**Researching cross-national policy mobilities in crime control**

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**Abstract:**

The empirical study of ‘policy transfer’ and related topics remains a relatively rare enterprise in criminology. Comparative studies of crime control policy have tended to focus on broader structural explanations on the one hand, or more focused socio-cultural analyses on the other. By contrast, scholars from other disciplinary traditions – including political science, public administration, comparative social policy, and human geography – have developed a vibrant body of empirical research into the dynamics and wider impacts of cross-jurisdictional flows of policy ideas, programmes and practices. This body of work provides helpful methodological pointers to criminologists interested in carrying out such work within the field of crime control. The paper argues that the relative lack of empirical research on cross-national crime policy movement arises from two main factors: first, a generalised sense that the topic is of rather minor importance and second, a lack of methodological clarity about how such research might proceed. Such methodological barriers have arguably been further strengthened by major critiques of the political science frameworks of ‘policy transfer’ that have been influential in the field. Our starting point is that cross-national policy movement is a worthwhile and important subject for criminologists to explore, and the paper considers extant methodological approaches and potential future directions, drawing in particular on wider work within political science and human geography. We argue that there is significant potential for criminologists to both learn from, and contribute to, the methodological approaches that have been deployed by researchers working in other disciplines and thus enhance substantive knowledge about the concept of policy mobilities.

**Introduction[[1]](#footnote-1)**

This paper reflects on issues of research design and methodology in the study of crime policy ‘transfer’ and related concepts – matters rarely explicitly dealt with in any detail in the literature. Cross-national policy movement is now an important research focus in several disciplinary areas including political science, public administration, comparative social policy and human geography. This reflects a strong perception that ‘learning from elsewhere’ is an increasingly staple feature of the policy-making process and that as a result, public policy ideas and programmes are circulating between countries with increasing frequency and velocity (Peck and Theodore 2009). However, whilst criminologists acknowledge the complex, dynamic and multi-scalar nature of crime and crime control policy, to date the empirical study of crime policy flows has been rather marginal to criminological thinking. This partly reflects a long-standing tendency of criminologists to focus upon the broad trajectories and general impact of crime control policies, rather than detailed empirical examinations of their provenance. It may also reflect assumptions that where ‘policy transfers’ occur they can be understood in a relatively straightforward manner that does not require a significant degree of further reflection or methodological debate. This paper proceeds from the position that sees cross national crime policy movement as an interesting and important phenomenon that requires further empirical and conceptual attention from criminologists (see also McMenzie *et al*, 2019). It examines the approaches adopted by researchers in the relatively rare studies of cross national crime policy movement that have been conducted, before moving on to assess some of the main methodological challenges faced by researchers in this field, drawing also on the broader body of work beyond criminology on policy transfer and ‘policy mobilities’. Building on this discussion, the paper identifies ways forward for criminologists interested in studying this phenomenon that are both valid and, crucially, practicable and realistic.

The study of cross-national policy movement has been a focus of a substantial body of research in other disciplines (see for example, Dolowitz and Marsh 2000, Marsh and Evans 2012, McCann and Ward 2012a, Peck and Theodore 2010) and, as argued in more detail elsewhere (Newburn et al, 2018), there are many reasons why the study of cross-national policy movement would appear to be of growing importance to criminology. Within the field of crime control, as with other areas of public policy, the increasingly inter-connected nature of the world makes the circulation of policy ideas and approaches an important empirical phenomenon requiring interrogation and investigation. There is, of course, long-standing criminological interest in comparative crime control and what factors might explain similarities and differences in approaches in different jurisdictional contexts (Downes, 1988, Garland 2001, Cavadino and Dignan 2005, Lacey 2011). Such studies have provided important insights into both the broader macro-social influences over crime control policy, and the association of distinctive national political and institutional structures with different policy approaches. But to date, such studies provide only limited empirical engagement with the *processes* of policy change and the role played by cross-national movement of ideas, policies and practices. Although some criminologists do acknowledge the importance of the international ‘import-export trade’ in crime and security policies (not least in its contribution to processes of ‘securitization’, see for example, Wacquant 1999, Hallsworth and Lea 2011, Roach 2011) detailed empirical studies remain rare.

In a thoughtful review of the state of cross-national comparison in contemporary criminological scholarship, Michael Tonry (2015: 506) identifies three ‘latent’ functions of cross-national comparative research. The first two of these are directly associated with ideas of ‘policy transfer’: to help policy-makers look across national boundaries and ‘learn from elsewhere’, and ‘to examine the extent to which, and the conditions under which, countries successfully import ideas from elsewhere’[[2]](#footnote-2). Tonry remarks on the relative lack of systematic scholarship on these topics which, he argues, require ‘serious attention’ by researchers (2015: 513). The remainder of this paper responds to Tonry’s challenge by seeking to develop greater methodological clarity about how such work might be undertaken.

