

On preventive guardianship: being there is often enough

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<u>Summary</u>: The most important mechanism in preventing crime is the simple presence of guardians. Some objections to this proposition are examined and rejected. By influencing the presence of guardians, one can control the degree of prevention. It is argued that it is time for a large-scale evaluation of such measures.

<u>Keywords</u>: guardianship, preventive guardianship, crime prevention, presence of bystanders, evaluation

A guardian keeps an eye on the potential target of crime. This includes anybody passing by, or anybody assigned to look after people or property. This usually refers to ordinary citizens, not police or private guards.

Felson (2006:80)

1. Presence and prevention of crime

In this article, I argue that the most important factor in preventing crime is the simple presence of "others." Have you ever wondered how many crimes you prevent in a day? Perhaps you think that you hardly ever do that, that the answer must therefore be "zero"? I would argue the opposite, I believe that you usually prevent a great many crimes. Because you are 'somewhere' at any time of the day, you help to ensure that no crime is likely to be committed at that particular time and just there, and in the vicinity of that 'somewhere'. Why is that? From the rational choice approach (Elffers, 2017) it is easy to understand that potential perpetrators of a crime or an offence do not like to be caught, they try to forestall it. After all, if a perpetrator is seen committing a crime, he runs a significant risk of negative consequences. Everyone knows from their personal experience that this mechanism works well: even as a child, you probably did not misbehave in front of your parents. Also in adulthood, people tend to follow that rule: you probably run a red light from time to time, but I assume you won't when you see a police officer at that traffic light. In addition, disapproval by people important to you (partner, children, colleagues, friends) may count even more heavily than the formal threat of punishment emanating from the law enforcement authorities.

No one likes the prospect of being seen if they misbehave. Usually, a person will not misbehave if he thinks he has a good chance or can even expect with almost certainty that he will be noticed, with all the social and perhaps also law enforcement consequences that this entails (Elffers, 2014b). This applies to relatively innocent social improprieties such as queue jumping, just as much as to petty crime, such as petty fraud, but it also applies to "real" crimes.

The fact that criminals care about the chance of being seen has been repeatedly demonstrated in the literature, at least as far as property crime is concerned. Interview

and observational studies of burglars, for example, have shown that they devote most of their attention to preventing them from being caught (see, for example, Bennett & Wright, 1984; Nee & Meenaghan, 2006; Verwee, Ponsaers & Enhus, 2007). Lindegaard, Bernasco & Jacques (2015) also showed that robbers pay just as much attention to bystanders. This does not mean, of course, that there are not also examples of crimes where the perpetrators seem to care little or nothing about the possible presence of others.

2. Guardianship

We can summarize the above somewhat more formally in the maxim of routine activity theory (Cohen & Felson, 1979): crimes take place where motivated offenders find suitable opportunities (targets) out of sight of others. These "others" are usually referred to as "guardians" (Reynald, 2011; Elffers, 2013) In the wake of routine activity theory, an influential criminological movement has emerged, the "situational crime prevention" (SCP) approach, to which the names of Clarke (1997), Wortley (2001) and Cornish & Clarke (2003) are linked. These authors have described about twenty-five possible approaches to contribute to prevention, which they have divided into five groups: tackling effort, tackling benefits, tackling risks, tackling provocations and tackling excuses. A neat summing up is the famous guide *Crime analysis for problem solvers in 60 small steps* (Clarke & Eck, 2005). Increasing the intensity of guardianship is a special form of increasing the risk (of being caught) for the perpetrator.

Yet something strange is going on: while the perpetrator-target-guardian triad of Cohen & Felson (1979) is widely known (on March 29, 2017, Google Scholar counted no less than 6666 citations in the scientific literature for this article), there is relatively little attention for the exact role of the guardian. By far the most attention within the situational approach appears to have been paid to making the target less attractive, and to responding to the (routine) activities in time and space of the perpetrators. For example, guardianship is only addressed in one of the twenty-five techniques mentioned above to deal with a crime. The sixth technique as described in the "60 small steps guide" (Clarke and Eck, 2005: step 38) is called: "extend guardianship". Perhaps the reason for the little attention paid to the guardian is that in the "crime triangle" proposed as a useful diagram by Clarke and Eck (again in the above-mentioned guide, step 8), the original Cohen & Felson guardianship concept ("those who discourage crime" as Felson (1995) briefly described it) has been split into a new triad: the guardian (new definition), which is concerned with a concrete target, the handler who keeps an eye on the offender, and the place manager, who focuses on the place where a crime can take place.

