

## THE PARADOX OF DISCRETION: CUSTOMS AND THE CHANGING OCCUPATIONAL IDENTITY OF CANADIAN BORDER OFFICERS

KARINE CÔTÉ-BOUCHER\*

*This article challenges the assumption that border officers enjoy a high level of discretion. By studying customs, it provides insight into how the policing of goods and transport workers is less concerned with 'risky' individuals than it is with promoting international trade flows. In this context, border officer discretion may be seen as a hindrance that must be channeled or curtailed. Interviews with Canadian customs officers demonstrate that technologies facilitate the redistribution of compliance and risk management responsibilities among border policing actors. Such alterations in customs operations have reconfigured discretion in paradoxical ways, both extending and reducing officers' hold on decision-making. This article considers the effects of these changes on officers' use, experience and perception of discretion as well as on their occupational identity.*

**Keywords:** border policing, customs, discretion, technologies, organizational instability, occupational identity

Ample scholarship has highlighted how borders and 'borderzones' constitute a privileged site for the policing of traveller and migrant mobilities (Mountz 2010; Squire 2011; Aas and Gundhus 2014). Less consideration has been given to borders as sites of trade, crossed by transport workers and massive quantities of goods. Beyond a few excellent works in criminology (Brewer 2014), geography (Cowen 2014) and anthropology (Chalfin 2007), we know little about the surveillance of supply chains through borders—that is, about the operations of customs. This is surprising given that during the past 20 years, the policing of cross-border trade has undergone a veritable transformation. Countries enter a series of bilateral and regional free trade agreements that each carry their own trade compliance requirements, which must be learned by border personnel. Many countries have adopted new preclearance and trusted trader programs that rely on the private sector for risk management data. Novel technological schemes have been implemented, leading to an unprecedented redistribution of border policing and intelligence-led tasks between a series of policing actors. Given these significant changes, customs presents an interesting case for examining contemporary transformations in border policing and their consequences on border workers.

Based on research at Canadian land ports of entry, this article shows how these changes in customs operations have led to both an expansion and a decline in customs officers' hold on decision-making at the border. It is generally thought that discretionary powers constitute a central feature of border officers' occupational identity (Gilboy 1991; Pratt 2010). But studying discretion in contemporary border policing reveals the complex repercussions of a reconfigured work environment on how customs officers

\*School of Criminology and International Centre for Comparative Criminology, Université de Montréal, Office C-4103, Pavillon Lionel-Groulx, Montréal, QC H3T 1N8, Canada; [karine.cote-boucher@umontreal.ca](mailto:karine.cote-boucher@umontreal.ca)

envison the purpose and nature of their work. Current transformations in customs work processes impinge on the everyday recourse to discretion and, by extension, help shaping how customs officers see themselves.

Critical criminologists and border scholars alike avoid analyses that would individualize discretion (Mutsaers 2014). In this sense, discretion does not constitute ‘a formless domain of uncontrolled action but, rather, an analysable domain of patterned actions that significantly affects law and administration’ (Heyman 2009a: 367). Current scholarship on discretion in border spaces thus relies on two analytical strategies: one aimed at shedding light on the global legal order produced by border spaces and inspired by the ‘state-of-exception’ literature; another informed by ‘social sorting’ arguments, and that insists on the classificatory outcomes of border decisions.

The first strategy reflects on the legal and administrative powers held by border authorities. As underscored by Pratt (2010), because border officers’ decisions are subject to lower standards of proof to justify suspicion—and thus action—their discretionary powers differ from those of other law enforcement actors. Furthermore, because border spaces have been extended both inside and outside national territories, decision-making at the border presents a heightened potential for abuse and disrespect of fundamental rights (Pickering and McCulloch 2012). Following this premise, discretion at the border can be treated as an instance of the state of exception. Because sovereign authority can be enacted at the state’s limit, the moment of decision becomes determining. For Salter (2008), each traveller is exposed to the exception during examination procedures at the border; the fleeting moment of decision to allow or refuse access to a territory thus makes everyone a stranger. This moment subjects all travellers to the arbitrariness of discretion and to the possibility that one’s citizenship claims may not be recognized. Others have challenged that it is not the traveller-in-general that faces this risk, but those who are unwanted or even feared—namely, refugees or the undocumented. Accordingly, and as discussed by Aradau and Van Munster (2009: 689), the exception does not only undermine legal rights; it is productive of the ‘legal and social order’ and ‘institutionalizes fear of the enemy as the constitutive principle for society’.

A second key analytical strategy used in the scholarship concerns the complex interplay of social classification procedures that are subject to discretion in border spaces—that is, how decision-making and enforcement of rules at the border is productive of what Lyon (2007) calls ‘social sorting’. Along these lines, discretion can reveal stereotypes, moral values or ethnocentric understandings of social relations. How these classifications interact with officer discretion has been studied from the point of view of border officials’ assumptions and how these enable profiling in border spaces. Migrant bodies can be read as being ‘out of place’ by urban law enforcement actors whose discretionary decisions to inquire (or not) into immigration status can lead to detention and deportation (Weber 2011). Risk readings at the border may reframe travellers and migrants as prospective security threats (Pratt and Thompson 2008), as potential victims in need of saving (Pickering and Ham 2014) or as privileged travellers whose mobility should be further enhanced (Aas 2011; Côté-Boucher 2010).