**Studying cross-national policy movement in crime control**

The study of policy transfer is generally recognised as emerging from an earlier tradition of research on the phenomenon of cross-jurisdictional policy ‘diffusion’ (Walker 1969, Eyestone 1977), which ‘connotes spreading, dispersion and dissemination of ideas or practices from a common source or point of origin’ (Stone 2004: 546). Most research on policy diffusion is based on large-scale statistical research designs that develop and test general theories about patterns of, and explanations, for policy diffusion. A valuable recent crime-related example used quantitative network analysis to study the diffusion and adoption of global policies and norms relating to transnational crime problems such as corruption, human trafficking, and cybercrime by 193 countries (see Jakobi 2013: Appendix 1). Another important study of crime policy diffusion was undertaken by Sharman (2008), who conducted detailed empirical analysis the diffusion of anti-money laundering (AML) policies in parts of the developing world. In contrast to the statistical approach that characterises much diffusion research, Sharman drew heavily on qualitative interviews with key policy actors to demonstrate a combination of diffusion mechanisms in operation at the supra-national level in promoting the widespread adoption of AML policies framed by the ‘Financial Action Task Force’ (FATF)[[3]](#footnote-3), despite a lack of strong evidence about their instrumental effectiveness. These included elements of coercion (fear of being blacklisted), competitive pressures to attract inward investment, and a degree of policy ‘mimicry’ amongst adopting nations. These studies of diffusion remain relatively rare within the sphere of crime control, aside from some works that have examined the spread of certain criminal justice policies between different states of the USA (see for example, Makse and Volden 2011). Stone (2004: 547) argues ‘[t]he strength of the diffusion approach has been to generate robust results as to which states are likely to adopt innovations’ but suggests that it is also subject to important limitations. Most notably, measuring policy outcomes with crude dichotomous variables offer, at best, correlational findings rather than any ability to something approaching causality. In other words, as Stone (2004: 547) puts it, ‘identifying patterns of policy adoption’ implies the neglect of ‘the political dynamics involved in transfer’, with the effect that many ‘diffusion’ studies fail to capture the complexity of differences between national contexts.

Moving on from diffusion studies, a number of criminologists began to draw inspiration from notions of ‘lesson drawing’ (Rose 1991) and ‘policy transfer’ (Dolowitz and Marsh 1996, 2000) that had developed within political science, and began applying these ideas within the specific field of crime control. Such studies have tended to focus in detail upon a particular area of policy and examine the ways in which ‘knowledge about policies, administrative arrangements, institutions and ideas in one political setting (past or present) is used in the development of policies, administrative arrangements, institutions and ideas in another political setting’ (Dolowitz and Marsh 2000: 5). Whereas ‘lesson drawing’ research is concerned with how policy makers voluntarily gather evidence about policy exemplars in other jurisdictions and apply this (or not) to domestic policy problems (Rose 1991, 1993), policy transfer research acknowledges that such policy movement may be voluntary or coercive, or some combination (Dolowitz and Marsh 1996: 344; James and Lodge 2003). ‘Coercion’ implies that it may be prompted by ‘one government or supra-national institution pushing, or even forcing, another government to adopt a particular policy’ (Dolowitz and Marsh 1996: 344). One implication of this distinction is that studies of ‘lesson drawing’ are primarily oriented towards the limited objective of enhancing the practice of public policy-making whereas ‘policy transfer’ research has a broader interest in the political dynamics that influence policy movements between contexts. Policy transfer scholars have therefore generally favoured comparative qualitative case studies of specific policy areas and their preferred methods for studying the political dynamics of these movements have tended to centre on interviews with active or former contributors who possess insider knowledge of the policy transfer process, together with documentary analysis (see Benson and Jordan 2011). Within criminology, a small number of scholars have drawn upon the ideas and terminology associated with policy transfer to try to make sense of the complex interplay of exogenous and indigenous factors that shape crime policy in particular contexts. Some of these have not been based on original empirical research but rather have drawn upon a range of existing studies to provide critical reflections on the problems of attempting to implant crime policies that have emerged in distinctive political, legal cultural and economic contexts into very different sets of circumstances (Steinberg 2011, Blaustein 2016)

Direct empirical studies of cross-national crime policy transfer have been rare but there have been a number of important exemplars. Prominent examples have focused on ‘zero tolerance policing’, ‘privatized corrections’ and ‘three strikes sentencing’ (Jones and Newburn 2007), and ‘Justice Reinvestment’ (Brown *et al*. 2015). These studies can be seen as critical tests of theoretical propositions that suggest policy transfer is a significant factor in explaining the patterns and overall direction of crime control policy in ‘importer’ jurisdictions. The initial step in such studies was to select specific models or programmes of crime control policy that were widely regarded as having their origins in other countries. Using a combination of systematic documentary analysis (including legislation, policy documents, legislative debates, governmental reports, media accounts etc.) and qualitative interviews with key policy actors, these studies examined the empirical evidence to shed light upon the extent, nature and impact of policy transfer processes in recent history. This required a critical comparison of the ‘policies’ in both settings (including both broader elements of ‘policy talk’, policy contents and instruments, the ways in which these policies emerged over time, and, where possible, accounts of differences in implementation). It also involved analysis of the processual dimensions of policy change via insider accounts of whether, how far and in what ways the policies travelled from one destination to another, which actors and institutions were involved in such processes, what happened to policies in transit, and how they developed after arrival. The methods deployed in these studies have considerable similarity with those of historical and life history analysis, with a timeframe that necessitates the accessing of a range of historical archival resources (Tosh, 2015). The policy transfer researcher, like the contemporary historian (Hennessy, 2013), thus faces considerable challenges in identifying and accessing policy documents and key policy actors (particularly those at senior levels of government and/or in politically sensitive and securitized areas) and interpreting their accounts of events that occurred sometimes decades ago.

