highly complex. The large size of the teams (often between 150 and 200 FTE) made that there were often problems with the 'span of control'. As a consequence, many officers felt that they were more or less lost. Especially community officers often thought that they were isolated. Relations between the local police teams and local communities were now more at a distance. The closure of many local police stations, the reduction of opening hours, and the increasing use of internet and e-mail as the only way for citizens to contact the police have contributed to a more remote and abstract relationship between citizens and police (Terpstra, 2018).

Many studies have concluded that the implementation of the Dutch police reform did not yield the aimed results. About two years after the start of the reform process, a crisis-like atmosphere arose that came to dominate the public image of the National Police, suggesting that it was a failing project. An important change in the political context of this police reform was in March 2015 when the Minister of Security & Justice had to resign (for a reason unrelated to the National Police). There had been a strong identification of the National Police with this Minister. His resignation created the room for a more realistic approach and implementation of the reform. With the publication of the so-mentioned Paper of Reorientation (August 2015) more time became available for the implementation of the

police reform. The fact that only a couple of months later the first Chief Constable of the National Police also had to resign (October 2015), contributed to a considerable turn in the implementation of the police reform: more room for the consideration of local needs, less one size fits for all, and more flexibility.

Evaluation

The final element examined here is the evaluation of the two police reforms. The Dutch Police Act 2012 contains a legal obligation that the act should be evaluated within five years after the start of the new police system. In 2013 the Minister installed an independent Committee to carry out this evaluation. In November 2017 the Committee published its final report, including a list of recommendations (Commissie Evaluatie Politiewet, 2017). The Scottish Police and Fire Reform Act 2012 did not include a comparable legal obligation to evaluate the new police system. It was only after the new force had been established for two years that the Scottish government decided to commission an evaluation of the reform. In contrast to the Netherlands the evaluation of the police reform has not been given to an independent Committee, but was conducted by a consortium of three independent research organizations. The four year evaluation began in 2015, and so far several reports were published (SIPR et al. 2016, 2017).

In the Netherlands in its final report the Evaluation Committee concluded that the complexity of the implementation of the Police Act had been seriously underestimated by the government. The reform was said to have been too ambitious, with too much emphasis on centralization and top-down measures. The relations between the Minister and the Chief Constable were found to be lacking in transparency and it was recommended that there should be more discretion for the Chief Constable. According to the Committee in 2017 it was not possible yet to present a final evaluation of the Netherlands' police reform. The data necessary for such an evaluation, were not sufficiently available. In the Committee's view more time was needed to realize the ambitions of the Police Act 2012. For that reason the Committee asked for a new evaluation of the national police after again five years (in 2022). Still, it was strongly believed that the Police Act 2012 should be continued and viewed as an adequate legal framework for further development of the national police system. The Committee's work was strongly criticized. It was said that the Committee had a very

instrumental view on the Police Act and its evaluation. It was called an illusion that with five more years to go the exact measurement of key indicators and a causal analysis of the impact of the reform process would become possible. As Fijnaut (2015) had already concluded, the Committee had confused the evaluation of the Police Act with an evaluation of the police.

By comparison, the evaluation of the Scottish police reform was less ambitious, but also more practical. The focus has been on whether the reform has achieved its aims of maintaining local police services despite cuts in the police budget; creating more equal access to specialist resources and expertise; and strengthening connections between the police and local communities. The reports published so far indicate that there is plausible and credible evidence of progress being made against each of these aims (SIPR et al., 2016; 2017). However, the picture is uneven. Most progress has been made in relation to establishing new processes allowing local police areas to draw on national resources for major crime investigations or when responding to a significant spike in demand associated with significant public order events or natural disasters, such as large scale flooding (Fyfe, 2018). Less progress has been made in relation to local engagement with communities for many of the reasons already referred to earlier, although there are signs that partnership working is being given a higher priority than at the start of reform. An important aspect of the Scottish evaluation is its formative role. Each annual report is setting out recommendations and wider lessons for Police Scotland which can be used to inform the next stages of reform. Although it is too early to assess the impact of this process, it suggests that evaluations can play a significant role both in understanding the impacts and implications of reform but also in using these findings to shape the future direction of reform.

Conclusions: police reform as a neo-institutionalist project?

The preceding analysis shows that although there have been important differences between the police reforms in Scotland and the Netherlands (in terms of their reform proposals, implementation and evaluation), one important conclusion applies to both. The two reforms were over-ambitious, requiring large scale structural changes within a far too short time frame. Of course, there have been all kinds of practical and organisational factors that made the implementation of these reforms very complex and difficult, such as a lack of resources, lack of time, political pressure, lack of experience and skills to manage this kind of complex

transformations, or the anti-reform mentality that is often seen as typical for police culture (Skogan, 2008). But even if there had been more resources, skills and experience, this kind of radical and large-scale transformation would probably have been too much for any organization to accomplish in a couple of years.

Seen from this perspective, the police in both countries have become the victim of a naïve, almost utopian, belief in the ability to reform in unrealistic time frames. This dream of quite a few politicians and managers is an underestimation of the complexity of social institutions. From a (neo-)institutional perspective (Scott, 2014), police reform should not be seen as only a matter of structural, organizational and legal changes, but also as a process in which normative and cognitive-cultural elements, such as symbols (Scott, 2008, 2014) and ‘rationalized myths’ (Meyer & Rowan, 1977; Crank & Langworthy, 1992) may be involved. Police reform is therefore not just a linear, rational process aimed at only increasing the effectiveness and efficiency of the police: it is also about meaning, values or promoting legitimacy (DiMaggio & Powell, 1983). Both in the decision-making and implementation of these reforms, many actors are involved, each with their own views, interests and resources. The outcomes of these processes are highly dependent on the strategies used by these actors, such as negotiation, compromise, exchange, delay, ritual approval, ‘decoupling’ (Meyer & Rowan, 1977) or conflict (Terpstra & Fyfe, 2014, 2015). From this neo-institutional perspective the reason why these reforms met so many problems, barriers and resistance becomes clearer. These reforms were built upon ‘rationalized myths’ (Meyer & Rowan, 1977; Crank & Langworthy, 1992), a strong belief in radical, total transformation of police organizations from a top-down perspective. This approach neglected the importance of established institutional patterns, consisting of traditions, norms, rules and beliefs, and with many actors at different levels who had to be involved in this process, but had their own resources, views and interests. This implies that reform goals and measures are selected, filtered, and adapted as a result of the strategies used by these actors (Scott, 2014: 142-156). As a consequence, police reform is a process of institutional development, which means not only a matter of change, but also of continuity. Instead of this dream or maybe ‘mirage’ (Worden & McLean, 2017) of total transformation, the notion of piecemeal engineering (Popper, 1945), a process of social change, innovation and improvement step by step, seems to be more realistic. In a context of institutional complexity and large numbers of actors on which the implementation of the reform is dependent, this may be an important way of preventing the kinds of risks and problems highlighted here. It may also be the best way for

the police to avoid being caught in the web of politics and unrealistic political ambitions. Finally, the Scottish and Dutch experiences learn that police reforms of the future should be less focused on organizational and structural issues, and be more concerned with institutions and improving the professional quality of the police instead of their organizational structure.

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