Consequently, the literature argues effectively that discretion is problematic insofar as border policing facilitates potent forms of exclusion and generally does so without accountability mechanisms. But this picture of discretion at the border remains incomplete. Studying customs redirects our attention away from the potential for inequitable treatment of travellers towards the border policing of goods and transport workers.

Here, border policing is less concerned with ‘risky’ individuals than with promoting the flow of goods. In the customs area, border officer discretion can be seen by border policing organizations as a hindrance that must be channelled or even curtailed. In addition, by focusing exclusively on *the authority* to decide and the categorizing *effects* of decisions, it is possible to miss how discretion operates less as a static feature of border policing than as a ‘perceptual phenomena’ (Nickels 2007: 576). Taking discretion as a perceptual phenomena means attending to how a variety of factors—such as distribution of work, professional socialization, adopted worldviews or interactions with technologies—influence how border officers are able to organize their work as well as the conditions that enable or restrict whether and how much officers may enact sovereign powers. Specifically, studies of discretion must take into account how policing actors make sense of their job autonomy and how this shapes their exercise of authority at the border.

This approach thus invites a closer look into how self-understanding of discretion is shaped by an array of technological, operational, occupational, organizational, social and political factors that may sustain, enhance or constrain discretion. Similar to the case of policing agencies (Chan 2001; Loftus 2009), border bureaucracies have undergone technological change and organizational instability since the turn of the century. This tendency is especially pronounced in the case of customs, where information management is becoming more formalized and predicated upon risk management schemes (Gordhan 2007; Heskett 2009). Furthermore, precisely because they have been increasingly removed from direct human interactions, risk-based strategies and technologies can easily be presumed to have neutral outcomes. For this reason, they are increasingly preferred by border administrations to traditional border policing methods. In contrast to this official view, Amore and de Goede (2008: 8) contend that border decisions to facilitate, delay or prohibit traveller mobilities become instead ‘displaced inside bureaucratic and technological spaces that are difficult to understand, and even more difficult to challenge’.

Based on interviews with Canadian customs officers, the remainder of this article is concerned with how this new context alters officers’ discretion as well what discretion reveals about the modified experience, perceptions and investments of border officers in this reconfigured work environment. The first section reviews the evolution of bordering practices by providing a detailed description of the preclearance and intelligence-led policing schemes introduced at Canadian customs since the end of the 1990s. These changes remodel work routines through the automation—as well as the redistribution—of customs compliance and risk management responsibilities within the border agency. The second section discusses the consequences of these modifications upon customs officers’ uses of discretion and their occupational identity. By addressing the effects of technological change and organizational instability on officer discretion from the perspective afforded by the regulation of trade, the article provides novel insight into the contemporary policing of borders.

### *Methodology*

Scholarship on border control has until recently avoided the question of the concrete integration of border surveillance means into the everyday practices of a variety of security professionals working in specific settings (e.g. airports, visa offices, maritime ports)

with different training, mandates and occupational cultures. But as Bigo (2014) points out, understanding transformations in global policing regimes requires studying security actors' know-how and routines as well as their cultural and technical worldviews. Consequently, this article proposes an empirically grounded understanding of 'border policing as practice' (Côté-Boucher et al. 2014; see also Loftus 2015). It builds its argument on research carried out in five land ports of entry located in Quebec and Ontario along the Canada–United States border and managed by the Canada Border Services Agency (CBSA 2012). During fieldwork in 2010 and 2011, I obtained 32 interviews *in-situ* with Canadian border services officers, a few supervisors, as well as one manager and one intelligence analyst. Interviews were conducted in both English and French, and excerpts used here have been translated when necessary. For confidentiality purposes, all interviewees are referred to in this article as 'officers' and have been given fictional names in use in both languages. Interviewees worked in the 'commercial' sections of their ports of entry (where goods, trucks and truck drivers are assessed).<sup>1</sup> They had no immigration responsibilities and—with the exception of one small rural port responsible for processing both cross-border local truck and car traffic—they did not process travellers.<sup>2</sup>

Security professionals have not only been at the receiving end of technological and organizational change. By showing how officers actively translate, negotiate and engage with these transformations, my research uncovers some unique dimensions that frontline officers bring to our understandings of discretion at the border. In interviews, research participants were asked to describe their daily work practices in as much detail as possible and to discuss their experience of change since they began working at the CBSA. Accordingly, the analysis pays attention to how customs officers 'make sense' (Chan 2007) of organizational, technological but also political transformation in border policing. The interviewing schedule was approved by the regional Quebec CBSA management. More extensive access to ports of entry for observation was requested but denied. Nevertheless, I spent between one and three weeks in the vicinity of each port. Visiting a handful of ports and their surrounding region provided invaluable comparative material on these ports' local policing and economic context.

<sup>1</sup> In this article, the terms 'customs officers' and 'commercial officers' are used interchangeably to designate border officers tasked with the policing of goods and transport workers.