Others within criminology have adopted a somewhat different approach, providing ‘insider’ accounts of the role of crime policy transfer ‘as it happens’ by researchers who have been in positions to directly observe or even participate in policy development. For example, the personal involvement of Durnescu and Haines (2012) in a British-funded probation reform project undertaken in Romania, allowed for a degree of additional ethnographic research to inform their research findings. Although clearly the authors themselves could be seen as agents of transfer, their application of these experiences to scholarly discussions of policy transfer occurred some years later, allowing for a considerable degree of critical reflection. Similarly, McFarlane and Canton (2014) brought together a range of insider perspectives on policy transfer relating to a probation reform project between the UK and Turkey. This work, which included practitioner perspectives, provided very significant details about the mechanics and challenges of cross-national policy transfer between the UK and Turkey. In recent times, a number of doctoral studies undertaken by criminal justice practitioners have explored the policy transfer process from the ‘transfer agent’s’ perspective, including studies by retired police officers working as consultants overseas with a specific brief for designing and implementing policing models based on their experiences in the UK (for example, Hartley 2018).

These criminological studies of policy transfer, though varying in style and approach, are all grounded in ‘realist’ assumptions. That is, they assume a degree of ‘reality’ to policy exists independently of the ways those policies are narrated or discursively constructed (see Marsh and Evans 2012). As such they stand in contrast to those working within ‘critical policy studies’ who have offered a number of trenchant criticisms of what they term the ‘orthodox’ political science approach to studying ‘lesson drawing’ or ‘policy transfers’, and who have proposed what they take to be the more fluid and complex notion of ‘policy mobilities’ (see for example, McCann and Ward 2012a; Peck 2012; Peck and Theodore 2009, 2010; Tenemos and McCann 2011). This critique is assessed in more detail elsewhere (Newburn et al, 2018), but in brief such approaches argue that ‘orthodox accounts’: a) pay insufficient attention to the processes of policy mobilisation and the political/ideological contexts that shape the agency of political actors b) are overly focused on purported policy transfers between nation states, c) make simplistic assumptions about ‘policies’ being transferred as complete packages and d) impute an implausible degree of rationality to the process of policy choice. Rather than attempt to define, measure and track concrete ‘policies’ that are stable and coherent such scholars argue that policies should be viewed as ever-shifting collections of elements which are always in the process of being (re)assembled. Such ‘policy assemblages’ are socially constructed within particular institutional, ideological and political contexts. The systematic empirical study of such ‘assemblages’ is best undertaken, McCann and Ward (2012b) suggest, via the use of multi-site ethnographies, enabling researchers to capture the dynamism of policy mobilities in different sites where policy knowledge is created, mobilized and assembled. A similar approach is advocated by Peck and Theodore (2012) who call for a ‘distended case approach’ that attends to the ‘breadth’ of transnational policy movement, as well as the ‘depth’ in terms of what happens ‘downstream’ in sites of adoption or emulation (including the world of practice and policy implementation). Such proposed research designs incorporate a range of methods, including ethnographic approaches, qualitative interviews, documentary and archival analysis, and observation. Whilst none of these are particularly new or innovative techniques of data collection in themselves, it is the purposes to which such methods are put that are distinctive (McCann and Ward 2012b).

Whilst traditional policy research has focused on territorially bounded research sites, mobilities researchers explore the multiple and mobile situations which work to shape policies. According to McCann and Ward (2012b: 46), this necessitates an approach of ‘studying through’, which suggests the ‘following of people, policies and places’ through space and time (see also Marcus 1995 on multi-site ethnography). Researchers need to explore ways of ‘moving with’ the key transfer agents and other policy actors who construct, circulate, resist, modify or consume ‘policies’ through their day-to-day practices. Such approaches draw heavily upon earlier work on ‘multi-site’ and ‘global’ ethnography respectively (Marcus 1995, Burawoy *et al*. 2000) that emerged in response to challenges to the validity of many existing social scientific research methods by the disembedding of social relations from particular communities and places. This has proved a particular challenge for ethnographic techniques that aim to obtain a deep understanding of social relations by ‘being there’ in particular research sites. One possible answer to this is that global ethnographers should try to immerse themselves not in static place-based sites, but in networks and flows and transnational social formations (Gille and Riaine 2002).

There are currently only a few crime policy-related examples of research grounded explicitly in the ‘policy mobilities’ approach, although some have certainly proceeded from similar orientations. The first such study was arguably Blaustein’s (2015) immersive study of the international community’s attempts to introduce ‘Western’ models of community safety governance and community policing in post-conflict Bosnia and Herzegovina circa 2011. Blaustein assumed the role of an intern at the United Nations Development Programme that offered him opportunities to become actively immersed in different stages of a security sector reform process. His methodology combined ethnographic methods with interviews and documentary analysis for the purpose of understanding the ways in which policy actors worked to actively construct ‘policy’ on the ground. This immersive approach to undertaking this research was informed by the work of Lendvai and Stubbs (2009: 677) on ‘policy translation’ which advocates ‘the need to pay attention to the ways in which policies and their schemes, content, technologies and instruments are constantly changing according to sites, meanings and agencies’. Mendez et al (2018) subsequently drew directly on the ‘policy mobilities’ approach to analyse ‘what happens when community policing travels’ between the global North and the global South. The study drew primarily on data from interviews conducted with a range of stakeholders in Jamaica, including members of the public in local areas as well as elite interviews with professional ‘providers’ of community policing. The analysis illustrates how differing conceptual understandings of the nature of community policing and the policy problems it is intended to address shape the ways in which US-inspired ideas of community policing are manifested in practice in particular local contexts. Finally, McMenzie *et al*. (forthcoming) draw on the ‘policy mobilities’ framework to analyse how the ‘Swedish model’ of sex work regulation was introduced to Northern Ireland. In this case, the authors used interviews with elite stakeholders and narrative analysis identify and analyse ‘the importance connective sites through which the policy mobilisation was shaped’. The study highlighted the ways in which particular conceptions of the policy ‘problem’ were constructed by key policy actors, and specific policy solutions promoted via temporary but influential ‘couplings’ within the relevant policy assemblage. Cristina Tenemos (2015, 2016), an influential writer within the emerging field of critical policy studies, adopted the extended case study approach to undertake a major international study of the global mobility of harm reduction responses to drug use (a policy field much discussed by criminologists). The project studied the ‘networks, people, places and politics surrounding the advocacy for harm reduction drug policy’ (Tenemos and Ward 2018: 73), covered 16 different cities in 11 countries, and drew upon documentary analysis, ethnographic observation and semi-structured interviews with a range of participants in relevant policy networks.