Of course, there has also been published about preventive guardianship, but rarely about the supervision by outsiders that are "just there". A review of the guardianship literature on the preventive role that guardians can play is provided by Hollis-Peel et al. (2011). They note that in the literature there is hardly any attention for the guardians who do not play a formal role, i.e. the people who are "just there", the "informal guardians", such as residents, customers, passers-by. A pronounced exception is the classical theoretical work of Jane Jacobs, whose expression "eyes on the street" (Jacobs, 1961) has become part of the collective memory of environmental criminologists through the work of Newman (Newman, 1972; cf. Reynald and Elffers, 2009). In the literature, however, the emphasis is on guardians who, by virtue of their function, have a responsibility to prevent and deal with crime ('formal guardians'), people such as police and security personnel, whose role is explicitly to prevent and prosecute crime, and on people who play a special 'secondary role' as guardians, such as bartenders and bus drivers. They have to watch over their bar and bus, and therefore also have to interfere with crimes that are about to happen in and around their domain.

In this article, following Reynald (2011), I will focus on informal guardians: you, me, everyone, are actually always afflicted with the role of guardian towards others. If you leave the house in the morning, then by that fact alone, you make it unlikely that the neighbor's bicycle that is parked against a tree across the street will be stolen at that moment, even though a bicycle thief has just set his eye on that valuable two-wheeler. That thief is afraid that you will notice his wrongdoing, and take action against it, either by doing something yourself (ranging from, "*Excuse me, may I ask you what you are doing there?*", to "*Stay off that bike!*") or warn the neighbor ("*neighbor, pay attention! they're trying to steal your bike*") or maybe by alerting the police. Mind you, most of the

time it won't come to that at all: the thief usually decides not to carry out his intention at least there and then, just because he fears that such a reaction might follow from your side. You then prevent a crime, just by being there. The thief-to-be experience your mere presence as a sufficient threat. If the thief hadn't really started yet, he now walks around the block, looking as innocent has he can, hoping that you will be out of sight when he returns. If he was already busy in the middle of his misdeed, he might abort his attempt and run away.

The surprising thing is that, in general, you are completely unaware of the fact that you have just prevented a theft: after all, that thief is not recognizable in a crook's suit. If you see someone walking across the street, you have no way of knowing if it's an innocent passer-by or a thief you've scared off. Indeed, you don't have to make that distinction at all, even if you don't realize that a crime may be about to happen, your presence still has its preventive effect. That explains why you often think that you have not prevented a crime today, while you may have prevented numerous ones! Conversely, you may not have prevented a crime at all at the time you left your home, because there was no "motivated perpetrator" present at all, or no target at that time (the latter will be the case in the above example if the neighbor has already gone to work on his bike half an hour earlier).

Even if you didn't come out the front door at the time the thief hoped to strike, the possibility that that *could* happen already can act as a deterrent. If a potential perpetrator is about to decide whether or not to carry out his evil intention, he will have to face up to whether he has a good chance of being caught: does he see a guardian, or does he fear that one may appear at any moment (e.g., based on signs that someone is nearby, such as sound, light, familiar pattern, ...)? Van Bavel and Elffers (2013) gave a schematic representation of what could be about to happen. They distinguish between an *imminence* phase of a crime and an *actual* phase. It is precisely during the imminence phase, when an offender is pondering whether he will strike or not, that an assumed or observed presence of a guardian can make him decide not to seize a suitable target after all.

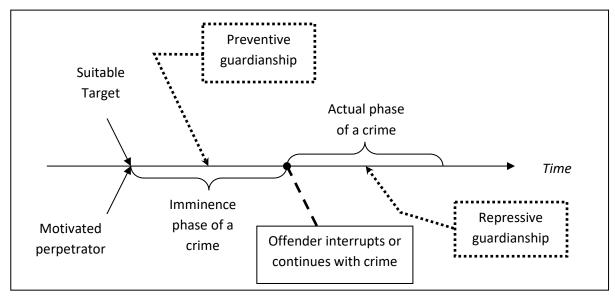


Figure 1: Phases in perpetration and guardianship (adapted from Van Bavel & Elffers, 2013)

Of course, it is also possible that you do not really pose a threat in the eyes of the motivated perpetrator: for example, he estimates that he will already have struck and fled long before you have fully recovered from your surprise. After all, many crimes only last less than a minute, and perhaps the perpetrator estimates you as not too fast and strong? But even during the repressive phase of the guardianship, you may still pose a threat to the perpetrator, because while you may not be preventing a crime, you may increase the chance of the offender being prosecuted. However, I will not discuss this repressive guardianship presently. That is why in this article I will not address the question of whether guardians actually dare to act and can do so effectively. This is an interesting question, but it is out of order here.