<sup>2</sup> All Canadian border officers share a basic professional socialization but develop a distinct occupational identity as they integrate into different work environments. Border officers are first trained at Customs College. Successful trainees are then hired by the CBSA and start working in airports, marine ports and land border ports of entry. When rookies start their career at the land border, they are generally sent to learn their trade at what is called the 'traffic' section—where cars and travellers are processed. A few years later, they may apply for a transfer to another port. Otherwise, they may request a transfer as an immigration officer—which means continuing with traffic duties while beginning to handle immigration cases (check visas, receive refugee claims, etc.). Alternatively, they may join the 'commercial' section and learn how to process goods. In that case, they cross the street and work in a separate building located on the port's compound. Unless it is a small and remote port—where all officers perform traffic, commercial and, at rare occasions, immigration duties—officers 'working commercial' seldom interact with those attached to traffic and immigration duties. It is as if the two sections worked as two separate ports of entry. The ensuing professional socialization of 'commercial' officers bears consequences for the development of a distinct occupational sensibility. This issue will be further explored elsewhere. But it should be mentioned that many interviewees experienced discomfort regarding the parts of their responsibilities that requires them to display invasive authority—secured by their extensive search and seizure powers. Interviewees portrayed the traffic section as an unhealthy work environment with tense labour relations (especially with the ports' management) and riddled with daily conflicts with travellers. Seeking less 'action', those officers attempt to get transferred, seeing the regulatory compliance work involved in customs as a respite from the pressures experienced in traffic.

*The CBSA and Transformations in the Policing of Cross-Border Trade*

In 2003, the CBSA was formed out of three ‘legacy’ federal organizations (the customs branch of the Ministry of Revenue and the enforcement branches of both the Ministry of Citizenship and Immigration and the Canada Food Inspection Agency). Consequent to this creation, the CBSA received a dual border security and trade facilitation mandate. This represented a significant shift from previous forms of customs and traveller processing. The administration of the border had been placed for most of the 20th century under the responsibility of Revenue, mainly following an agenda of economic protectionism (McIntosh 1984). When the North American Free Trade Agreement (NAFTA) came into effect in 1994, activities of tax collection and heavy trade regulation lost prominence. In parallel to these developments, crime and immigration control at the border received increased attention. In 1999, Canadian border officers obtained extended legal powers, including the capacity to enforce federal warrants, and added policing tools to their arsenal—such as batons, handcuffs and pepper spray. In 2007, after a successful campaign by the officers’ union, the CBSA started arming its border officers (a process that is still ongoing).

With such powers in place one would expect that officer discretion takes on a more significant role in determining who and when to arrest, search and seize. But against the often reiterated view of greater discretionary powers at the border, surprising findings emerged from ‘commercial’ officers’ descriptions of how their typical daily activities have been modified by new technologies, border programs and an altered division of labour. Paradoxically, the vanishing tangibility of officers’ work processes and their partial deskilling leaves them with both fewer albeit novel opportunities to exercise the full array of their legislated discretionary powers in the customs area. This loss of control over the customs release process does signal a contentious internal politics regarding decision-making at the border (reference removed). But as the following sections make clear, these changes also point to the weakened but continuing significance of discretion for those frontline workers involved in the labor of border policing in the customs area.

*Preclear: customs at a distance*

Until the end of the 1990s, Canadian border officers attached to the ‘commercial’ sections of ports of entry covered the whole release process at the border, placing heavy reliance on their own discretion. They assessed truck drivers for smuggling (sometimes concealed drugs but most often tobacco and alcohol), sent trucks for secondary inspection and determined how to inspect them. They classified documents and administered quantities of customs forms, while ensuring compliance with national regulations (environmental, sanitary, dangerous goods, etc.). They were solely responsible for duties and taxes. Truck drivers, customs brokers, carriers and importers relied on officers’ knowledge of revenue and customs regulations.

The liberalization of cross-border trade during the 1990s—with the implementation of NAFTA—removed many fiscal barriers to trade in the subcontinent and changed how goods, trucks and drivers were policed at the border. This new regulatory regime transformed customs officers’ daily work. Canadian border authorities progressively acquired new technologies to process customs data and experimented with the first trusted trader programs that established customs compliance and partnerships with

industry (e.g. Partners in Protection in 1994 and, about a decade later, the Free and Secure Trade (FAST), a Canada–United States bilateral program). Such programs called for a higher involvement in customs compliance by the industry. Thanks to other technology-based initiatives since adopted (such as Customs Self-Assessment) major importers and carriers approved by border services can self-evaluate their goods' value, transmit this data and pay their taxes electronically.

It is interesting to note that data collection at Canadian customs was not first designed to carry law enforcement activities but to facilitate cross-border trade. Using indirect control by private actors and increasingly relying on information technologies, the Canadian border agency entered a period of restructuring based on a customs-at-a-distance model aimed at facilitating the circulation of commodities in a deregulated market economy. In 1997, Canadian customs introduced electronic customs declarations; also called EDI, or electronic data interchange, these platforms allow for the transmission of customs data by customs brokers, carriers, importers and exporters for the evaluation of shipments prior to their arrival at the border. Still used today, EDI has also eliminated much of the paperwork in customs offices. As a result, electronic declarations have substantially reduced truck queues, as well as waiting times at the border for truck drivers (from up to an hour to less than 30 seconds).