The critique of policy transfer research levelled by critical policy studies scholars offers the potential to enhance the study of cross-national policy movements by criminologists, most obviously as the mobilities approach is held to be better suited to capturing the complexity of such events. The more recent critical policy studies literature has provided some indications of how the term ‘policy assemblage’ might be operationalized for the purposes of empirical investigation (see for example, Wood 2016; Baker and McGuirk 2017, Tenemos and Ward 2018). However, it is not entirely clear from such work whether their methodological prescriptions are completely distinct from the more recent contributions of political scientists undertaking research on policy transfer (for example, McCann and Ward 2012a; Marsh and Evans 2012). In our view, if research in this area is to develop and expand, however, then greater clarity about methodological approaches and imperatives is required, and it is with this issue that the next section is primarily concerned.

**Principles, practicalities and ethics of researching policy movement**

Like Marsh and Evans (2012), we consider the divide between ‘traditional’ political science approaches and the more recent ‘mobilities‘ alternatives as less substantial than proposed in some of the original ‘critical policy studies’ critiques. Accordingly, we regard ‘policy mobilities’ approaches as an important and stimulating development of a field of multi-disciplinary study that necessarily has a variety of research objectives, rather than implying some fundamental rupture or a radically different methodological paradigm. Nevertheless, studies with different emphases will necessarily have different methodological priorities. That said, while encouraging methodological ‘ecumenicalism’ is fine in principle it remains vital to encourage clarity about the bases for the choice of methodological selection. We discuss such choices in the context of three inter-related issues: *research design principles*, *methodological practicalities*, and *ethical considerations*.

*Principles of research design*

Methodological choices are shaped by important (though not always explicit) principles that drive issues of research design. Three of the most important of these are the ontological and epistemological assumptions that underpin the research, the related issue of the ways in which the research ‘problem’ (or object of study) is constructed, and the specific kinds of research questions that flow from this.

Arguably the most fundamental factor affecting research design is the basic *ontological position* taken by the researchers involved, and this is the most obvious distinction separating those undertaking policy transfer research within a traditional political science tradition from interpretivist critics of such work. Such ontological positions of course have epistemological implications. In broad terms, those operating within a constructivist ontology, such as the bulk of the critical policy studies scholars, favour inductive reasoning, taking a theory-building approach to questions of policy mobilities. By contrast, realists – the ontological position underpinning most political science and criminological work in this field - are more likely to favour deductive reasoning and theory-testing. Baker and McGuirk (2017) set out four ‘epistemological commitments’ that are common to those scholars who adopt an ‘assemblage’ approach to understanding policy mobilities. These include commitments to revealing multiplicity’, to understanding the notion of ‘processuality’, to the actual ‘labour’ of assembling/taking apart/reassembling, and to the notion of uncertainty (avoiding the adoption of rigid explanatory frameworks and accepting the limitations of social research). In fact, we would argue that such a focus is more a matter of emphasis than of any necessary epistemological difference. Indeed, and similarly, although the constructivist critique suggests the divide between these two ontological positions is an unbridgeable one, in reality the ontological and epistemological decisions that social researchers take vary much more subtly (see, Bryman 2016: 34) and are better thought of as lying somewhere on a continuum. This accepted, it is nevertheless the case that the position that researchers occupy on the continuum between realism and constructionism necessarily has an important impact on the way their research is organised and undertaken and this needs to be acknowledged more explicitly in research on policy ‘movement’ and related topics. Within criminology, as in political science (see Marsh and Evans 2012), fundamental differences in ontological and epistemological decisions are of course not resolvable by reference to empirical research. But explicit recognition of, and engagement with, the philosophical assumptions underpinning a particular construction of the research ‘problem’ posed by cross-national crime policy flows (and of the ways in which it is rendered ‘researchable’) is a key first step.

A related consideration concerns how the researcher understands their primary *object of study*. Key to empirical investigation of policy transfers is recognition of the fact that public policy itself is a complex, multi-faceted concept. The way that crime control ‘policy’ is defined and operationalised is therefore central to issues of research design and method. Scholars working in the fields of public administration and policy analysis have provided working definitions of what they take to mean ‘policy’, and these have been influential in subsequent studies of transfer. For example, Anderson (2014:7) suggests that policy can be defined as a ‘purposive course of action followed by an actor or set of actors in dealing with a matter of concern’. An important distinction is made in the political science literature between two key dimensions of policy, concerned with ‘process’ and ‘substance’ respectively. Formal public ‘policy’ represents the outcome of a set of processes, rather than an ‘event’ (see also Colebatch 2009 for an insightful analysis of notions of ‘policy’).