3. Prevalence of guardianship

The above sketch argues that the mere presence of citizens can prevent crime, and Reynald (2009, 2011) has shown that this is actually the case: she showed that in streets where more people are visibly present, burglary rates are lower. Much less is empirically known about the effect of guardianship in other types of crime than about the case of burglary. The literature here is still under development, for guardianship in cyberspace see for example Vakhitova and Reynald (2014). There is clearly a need for further research.

On the basis of the above, it is clear that citizens are a key player in keeping society safe, and there is every reason to be optimistic and positive about how, thanks to the daily routines of citizens, many crimes are prevented. Actually, you would expect, based on the above analysis, that there would be no publicly visible crimes at all in the Netherlands, where there is almost everywhere and always someone around who can take on the role of guardian. After all, the population density in the Netherlands is 500 people / km² (CBS, Statline; figures 2014). With an even distribution of the population over the country, everyone would have an area of 2000 m² to oversee, which is a circle with a radius of almost 25 m, in short, that is doable. Seen in this light, we can be optimistic about how citizen guardianship can make a major contribution to the prevention of crime. But that is of course a bit too simplistic.

There are four arguments to nuance the somewhat crude approach above:

- a) The population is unevenly distributed across the country
- b) Not everyone is able to act as a guardian, think for example of very young children and very old people, even when they are present, they cannot pay attention
- c) Of course, a person cannot always pay attention, because one must also sleep from time to time, or occupy oneself with matters that are difficult to reconcile with attention to one's surroundings and the possible unfolding of a crime there.
- d) Are people willing and able to pay attention and behave like guardians? It is often doubted whether people actually want to and dare to do that.

I will discuss these four concerns one by one, showing that, however much they address aspects that should be taken seriously, they do not threaten the proposition that the presence of citizens plays a central role in the prevention of crime.

3.1. Uneven concentration of guardians

The presence of people is by no means uniformly distributed across the country, nor over time. So there are moments and places where, in all likelihood, a guardian is hardly to be expected. On a tertiary road in a rural area, there will be little traffic at night, so that in terms of the threat of guardianship, perpetrators have little to fear: there is no one walking around who could act as a guardian. However, this is not such a strong objection to the proposition that guardians prevent crimes: after all, we can argue that it is also not very likely that potential perpetrators and potential targets will be present at such times and such places. If you are planning to steal a car, you will not travel to a tertiary road in a rural area at night. Most likely, there is no car parked there at all, and moreover, for many perpetrators that road will simply be too far, there are probably many attractive targets closer to their starting point. What we see here is that uneven distribution of guardians parallels an uneven distribution of targets and perpetrators. In this sense, the uneven distribution of guardians is a blessing: they are probably where they are most needed.

Of course, there are also situations where the above reasoning is flawed. Think of burglaries on company premises, during the night hours. Then there are few natural guardians present, such as staff, suppliers, customers of various companies, while the suitable targets are abundant. It is therefore no coincidence that it is precisely on such industrial sites that the owners are forced to organize dedicated security: where natural, informal, guardianship falls short, the floodgates are open, and one has to resort to formal guardianship (private security, police surveillance).

3.2. Not everyone can act as a guardian

Of course, it can be argued that not all 17 million inhabitants of the Netherlands are actually capable of exercising guardianship. Maybe we shouldn't count children under ten, and maybe we shouldn't count people over 80 either. Of course, they are present somewhere, but the question is whether they (can) pay attention. To the extent that potential perpetrators are aware of this, they will not see such people as guardians who threaten them. (Felson, by the way, countered this argument that it is better to live opposite an old people's home than opposite a police station, because those elderly people are always at home and exercise their vigilance). Let's say that 3 out of those 17 million are not available, which then still leaves us with a 14 million possible guardians. Then it would mean that every active Dutch person would have to cover a circle with a radius of 30 meters to cover the entire country, still a feasible thing. Even then, police deployment cannot seriously compete with natural guardians, or only at certain times and certain places: compare the 14 million possible guardians (let alone an additional large number of tourists and other visitors) who can act as informal guardians, with the 50,000 officers that the police has mustered. So that's 4‰ of the number of possible informal guardians. Even if we include all private security guards, who are constantly increasing in number (Van Steden, 2007), the use of formal guardians remains minimal compared to the abundant presence of informal guardians. And then we haven't even mentioned the fact that the police are mainly concerned with matters other than preventive guardianship, such as investigation and emergency aid.