The introduction of electronic declaration in customs work transformed everyday work routines and decision-making processes in ports of entry. 'Commercial' officers now spend several hours a day in front of computer screens, reviewing customs declarations transmitted by the industry. Prompted by cost-cutting measures in 2008, EDI allowed for the re-organization of the division of labour not only within but between ports of entry. The effects of this redistribution of tasks can be observed in some ports found far from urban centres—such as regional airports or small and remote ports of entry. In these ports, officers may clear part of major ports' EDI work lists even if these shipments will be entering the country hundreds of kilometers away. The virtualization of customs assessment introduced by the electronic transmission of trade data thus generated new labour arrangements that extended decision-making in space and time—before arrival and away from primary inspection lines. This corresponded with an ever more limited capacity to check these assessments with physical evaluations of drivers and freight. An experienced officer, Paul explained that this change left him with a feeling of helplessness, as he attempts to implement national regulations over shipments he cannot inspect:

And the department gives little resources to this [implementing regulations]. Because it is proactive at the commercial level, it says: 'If I slow down commercial activities with more law enforcement, it harms commerce'. (...) So there are very few measures that are taken regarding containers. We have verifications to do by computers, but that does not tell us if there is a guy smuggled in with the shipment. That tells us approximately nothing. (...) We see the name of the company that imports, we verify what they give us as information, what the customs broker gives us. So the system releases automatically, a pre-release. It scans, all its boxes are checked. But for us, working with this system, if you are not a targeter and you can't have access to taxation reports, well, *the border officer is a bit helpless*. (...) Nobody, certainly not higher ups, will talk about this [emphasis added].

Starting in the mid-1990s, Canadian border policing activities in the customs area thus became increasingly based upon analyses disembedded from ports of entry. This remodelling does not only support the smooth passage of borders for goods; it also

dilutes individual responsibility in risk assessment. EDI was the first step in a series of technological and organizational changes that soon promoted intelligence-led border policing and automated compliance in customs. As shown below, it opened the door to intelligence-led border policing and to forms of regulatory compliance where risk categories are formalized as they become inscribed in technology.

### *Target, automatize*

At the end of the 1990s, and particularly after 2001, border authorities began approaching trade facilitation issues through security lenses. From then on, they privileged information technologies to sort through high- and low-risk mobilities. For the commercial sections of ports of entry, this meant the development of regional risk evaluation activities. These were sustained by the accumulation of data about cross-border trade submitted through electronic declarations. To process this data, the CBSA created two types of low-level analyst positions to be filled by customs officers in major ports of entry. Both positions are coveted. They come with significant operational discretion and a wide range of data analysis responsibilities denied to most frontline officers. The first officer administers the automated machine-release system for importers considered to present a low risk and who have a history of compliance with customs regulations. According to interviewees familiar with this system, on a monthly basis, between 40 and 60 per cent of overall customs entries are automatically recommended for release without officer intervention. The system includes random checks on exporters—about 2 per cent of the total shipments to cross the border, a percentage quoted in interviews and consistent with standard international levels of inspection of shipments and travellers. While officers officially keep their authority to send a truck to inspection, in practice, a low-risk label and automated recommendations removes them from most of the assessment and release process.

Working from analyses of local criminal, security and compliance trends and those transmitted by the intelligence section of the CBSA, the second officer (the ‘targeter’) identifies specific goods, drivers, trucking companies and exporters (‘targets’) that she recommends for further questioning and inspection. Other governmental departments—such as Health or Environment Canada—can do the same, by targeting, for example, a particular fish or wood species under import restriction. Targeting is both an anticipatory and investigative form of intelligence-led border policing. On the one hand, a targeter’s main task is conducting random checks on carriers, drivers and importers based on an examination of trends in cross-border criminality. Readings of recent developments in smuggling and past enforcement histories are re-interpreted by these low-level intelligence analysts who then mark out-of-the-ordinary routings or specific shipments (for instance, those thought likely to conceal drugs) as worthy of further inspection by officers. On the other hand, a targeter may start an investigation on the basis of tips provided by frontline officers. Samuel explains both aspects of the targeter’s function in these terms:

I’d say the role of the targeter is ...where they’ve done an examination at the back and something just doesn’t make sense and they say: ‘You know what? I don’t know what was going on with that company but something doesn’t feel right. I’d love to look at these guys again’. So the targeter, probably working in a similar vicinity would say: ‘Ok. I’ll do some reports and I’ll see what they’re bringing in, and

how often and so on. And, you know, do background checks on them, do a few more checks. And then, we can target in the future and see what there is’.

### *Centralizing risk management and customs compliance*

While an important section of customs compliance has become automated, risk assessment remains in the hands of ports of entry and their local analysis teams. These two local intelligence analysis positions (automated release and targeting) have become endangered by a new program that integrates customs release and risk management. E-Manifest was developed as a response to the SAFE requirements promoted by the [World Customs Organization \(2005\)](#) for advanced commercial information by the private sector. At a cost of more than 400 million Canadian dollars, the e-Manifest program became fully operational in 2014 after many postponed implementations. The e-Manifest platform brings together multiple databases (enforcement, immigration and customs); risk evaluation is automated and recommendations for inspection are generated and then transferred to ports of entry. The CBSA’s plans regarding this particular aspect of the intelligence-led policing of commercial flows are not clearly laid out in public documents. At the time of research, the CBSA was experimenting with a ‘commercial risk assessment hub’, a national risk assessment centre concerned with assessing highway transportation flows by means of advanced information provided by importers and carriers about cargo, means of transportation and driver. Based in Windsor between 2009 and 2011, the pilot project tested 17 risk indicators and retained 9 for implementation. These indicators, which have not been disclosed, are now processed by a software application that conducts automated targeting ([CBSA 2012](#)). The CBSA has since opened a risk assessment ‘hub’ in Windsor operating with nine targeting analysts, but interviewees suggested there could be as many as four or five other ‘hubs’ scattered in different regions in Canada in the near future.