Paying due regard to the dynamic and processual feature of policy transfers makes the ‘research object’ something of a moving target but it is possible and potentially fruitful to analyse the ‘substance’ of policy at a particular point in time. This requires an analysis of the different substantive levels of policy. To date, criminological studies of policy transfer have tended to take formal policy documents or legislation as the object of study for as these capture the ‘actual choices of government’ (Bernstein and Cashmore, 2000: 70). However, other scholars working within political science and public administration have suggested that a more complex analysis of policy ‘levels’ is required (see Bennett 1991, Dolowitz and Marsh 2000). To this one can add a crucial ‘ground level’ aspect that concerns the actual implementation and outcomes of policy. These different cross-sectional dimensions are usefully captured in by the analytical distinctions made by Pollitt’s (2001) account of the international spread of policies associated with ‘new public management’ when he differentiates between policy ‘talk’, policy ‘decisions’ and ‘policy action’. The broader concept of a policy ‘assemblage’ is potentially helpful in this context in sensitising researchers to the wider array of contextual influences and dynamic processes of policy-making, and the essentially emergent nature of public policies. But it is important to be aware of the risk of stretching the concept of ‘policy’ so far as to render it, if not indistinguishable from its broader context, extremely difficult to capture empirically in any systematic sense (Marsh and Evans, 2012). In our view it is perfectly possible to examine different, more or less ‘concrete’ manifestations of particular crime control policies without either reducing the concept to a simplified and static notion or evacuating it of its tangible and material substance. Indeed, recent work on crime policy mobilities has helpfully combined analysis of political science-inspired notions of ‘policy levels’ with ‘mobilities’ concepts of policy assemblages in order to interrogate the dynamic processes of knowledge formation and exchange that shape the form and mobilisation of policy (McMenzie *et al*, 2019).

This relates to a broader question about the object of study, and how far criminological interest in cross national crime policy movement approaches the phenomenon as an independent variable, a dependent variable, or both (Evans and Davies 1999). In a number of the studies discussed above, criminologists have focused on the study of ‘policy transfer’ as a dependent variable and therefore as being an interesting phenomenon in its own right. Such studies aim to explore its prevalence, the different forms that it takes, and how it is impeded or facilitated by other variables. Alternatively, policy movement might be considered as one of a number of possible dependent variables within a broader study of crime policy formation, with the overall object of study in need of explanation as the overall trajectory and pattern of crime control policy in a particular jurisdiction. In such studies, policy transfer and related concepts are interesting as possible explanatory factors (but not the only ones) that can help shed light on how and why policy emerged in the way that it did. The mobilities perspectives advanced by human geographers have made a particular contribution here by privileging the study of place, and considering how its cultural, economic, political and social characteristics have impacted on, or been influenced by, policies borrowed or imposed from abroad (Wood 2016)[[4]](#footnote-4) .

Finally, as with all social research, the choice of research design in the study of policy mobility (and the related set of data collection techniques) will be determined by the *nature of the research questions being asked*. Different kinds of policy mobility study ask different types of questions, and these may be grouped broadly within one or more of the categories of description, understanding, explanation and assessment. It could be argued that detailed and accurate description can be both useful in itself, and function as a precondition for the other two categories. Descriptive questions address the ‘what’, ‘who’, ‘where’ and ‘when’ issues and are illustrated by some of the template of research questions for policy transfer studies provided by Dolowitz and Marsh (2000). For example, ‘who transfers policy’, ‘what is transferred’, ‘from (and to) where are policies transferred’, and ‘what are the different degrees of transfer’ could be seen as classic descriptive questions. Much policy diffusion research is engaged in the project of detailed descriptive mapping of the spread of particular policies over space and time (although some studies then go on to address more ambitious kinds of questions as set out below).

A second category of research question relates to the issues of understanding and interpretation of the patterns revealed by descriptive research questions. The core questions of interpretative research focus on the ways in which policy actors construct meaning in particular social circumstances and the inherently political features of the policy formation processes. However, scholars of a more realist bent are also concerned with the ‘what’, the ‘how’ and the ‘why’ of policy mobility. What are the causal mechanisms involved, how are policies defined and shaped, what kinds of policy knowledge are mobilised and why are some policy models rather than others selected as exemplars? Different classes of questions imply distinct choices of method. Recent quantitative studies of diffusion, for example, have attempted to test different theories about the key mechanisms that explain patterns of adoption of policies across jurisdictions (competition, coercion, emulation, learning etc.). On the other hand, qualitative research designs tend to be more suited to the exploration of the complex processes and generative mechanisms influencing the factors that shape policy development. Qualitative case studies of crime policy mobility have attempted to illuminate the processes via which policies travel, the motivations of policy actors in promoting or resisting transfer, and the institutional and ideological contexts of the policy fields that condition these processes (for example, Mendez and Jaffe 2018; McMenzie *et al* forthcoming).