3.3. How often are people available to act as guardians?

The idea that there is always a guardian nearby is should of course recognize the fact that people are by no means always able to actually exercise guardianship. For example, people spend a third of their time sleeping. Now you can argue that even a sleeping person acts as a guardian, after all, a perpetrator may be afraid that someone will wake up, but it seems indisputable that a waking person will be a firmer guardian than a sleeping one. What do we know about this issue? How often are people actually "at their post" as guardians? We have information about this from the "Guardianship Survey", set up by Reynald as a result of her earlier small-scale interview study (Reynald, 2010).

This self-report survey was conducted in 2011 via the LISS Panel of CentERdata (www.lisspanel.nl) among approximately 4800 Dutch people (older than 15 years), and is also internationally a unique dataset on guardian behavior. The survey concentrates on guardianship from one's own home address. Reynald asked people to indicate how often they are at home, and whether they pay attention to their surroundings. Questions were also asked about how often people had seen one or more cases of crime

or public disorder from home in the past year, and what they had done. I quote here from a number of studies that make use of this LISS panel dataset: Reynald & Elffers (2015) discuss the presence of guardians, and their vigilance, the latter being further explored in Reynald & Moir (2019). Van Bavel (2019: ch.3) analyses the response of potential guardians to incidents.

There is, of course, a lot of spread over people, over days of the week, and over periods of the day. Figure 2 (taken from Reynald & Elffers, 2015) gives an impression of the distribution of the reported percentages of people being at home, broken down over parts of the day.

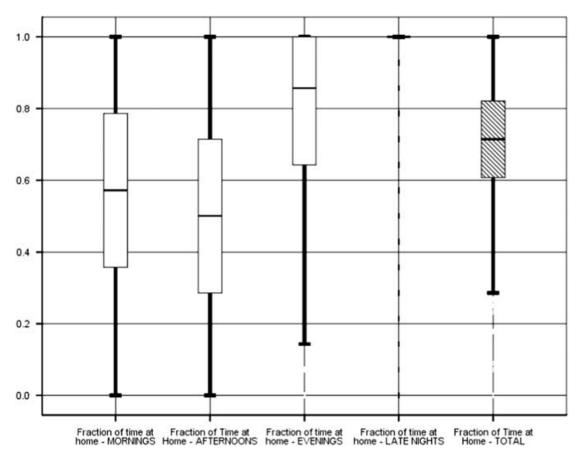


Figure 2: Presence at home as a function of the part of the day (source: Reynald & Elffers, 2015)

The last box in the figure, on the far right, represents the total, regardless of the part of the day. From this we can see that, on the whole, people are mostly at home: the first and third quartiles of the percentage that people are at home, calculated over a week, are 61% and 82% respectively, which includes the night hours. The median score is 70%. In short, yes, when it comes to being a guardian from home, there are very often guardians present. ¹

Now, of course, being at home is not the same as paying attention, exercising guardianship. You can be at home and not make any effort to pay attention to your surroundings, or even actively try to shut yourself off from that environment. When asked, it appears that the median score of which part of the time that people are at home at all, they keep an eye on their surroundings (intensity of attention) is 25%, while 13% of the respondents indicate that they never pay attention (Reynald & Elffers, 2015:223). Reynald & Moir (2019) elaborate on which individual characteristics are associated with intensity of attention.²

So, what does this all mean? We have seen that many people are often at home, and a non-negligible part of them, in their own words, also keeps an eye on their immediate environment. I interpret this to mean that there is indeed a very substantial scope of guardianship: certainly, there is not always a guardian present, and he does not always pay attention (both facts about which a potential perpetrator usually will grope in the dark in a specific case, and he may thus also be afraid of non-existent or inattentive guardians).

As mentioned, the above figures are about guardianship when one is at home. About being a guardian in other places, on the road, at work, school, sports, shopping, visiting family, ..., we are not informed. Where I showed that people are often at home about 70% of the time, this means that 30% of the time they are elsewhere, and could exercise guardianship there. Partly this will overlap with the guardianship of people who live in the neighbourhood in question (which makes the guardianship intensity on the spot even more beautiful than already indicated), but partly it will actually contribute to guardianship where no guardians live and pay attention. At the moment, we don't have

¹ This score is composed of 28 sub-questions about whether or not people are often present on certain parts of the day and days, see Reynald & Elffers (2015).

² Again a composite score.

any data on how that plays out. It probably also contributes to the overall intensity of guardianship, but the extent of that contribution is currently unknown.