Consequently, risk definition and assessment is being further automatized but also concentrated in hubs, thereby minimizing the number that is needed and also distancing the remaining targeters from local ports of entry. This centralization of targeting responsibilities brings about a loss of the specialized, detailed knowledge that officers have of their clientele, local risk trends and types of commodities that they usually see coming through. Some interviewees wondered about the potential mismatch between targeting-related tasks and ports’ capacity to complete them. In fact, this new model of risk management for Canadian customs remodels secondary inspections of goods and trucks. Customs officers are now required to take more detailed notes during their examination for transmission to targeters: on what has been found, the search method (e.g. random sampling of commodities or thorough search), how many boxes were opened, which commodities were found, etc. Therefore, examination becomes not only an enforcement procedure but a work of detailed record keeping. According to my interviewees, local issues and intelligence tips would be transmitted by frontline officers through the e-Manifest system and the risk assessment centre would then be responsible for following up on these tips. In this model, the officer becomes responsible to feed the system with new data. It is possible to conclude that these monitoring requirements increasingly regulate the work practices of security professionals through a variety of ‘communication formats’ ([Ericson 2007](#)), thus narrowing their individual agency in decision-making (see also [Garland 2001: 18](#)). Following this premise, discretion is

discussed in terms of a diminished autonomy in identifying and documenting events, findings and suspicions one finds relevant—a significant aspect of operational discretion as underlined by Nickels (2007). But in order to develop more precise targets that are based on up-to-date information (such as current drug traffic routings), intelligence-led border control will increasingly rely on the willingness of frontline officers to perform this work of data collection. How ‘commercial’ officers will handle this newly acquired record-keeping discretion, and its impact on official enforcement statistics and intelligence-led policing at the border, remains an open question (Boivin and Ouellet 2014).

### *Organizational Change and Decision-Making at the Border*

If we are to return to the terms used in surveillance-related scholarship, border policing institutions’ newly acquired dependence on intelligence-based assessments would reduce officer input in decision-making by removing face-to-face interactions from the equation (Rygiel 2013). This is partly but not entirely the case for customs. We find a combined shrinking and broadening of officer involvement in decision-making generated by risk management and automation, with important consequences for our understanding of discretion at the border. While their wide discretion is legally sustained in Canada by their capacity to act upon a ‘reasonable suspicion’ (Pratt 2010), it has become increasingly difficult to do so in practice, especially for those officers attached to cargo assessment. Alice, who has had three decades of work experience, reflects on what this means for her work<sup>3</sup>:

Given that the inspection dock is so full with all kinds of things that have been sent randomly...We don’t send many exams recommended by inspectors that say: ‘Well I have a doubt on this’. That was good before’. (...) [Before] there were less referrals from systems, it was more referrals from inspectors. You know, you see the person, you have doubts, you see it on the spot. It was... more tangible, whereas now, it is all random or selective. So they don’t see the person, they just do random checks. In the end, those are examinations that take up time when we could spend it doing inspections that *we* detect [interviewee’s emphasis].

Such alterations in custom officers’ work reconfigure decision-making as a moment of confirmation and approval of decisions made elsewhere—either in a targeting centre or through an automated system, or even by evaluators of preclearance and trusted trader programs. In these instances, officers are left to ratify ‘an earlier decision [...], even though that prior decision may appear in the guise of an opinion or recommendation. The nature of a discretionary determination may change or be changed depending on where in the legal system authority to decide is located’ (Hawkins 1992: 29).

<sup>3</sup> The interview data presented here show a notable presence of female officers in Canadian customs. Numbers about gender and age of border officers employed by the CBSA were requested from the Agency during this research but were not made available. However, observations in ports of entry and discussions with interviewees confirm that women are increasingly being hired and trained by the agency. Despite gender (race, ethnicity, etc.) being a potential factor influencing discretion (Nickels 2007: 576), it has not been possible to explore the existence of a gendered approach to discretion by officers at the border (i.e. whether women and men used their discretion differently). However, female border officers work hard at learning a series of strategies to impose their authority with border crossers in what remains a primarily masculine environment. How this gendered professional socialization is involved in officer experience of border policing will be explored elsewhere.

Accordingly, the results of this study of customs diverge from those obtained by recent research on airport-based border agents. Pickering and Ham (2014: 12) found that risk assessments in matters related to sex trafficking primarily relied on officer judgment. In contrast, ‘commercial’ officers’ decision-making benefits from a significant technological input. It has been broken down into diverse tasks (computing, targeting, risk and compliance analysis, machine-release, interviewing, secondary inspections, data collection). These tasks are distributed among different border policing actors (front-line officers, in-port or external data analysts, regional intelligence, etc.) who may be physically removed from the port of entry where their decision will be implemented.

Moreover, border policing activities such as targeting extend the temporality of discretion. O’Connor and de Lint (2009: 50) suggest that ‘enforcement actions can be transformed into lookouts’ at the border by passing on information about a cold hit (i.e. seizure accomplished without previous intelligence data) to intelligence staff. But what targeting also allows is the temporal extension of doubt for enforcement and intelligence purposes. In her study of frontline decision-making in airports—which she carried out before the use of information technologies in border control became standardized—Gilboy (1991) writes that officers unable to substantiate with evidence a suspicion had to release the suspected traveller and hope to ‘catch him next time’.