A final category of research question covers issues of assessment and evaluation. Where some criminological researchers actively distance themselves from the enterprise of ‘administrative criminology’ (Young, 1987), engaging with self-conscious attempts to shape penal practice and public policy via social scientific assessment and evaluation, others adopt a more pragmatic approach, seeing in the criminological research enterprise the potential to influence public policy, and taking this to be one of its core objectives (see for example the discussion in Mayhew 2016; Hough, 2014). Such choices are reflected within the field of cross-national crime policy flows, some seeing it as an opportunity to explore the effectiveness of policies that are transferred into different cultural, political and legal settings with a view to finding out how far and in what ways the process of ‘learning from elsewhere’ can be improved (see earlier discussion of Tonry 2013). Indeed, most studies of policy movement include normative judgements about the benefits or otherwise of particular policy flows, although these are not always set out explicitly. For example, much of the critical policy studies discourse on policy mobilities explores the circulation of ‘neoliberal’ urban management models, often travelling from the Global North to the Global South. Concerns about the appropriateness and the likely impacts of such policies are a core theme of such work. The same general observation may be made of studies of crime policy movement. Normative concerns, whether they be explicitly foregrounded (for example, Wacquant 1999; Swanson 2013) or implicit (such as in Durnescu and Haines’ (2012) work on attempts to inform the development of non-custodial sanctions in Romania) are generally present. Other accounts of policy transfer have been explicitly critical of the negative impacts of attempts to introduce crime control policy models/programmes developed in relatively stable Anglophone democracies into the contrasting circumstances of post-conflict and/or developing polities (Steinberg 2011, Blaustein 2016). Much extant work appears to have been driven from normative concerns about the potentially negative impact of policy movement and, consequently, one interesting future direction for research in this field might be to focus on areas where policy mobility appears to have had normatively desirable consequences such as, to take two examples, via the diffusion of human rights norms (Linde, 2016) or the spread of legal protections against torture (Daems, 2017).

*Methodological practicalities*

In addition to the core features of principle that shape methodological choices, it is clear that there are a number of pragmatic considerations that are both important and not necessarily always explicitly acknowledged in the literature. Here we focus on three – *accessibility of data*, *resources available to the researcher(s*), and the *temporality of the proposed research*.

A key practical constraint that informs the choice of research design and method in the study of policy movement concerns the *accessibility of relevant empirical data*. This has a number of distinct but related elements. First, the degree of access that researchers have to key people and places circumscribes/facilitates the choice of particular approaches. A key feature of past studies of movement of crime policy has been elite interviews with key policy actors in fields that may well be sensitive or securitized to a degree, often more so than in relation to other policy fields such as housing or transport. Assuming that the politicians, political advisors, civil servants and senior professionals/practitioners who have in some way exerted influence over the shaping of policy, the challenge is to elicit first-hand accounts from them of what happened. The ‘distended case study’ designs proposed by some critical policy studies scholars appear to pose even more daunting challenges of access, given their emphasis on the study a wide range of formal and informal policy domains. Research designs that incorporate a degree of ethnographic immersion within transnational and translocal policy networks have significant access and resource implications (discussed below) but presuppose ongoing contacts to both frontstage and backstage policy arenas that might facilitate a deep understanding of the processes of knowledge mobilisation and ongoing policy formation at a range of levels. Indeed, the ‘open-ended’ and ‘flexible’ designs that are, according to some scholars, necessary for undertaking meaningful studies of policy mobilities multiply the traditional access challenges to a degree that would be highly challenging for many researchers,. However, the burgeoning body of work on policy mobilities in other spheres of public policy-making demonstrates that such challenges can be overcome by a combination of persistence and methodological flexibility. Baker and McGuirk (2007)’s research on US-influenced policies to counter homelessness in a number of Australian cities highlighted a number of barriers to ethnographic immersion in sites of policy-making including complex institutional structures, difficulties in identifying key individual policy actors, and issues of consent. They responded to this challenge by undertaking a programme of semi-structured interviews, undertaken within an ‘ethnographic sensibility’ and incorporating a wider range of territories and sites than have been the traditional focus of policy transfer research.

Whilst direct access to policy elites and policy-making spaces is a major constraint for many researchers, access to secondary documentary sources – at least in relation to the formal manifestations of ‘policy’ discussed earlier – is less problematic. Indeed, a range of data sources are available (and are increasingly accessible in digital form) including legislation, official reports, consultation papers, parliamentary debates, political manifestos, and have provided a staple resource for researchers interested in tracking policy developments across jurisdictions (see for example, Blaustein 2016). In addition, rich first-hand accounts of elite perceptions of major policy decisions and the circumstances that shaped them are available in published memoires of senior politicians and other publicly-available accounts of key political actors (such as the fascinating recent series *Reflections* on BBC Radio 4). Of course, sources such as these provide only partial insight into the process of crime policy formation, certainly in its later stages, together with the key influences on it, but so long as their limitations are acknowledged, these still remain an important indicator of at least some dimensions of ‘policy’.

Issues of research access are connected to a second set of relevant practical considerations relating to the *status and personal capital of the researcher*(s) engaged in studies of policy movement. Access to policy elites may require a significant degree of professional credibility/authority on the part of the researcher in order to even be granted an interview, let alone develop the conditions of trust and rapport for the collection of rich interview accounts (see Harvey 2011). It might be argued that such access would be more likely to be granted to high status researchers with established reputations in the field, rather than emerging or early career scholars. Within criminology, for example, Manuel Lopez-Rey was actively involved in shaping United Nations crime policy for much of his career. His experiences afforded him unique insight into the role of this institution in facilitating the global dissemination of knowledge and policies relating to crime. Although Lopez-Rey never explicitly wrote about or studied this phenomenon through the lens of policy mobility, he nonetheless documented what were in essence global policy formation processes in various publications throughout his career (for example, Lopez-Rey 1957, Lopez-Rey 1985). More recently, other eminent criminologists interested in globalised forms of crime (and its governance) such as Mike Levi, have undertaken work that involves significant ‘immersion’ within elite transnational policy networks. Whilst much of this work to date is not explicitly focused on the investigation of policy ‘transfer’ or ‘mobilities’, it has huge potential to provide unique insights about such phenomena and their impact on global crime governance (see for example, Levi et al 2018). Access of this nature is of course rare and with both of these examples, largely a product of existing reputations and the ability to make substantive policy contributions. That said, less established scholars and those who adopt a more self-consciously ‘critical’ stance towards their object of study have recently enjoyed some success in gaining access to policy elites (for example, McMenzie *at al*., 2018; Blaustein 2015). The growing emphasis on ‘impact’ of academic research has increased the engagement of scholars at a range of levels with policy formation processes, and arguably has extended the access or researchers to previously more hidden parts of policy worlds (see, for example, Ingold and Monaghan 2014). Finally, it is worth noting that in some parts of the world family or tribal connections may be of key importance in obtaining research access to particular sites of policy-making (rather than academic seniority or status).