3.4. Are people willing and able to exercise their guardianship?

In my experience, any optimism about the role of the citizen as preventive guardian is almost always met with a sceptical response. People argue that many citizens do not want or dare to act at all. Indeed, Reynald (2010), in an interview study on guardianship, when asked whether people also think they will act when they see a case of crime or nuisance, often elicited reactions such as "you don't think I'm crazy, do you?". However, I would like to make a few comments here. In the first place, I am concerned with preventive guardianship: whether or not people are willing and able to act is of course irrelevant to their presence. Even if they do not intend to act, their presence is a nuisance for potential perpetrators, especially if they cannot tell in advance from guardians whether they intend to act. Secondly, we should not exaggerate this reluctance. In the "Guardianship Survey" cited above, it was found that among those who had noticed a case of public nuisance in the past year (from home), 23% said they had done nothing at all, among those who had noticed a crime this was 16% (Van Bavel 2019 : ch 3). Certainly, those are considerable percentages, but of course it does mean that at the other hand a large majority has shown some guardianship behavior, ranging from paying close attention to intervening themselves. Van Bavel (2019) elaborates on the characteristics of people who exhibit guardianship behavior, in terms of demographics, personality and attitudes.

So, what does this mean? I think it is fair to say that, although the active exercise of the guardianship role by guardians will certainly not always happen, we can say that it will very often happen, and that in any case the meaning of preventive guardianship by citizens, and that is what counts in the prevention of crimes, is in no way affected by it. There is no room for gloom about the role of guardians.

4. Discussion

Despite the four nuances that I have discussed above, which are certainly justified, the essential role of citizens in preventing crime and nuisance is established simply by their presence. Many crimes, many cases of disorder are prevented by the presence of citizens. Paradoxically, the very fact that many of you say that you have rarely, if ever, prevented a crime is an indication that you have done so. Your presence was enough, so you don't even realize that your presence had that effect.

The observation that simple presence is an important, if not the most important, factor for the prevention of crime implies that the focus in the field of crime prevention should focus more on promoting presence as such, rather than on promoting or facilitating the courage of citizens to report or to intervene themselves. The latter is currently the dominant approach, in initiatives such as "Report Crime Anonymously", "Crime Stoppers", or "Amber Alert". Without wishing to say anything to the detriment of these initiatives, it must be said that these are schemes which can only come into effect after the occurrence of a crime, that is to say, when preventive guardianship has failed.

Let's consider how we can use the above insights in a positive way, in cases where crimes appear to occur regularly in certain places and times. That this can happen indicates that in those particular places and times there were no or insufficiently capable guardians present, in the eyes of potential perpetrators. We can, of course, try to increase the presence of guardians in those places and times. The establishment of "neighbourhood watch groups", physically or in the form of "WhatsApp groups" or simply putting up signs saying "attention, neighbourhood watch" can be interpreted in this way. After all, such an approach is felt to be necessary where it is felt that natural guardianship is insufficient. Such initiatives try to communicate to potential offenders that the guardianship in that neighborhood is intensive. Note that it is rather frustrating for such groups if they are very effective: anyone who, as a guardian, without noticing it, impresses upon the offender that it is better not to strike there and then, is very effective, but precisely because of that he soon gets the impression that he is wasting his time: after all, he never sees anything. In order to avoid dropping out due to boredom or cynicism of participants, such initiatives would do well to discuss this effect with the participants, as it may, understandably but unnecessarily, discourage them.

Earlier (Elffers 2012, 2013, 2014a) I have suggested that we can often try to stimulate the presence of people through social engineering: by changing people's walking routes by situating bus stops, dog walking areas, parking garages, crosswalks, restaurants, shops, schools, sports halls, etc., pedestrian flows can be generated or diverted. By staggering the opening and closing times of such facilities, these flows of passers-by can also be manipulated over time: churches generate streams of guardians on Sunday mornings, dance halls do so on Saturday evenings (compare Steenbeek, Volker, Flap, Van Oort, 2012). Of course, there are a lot of snags to such drastic measures, but I think I have shown that they can be promising. And note that this does not require any strengthening of repression, nor an increase in police deployment, camera surveillance, preventive searches or more extensive criminal law powers. In practice, of course, interventions in the built environment are often carried out, which are likely to result in changes in the intensity of preventive guardianship, but unfortunately no systematic research has been devoted to this. Such research is also quite difficult. After all, you shouldn't expect too much from the relocation of one bus stop. This is mainly because crime is, fortunately, a rare phenomenon: the chance that a crime will occur in the vicinity of that bus stop in, say, a month is not very high, and so it is difficult to determine whether that risk changes as a result of that relocation (Elffers & Ruiter, 2016). Research will therefore soon require us to study quite a few changes together, and that is of course not easy. But I hope I have convinced you that such research will be worthwhile and will help us appreciate the practical relevance of manipulating guardianship.

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³ The original Dutch article of 2017 referred to a number of then not yet published papers. Publication details have now been added. Otherwise, no new literature, published after 2017 is referenced.

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