Therein lies a paradox: targeting reduces frontline discretion when customs officers are required to respond to calls for inspection made elsewhere; this is Alice’s point. But Samuel, who explains above the work of the targeter, also indicates that targeting can potentially extend the time during which suspicions can be acted upon—whether officers have a sense that ‘something does not feel right’, or that she ‘has a knot in her stomach’, as interviewees described these moments of doubt. Even when a secondary inspection does not result in any tangible findings, an officer now has the opportunity to pursue the investigation through local low-level intelligence colleagues who may extend the search beyond the sole truck driver and towards the carrier or importers/exporters for whom he works. With targeting, an officer’s doubt may not carry a direct investigative result, but it can increase the capacity to record suspicions about events and behaviors and thus insert these suspicions within an investigative chain. Therefore, it is important to note that specific interactions between physical investigative techniques (examination and interviewing), surveillance technologies as well as the organizational features of a designated border policing unit should be taken into account in order to contextualize uses of discretion.

### *Discretion as a response to complexity*

Despite the loss of their monopoly over decision-making in customs release and border policing decisions, it does not follow that the need for discretion has been eliminated in customs matters. The transition to a more technologized form of border control is intricately tied up with the emergence of complex customs tasks. In fact, the partial automation of customs and risk management leaves out more difficult cases that cannot be processed automatically. These cases necessitate a variety of technical, regulatory and quasi-legal knowledge.

When appointed, a border officer needs to develop technical knowhow and familiarize herself with the various databases at her disposal. A variety of customs norms,

programs and regulations must also be memorized—trusted trader and preclearance programs as well as agricultural, environmental, health and trade-related directives. In addition, a ‘commercial’ officer learns to recognize certain types of controlled tree and animal species. She is expected to be able to identify counterfeit goods and to know about those prescription drugs and supplements allowed in the United States but banned in Canada. She also needs to become familiar with parts of the international harmonized system (a system under the responsibility of the World Customs Organization, adapted for each country and outlining more than 10,000 codes that classify goods for taxation purposes).

A seasoned officer, Diane recalls an anecdote that speaks to the scope of the regulatory knowledge that she had to acquire and continued to accumulate throughout her career:

And sometimes we have to refer back because they change policy and procedures. So sometimes there are certain things... you want to ensure the direction you’re taking is correct, so you go back to your d-memos.<sup>4</sup> And we have a huge volume of directives so... It’s funny! A lady had come down one time from Transport Canada (they were doing a project with us) and so she says: “I brought all my directives with me”... and it was just one volume! We have twenty-one... well actually twenty-two like that!

As regulations are added and others removed or modified, as technologies are introduced and new border programs and priorities adopted, the breadth of knowledge required is vast and oft-changing. The resulting complexity is staggering and opens up new forms of reliance upon discretion.

While preclearance, automation and the use of electronic declarations reduce the necessity of officer review over the processing of low-risk shipments, the need to cope with regulatory intricacies presents the possibility of metamorphosing the discretion of customs officers into a complexity reduction strategy. Alice, quoted above, explains this transition:

Alice: For sure before...How would I say? I think we had more powers because we had the regulations in d-memos and we followed them. You know, we went by the type of commodity. There were laws and we applied them. [...] Today there are so many programs that ok, this company, you need to remember that it is a member of this program, while this other one belongs to that other program. Which ends up being not easy to follow. [...] So it does not make everyone all compliant and uniform. Before, it was more compliant and uniform. Today, well you make a decision with your client but the other officer beside you can make another decision. [...]

Interviewer: So it was not like that before, when you first started?

A: Well before, we started with the goods. Take trees for instance. We went to see in our d-memos, it was clear. Trees fell under the scope of Environment Canada, so you had to have this and that document. It was simple. Today, you have trees, but you also have the company. You check the company, well it’s true, it is transporting trees, but it is also a member of this program so it does not need to give x permit for the ministry. So it is so complicated, it doesn’t even make sense!

So this is why it is confusing. The young ones [rookie officers], they try to ask us questions, we explain but it is not clear. So they ask another officer, and it won’t be the same explanation. I find the change is going from people with experience and knowledge to being more of a generalist. It is not specific anymore, it is not specialized anymore. [...] So experience and knowledge are going away. The decisions we take are more personal, more individual.

<sup>4</sup> Explanations of customs regulations for officer use.

Hawkins (1992: 12) suggests that discretion is ‘where the tensions, dilemmas, and sometimes contradictions embodied in the law are worked out in practice’. What appears difficult in cases described by Alice is not only the regulatory knowledge necessary but also the decisions about how different regulations and programs should interact in concrete cases. As Alice’s comments illustrate, the historical practice of discretion was—and still is to a certain extent—based on an experience constituted, acquired and transmitted inside and between organizations concerned with border policing—what Frowd (2014) refers to as the ‘pedagogy’ of border control. Given the importance of transmission of ‘tricks of the trade’ in learning how to decide, it is understandable that rookies ask for guidance in navigating the complexities of trade facilitation and deciding which customs rule to apply, and how. Yet they may not get a definitive answer. All customs officers—young and old—are adapting to interactions between new technologies, organizational settings, trade facilitation programs and intelligence-schemes for which there are no tested and tried instructions. Interviewees regularly complained about the lack of on-the-job training accompanying new operational features, technologies and programs. Officers are thus expected to work out these difficulties by themselves.