A third issue of accessibility, particularly salient to comparative work, concerns the need to ‘translate’ key terms and concepts – both linguistically and culturally – to ensure that one is comparing like with like (see Maranh‹o and Streck 2003). Even within Anglophone studies of policy transfer such challenges can be problematic. Comparisons across cultures and different language traditions requires bi (or multi) lingual researchers or research teams. Funding and coordinating multi-national projects are certainly obstacles but ones that may potentially be overcome if researchers can align their aims with international funding schemes such as the European Commission’s ‘Horizon 2020’ programme. A recent example of successful recent criminological research which adopted a comparative cross-sectional multi-case research design was Devroe *et al*. (2017) which compared the politics of security across a number of European city-regions. The research design deployed research teams based in several European metropolises, each respectively embedded within the distinctive linguistic, political and socio-legal contexts that they were studying. At the same time, these teams worked to a common set of research objectives with regular interaction to address the challenges of undertaking cross-national comparisons. Such research designs have much to offer to criminologists working in this field (though clearly pose significant challenges of logistics and resourcing).

This brings us to another pragmatic, yet significant issue affecting any research project. This is the nature and extent of the *resources* available (including personnel, time, and finance and related resources). So far as personnel are concerned there are a variety of factors that will serve to shape the research design choices that are eventually made. For example, studies undertaken by individual scholars will inevitably take a different shape from those involving a team of researchers. Researchers based in a single country are likely to face different constraints in the study of policy flows than researchers based in two or more countries. The number of personnel available will also potentially affect the amount of time available for a particular research study, with knock-on consequences for the extent and depth of that work. The time available for research will also almost certainly has implications for research design choices. The extent to which ‘following the policy’ (McCann and Ward 2012b) is possible is therefore very much influenced by the timing of the research. A related matter is the availability of financial resources. Over and above available staff and time, finance may be of huge significance to the study of policy flows. Much such work, almost by definition, is cross-national with clear potential for considerable travel and related costs. Whilst tempting to think that research design decisions are primarily shaped by some fairly fundamental philosophical matters, the reality is that there are a range of other, highly practical, constraints that almost always also come into play.

The final practical consideration we wish to highlight in this paper relates to the *temporality* of policy mobilities research. Our combined experiences having undertaken research on both the ‘transfer’ and ‘translation’ of policies across jurisdictions suggests that the study of policy flows will necessarily reflect the temporal position of the researcher relative to the empirical phenomenon being studied. Most research in this field has been predominantly retrospective. Occasionally, it involves some contemporaneous element: observing the development/spread of policies. In principle, prospective studies are also possible, if rarely undertaken. Arguably, constructivist approaches, which tend to call for immersive and experiential accounts of policy translation that involve a researcher situating themselves within policy nodes (access permitting, of course), are best suited to contemporaneous forms of study. Not only is such embeddedness often difficult to organise and achieve, in some cases it will be inappropriate for addressing a set of research questions concerning the mobility of policies. First, the inevitable time-lag between the identification of a research problem and the commencement of fieldwork renders the prospect of studying policy mobilities in ‘real-time’ problematic. Second, the nature of the questions being asked will often require retrospective study, necessitating greater distance between the researcher and their object of study. As such, issues of temporality are a good illustration of the ways in which the ontological, epistemological and the practical are interrelated considerations.

*Ethical Considerations*

Finally, in addition to the ontological/epistemological and methodological/practical questions facing researchers concerned with policy movement, there are also a number of ethical issues to be considered. These are arguably most pronounced in, but not necessarily unique to, approaches that utilize ethnographic and participatory methods to study the assembling or translation of policies. Accordingly, these methodological approaches serve as the primary focus for this discussion. Our intention is not to dissuade criminologists from employing immersive approaches but rather, to draw attention to these issues in order to facilitate active and critical reflection about the risks and benefits of undertaking such research.

As noted previously, interpretivist approaches prescribed by critical policy scholars generally necessitate access to key informants and institutional settings, both of which may have good reasons for restricting access and concealing their efforts to shape and influence policy making processes. To this effect, Blaustein (2015: 90) suggests that ‘[a]llowing an outsider to access these spaces [or individuals] for the purpose of interpreting the activities and the discourses that influence policy meaning and content is potentially risky because this level of transparency has the potential to undermine the ability of the host institution to legitimate their participation in the policy translation process’. Researchers should act in good faith when negotiating access to such settings and individuals. Clearly, deception as to the aims of the research likely constitutes a significant ethical infraction. Specifically, it may amount to a breach of trust, a legal infraction (for example, a breach of a confidentiality or non-disclosure agreement), or create reputational damage for the researcher’s discipline that limits opportunities for other researchers study the institution or individuals in question (see Erikson 1967). In principle then, policy mobilities researchers must be *relatively* open about what they intend to study and how they intend to study it. We place emphasis on ‘relatively’ because the nature of the research may change as a consequence of one’s findings and their incremental exposure to the field. Similarly, Stubbs (2015: 67) argues that full transparency is unrealistic because the researcher may be unaware of the significance of their data and its critical implications until they have left the setting in question and had an opportunity to reflect on the experience.