Studies of police discretion suggest that an abundance of rules makes it possible to pick and choose those rules likely to support previously made decisions in routinized accounts elaborated after the fact (Ericson and Haggerty 1997: 347). In other words, the sheer number of rules gives one flexibility to choose among them to justify decisions. In this sense, discretionary decisions would be legitimized through a set of ‘presentational rules’ used *post hoc* (Smith and Gray 1985: 442). But arguing that discretion constitutes a response to complexity, as done in this section, is different. Together with the absence of training, the dearth of administrative tools to help negotiate contradictory regulations leaves officers doubtful about the legitimacy of their decisions. In this case, it is the relation of customs officers to the rule that is called into question, as the rule itself appears ambiguous to those charged with applying it. Paradoxically, the goal of creating standardized decisions through risk management technologies necessitates (for more complex cases) the parallel development of a specialized, individualized decision-making process for which officers are more or less prepared and receive little operational support.

#### *Weakened Discretion and a Changing Occupational Identity*

A final issue confronting students of discretion concerns the perception held by front-line officers of their autonomy to decide. Discretion has been studied as a defining characteristic of all ‘street-level’ bureaucratic work (Lipsky 2010), including visa and immigration offices (Infantino 2010), where the authority to decide on a wide range of everyday matters compensates for the clerical and uneventful nature of low-level front-line work. Writings on border policing may not have fully taken into account the mundane, repetitive character of frontline borderwork. Yet, this aspect helps making sense of customs officers’ attachment to their discretionary powers. As mentioned above, discretion plays a particular role in border officers’ self-perception. The assurance of a wide-ranging autonomy has traditionally characterized border officers’ occupational identity. However, ‘commercial’ officers are losing sway over a wide range of border

policing decisions and over a significant part of the customs release process. This new context announces a significant shift in how they conceive the purpose of their work and view themselves as security professionals. This last section considers what we learn more broadly about the subjective experience of these border workers, paying attention to the effects of their diminished discretion on their occupational identity. ‘Commercial’ officers attempt to maintain their occupational identity by invoking their extended legal powers as a symbolic compensation for their loss of discretion, and increasingly view themselves as part of a reserve army protecting the border in case of emergency.

### *Discretion as social wage*

Discretion in the commercial sections of ports of entry is becoming less a central feature of frontline borderwork than a ‘social wage’ that customs officers continue to invoke and endeavour to shelter from organizational instability. A ‘social wage’ refers to an acknowledgement of someone’s work through social status advantages granted by an occupation. This concept might be unfamiliar to policing scholars given that it emerges out of the sociology of work. In her ethnography of how American construction workers cope within a struggling industry with little union protections, Paap (2006: 9) argues that labour processes cannot be studied separate from ‘the social performances of workers’ various identities’. She suggests that, although their salaries and working conditions are threatened, construction workers still find payment in symbolic advantages pertaining to their occupation—such as forms of domination emphasizing whiteness and hegemonic masculinity in the workplace (26). Paap’s interesting insight applied to uses of discretion by customs officers would shed light on how they can resort to symbolic rewards in order to maintain self-worth and protect their influence at the border.

In interviews, officers defensively invoked their formal discretionary powers; they insisted that despite preclearance programs, intelligence-led policing schemes and automatically generated recommendations, they are the ones left with the ultimate moment of decision in the booth. Their pride in this aspect of their work—relying on their judgement, following up on their ‘doubts’ or proceeding to negotiated arrangements with local border crossers—confirms the continuing significance of discretion in customs officers’ view of themselves. However, the ways in which interviewees rationalized the intuitions and practical knowledge that enter their decisions tell only part of the story. What also illuminates officers’ narratives are the specifics of the institutional work environment in which they face a loss of clout at the border.

Voicing their suspicion about the accuracy of risk management procedures, insisting on the effectiveness of their own assessments of drivers and shipments, as well as asserting their legally recognized discretion are among the responses of ‘commercial’ officers to their increasing marginalization as decision-makers. This was especially expressed in attitudes towards trade facilitation initiatives such as FAST. This bilateral border program offers preclearance cards to truck drivers deemed to be low risk after an analysis of their file by Canadian and American border authorities. Despite the creation of this privileged category of mobility (in order to expedite the release of freight), customs officers insist on the significance of the primary inspection interview in evaluating truck drivers’ potential criminal background. When asked about FAST, most claimed the program does not modify their work routine at the booth, as did Sarah: ‘...it shows that they’ve gone through criminal checks and everything. But, regardless, they’re still

subject to examination [...]. So, to me, or to most people, it doesn't matter if they have a FAST card. It just shows that they probably haven't done anything bad lately, or they haven't had any previous customs infractions. It doesn't mean that they're not smuggling anything. It just means that they haven't been caught'

This lack of confidence in low-risk evaluations generated from criminal, immigration and border crossing data appears as a common thread throughout interviews. Customs officers might well be correct in their assessment. Delays for the inclusion or deletion of criminal records in the CPIC (the main Canadian police database) can last up to two years. The verification of a trusted trader status is undertaken every five years at the time of renewal of program membership. Interestingly, the [Auditor General of Canada \(2007\)](#) has come across similar distrust towards databases and encountered a selective appropriation of risk management techniques by frontline border personnel. Interviewed for this audit, officers testified that they sometimes did not follow risk quotes on maritime containers established by automated systems and chose to inspect containers on the basis of their own discretionary reading of the data available, their knowledge of local specificities and their work experience. Given the incomplete—and sometimes erroneous—information contained in those databases, the variety of private and public actors who contribute information and the lack of oversight in terms of the validity and up-to-date quality of information, officers' caution might be practically inspired. In any case, this caution confirms a pattern of distrust in the accessible data and a preference for the use of discretion at the frontline.