The process of negotiating access can also require the researcher to make methodological compromises that have ethical implications. To begin with, being granted formal access to a policy site rarely means complete or unrestricted access. Institutional gatekeepers in particular may therefore restrict access to certain participants and policy making settings, thereby limiting the ability of researchers to accurately or comprehensively document politically sensitive events or participant narratives. Agencies involved with policy making, be they national or international, might also insist that researchers provide them with advance copies of their field notes and publications for review and redaction. Both of these possibilities may ultimately impact how researchers interpret and reproduce assembling and disassembling processes and this may skew their findings and conclusions. This is to say that researchers should continuously reflect upon the nature of their access arrangements and their positionality in relation to the object of study and assembling agents in order to protect the autonomy and the integrity of their research.

The politics of research on cross-national policy movements are also worth considering. The approaches discussed at the start of this article embody different normative objectives that range from enhancing the capacity of policy actors to address particular policy issues to interrogating the politics of policy mobilities in order to challenge or resist what are viewed as harmful or problematic agendas. There is of course no consensus about what constitutes a harmful or problematic policy agenda but the researcher should nonetheless consider the values underpinning the object of study as it is being assembled or dissassembled along with its normative implications in relation to wider issues such as justice, equality and security. This is consistent with Amy’s (1984) argument that from a democratic standpoint, an important contribution of policy analysis is to improve the quality of policymaking processes and the political decisions they generate.

**Conclusion**

In this paper, we have responded to Michael Tonry’s (2015) call for ‘serious attention’ to the issue of policy transfer and related topics in comparative criminology. We agree with him that this is an important but relatively under-studied part of comparative criminological research and argue that in part this is due to a lack of methodological clarity about how in practice such research might be conducted. In doing so, we have drawn attention to conceptual and methodological approaches that have developed within the burgeoning ‘critical policy studies’ literature (primarily in human geography) which provoke serious questioning of such matters and which, we feel, provide a number of methodological templates for criminologists interested in doing work of this kind. Whilst a number of the pioneering studies of crime control ‘policy transfer’ adopted a qualitative case study approach informed by the frameworks of orthodox political science, some more recent studies have adopted a range of additional approaches which constitute a fruitful extension of the field. Although in practice, ‘following the policy’ via multi-site ethnography as proposed by critical policy studies scholars may be highly challenging to implement, elements of such approaches could be a useful addition to the study of the nature, processes and impacts of cross-national crime policy movement.

We are aware that the issues discussed here raise, implicitly at least, the interesting question of what, if anything, might be distinctive about crime control policy mobilities, compared with similar phenomena in other policy ‘fields’ such as education, transport or health[[5]](#footnote-5). There is not the space here to do more than offer some brief speculative thoughts, but it seems clear that the political climate within which crime control policy has been undertaken in many liberal democracies in recent decades is one likely distinguishing feature. The emotive and punitive ‘symbolic politics’ visible for some years in the US and the UK among others, together with the pressures of such ‘hot’ political climates (Loader and Sparks 2016), might have incentivised politicians and policy-makers to ‘shop around’ for potentially popular policy ‘models’ and thus render the field more open to some forms of transnational policy mobility. At the same time, and paradoxically, the legal frameworks and institutional architectures of criminal justice have been closely tied to the sovereign nation state, and this arguably has acted as something of a brake on transnational attempts at policy emulation, limiting harmonization in this field. Linked to these observations, and also potentially distinguishing the field of crime control, as noted earlier in discussions of access is its relatively securitized and politically sensitive nature. Such characteristics suggest that further empirical research on transnational crime policy flows contain rich potential for illuminating policy development in domains beyond crime and justice.

The paper has set out a number of methodological issues that criminologists must grapple with while planning and undertaking research on policy mobilities. Research should be explicitly justified in relation to the researcher’s philosophical understanding of their object of study, the practical opportunities and constraints they face, and ethical considerations. Recent debates between policy transfer and policy mobilities scholars, while sometimes polarizing, have nonetheless been helpful in terms of stimulating greater discussion about the theory-method relationship when it comes to the study of policy movements. We conclude therefore that there is greater scope for criminologists undertaking research on these issues to engage actively with and contribute to such discussions. Doing so requires that future criminological research on policy mobilities addresses more explicitly the principles, practicalities and ethics of research design.

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2. The third (and most important) function identified by Tonry is the evidence provided by cross-national comparison about the impact of different policies and practices on patterns of crime and punishment [↑](#footnote-ref-2)
3. The FATF is an inter-governmental body established at the summit of the G7 nations in Paris in 1989 with the aim of examining money laundering techniques, reviewing AML policies at national and international levels, and promoting further measures to be taken to combat money laundering in the future [↑](#footnote-ref-3)
4. See also the various contributions to the Special Issue of *Environment and Planning* 44(1), 2012 [↑](#footnote-ref-4)
5. We are grateful to one of the anonymous reviewers for raising this interesting point [↑](#footnote-ref-5)