It is perhaps no coincidence that in one particular port that had lost its EDI responsibilities, 'commercial' officers had heated debates about whether or not they should 'remove FAST cards' when truck drivers were found in non-compliance—generally for smuggling the odd bottle of alcohol or carton of cigarettes. Officers discussed their authority to confiscate cards associated with a risk management program, which, together with the loss of electronic declaration assessment to another port, had done away with much of their previous decision-making responsibilities. An officer at this port told me that her job was not to collect taxes but to 'keep people honest' and 'uphold' the FAST program by taking away such cards. In another port, an officer commented that a low-risk status could not be kept under these circumstances, thus effectively converting a disregard for customs-related regulations into a security issue. For 'commercial' officers, discretion increasingly represented a social wage in a workplace that had effectively removed many decision-making opportunities from their everyday job.

### *Between boredom and preparedness*

Emerging from officers' accounts of the recent remodelling of border policing and customs compliance is a more delicate issue: the boredom of having much less to do. Those facing the removal from ports of some of their prerogatives and related tasks experience frustration at being unoccupied for long stretches of time. The experience of inactivity appears to be one of the most tangible effects of a reduced workload due to the automation of customs duties in certain ports of entry.<sup>5</sup> According to interviewees,

<sup>5</sup> Depending on the port, labour turnover, work organization and local operational decisions, these working conditions may vary. In one of the five ports visited during this research, the workload actually exceeded the capabilities and resources available. However, the slowing down of the work day was verified in the four other ports. The trend was especially pronounced in a port that had experienced more automation than others and the transfer of some customs release responsibilities to a neighbouring port.

the redistribution of responsibilities between ports had been designed to release them for increased truck inspections. While technologies are creating new work features, they also require new infrastructures such as larger inspecting docks. Yet infrastructure budgets have not been adapted accordingly. I visited a major port of entry where only 20 per cent of the dock doors in its secondary inspection area were functional and where dock openings did not fit all trailer sizes—thus making the inspection of certain types of trailers more difficult. If officers officially retain their discretion to send trucks to inspection, the number of docks at border crossings have not been increased to cope with these requirements and, as a result, the number of inspection has not actually increased. Similar disparities between technological improvements and lack of corresponding infrastructural investments have been observed by Heyman (2009b) in US ports.

Interviewees—more or less implicitly—described an increased sense of boredom. An imposed idleness was expressed in different ways. Asked about how he spent his days now that many administrative duties he formerly performed had been reduced, Raymond answered, ‘We sit and wait for a truck’. Another officer, Arthur, confided he takes time to drive a few kilometers during his breaks to buy coffee at a local fast food joint. Often, he wanders through the port of entry, searching for tasks to accomplish: ‘So we have a lot less to do. It’s actually very annoying at times. It’s sad because they have taken away from us a lot of our work and we have a lot of downtime’.

The experience of boredom at work was a particularly sensitive topic. Interestingly, when idleness was mentioned, officers followed their comments by emphasizing their increased ability to quickly respond to security emergencies. Raymond reflects on what he sees as this newly acquired capacity for quick reaction:

Our truck exams have not gone up and we streamlined the movement of people and goods in the country. Everything has been streamlined. I think what has saved jobs and what has gotten people hired was the 9/11 threat and the enforcement part of the job and the [information] gathering part of the job has caused... Not caused, that’s not the word I’m looking for... has made Ottawa [headquarters and politicians in the capital] realize that we can’t run at barebones. Because we never know when something could happen in the world. So we have to have our borders manned [*sic*]. [...] That’s the point that we’re at. But, because of 9/11 and the constant threat that something could happen anytime in the world [...], we’re always going to be a potential target. You have to have the staff on. So, we’ve become... We went from, I believe, an action job, because of all the documents we had to do, to more of a reaction job. And when you are in a reaction position, it’s you know, a layman may say: “Ah, you guys all sit around and do nothing”. Well, yeah, we do. But that’s the nature of the job. But when stuff happens, you know [*he snaps his fingers*] at a moment’s notice, we have to be ready. And you have to assume that anything can happen at a moment’s notice.

For these officers, their work now depends on their ability to remain in a constant state of readiness. Perhaps there is an element of legitimating rhetoric in support of these explanations given by officers; after all, their livelihood depends on being acknowledged as a significant security actor at a time when their influence in border policing appears challenged. But officers’ reflections also announce a notable change in their occupational culture. The trend towards removing parts of the decision-making process from ports of entry undermines the traditional professional identity of customs, which was historically rooted in their assurance of broad discretion. These powers required the maintenance of face-to-face interactions, the significance of which is now reduced

in customs compliance. In contrast, frontline customs officers now adopt an approach to their occupation that alters their identification with certain prerogatives, as well as modifies how they assert their worth as security professionals. This transformation in self-representation is noteworthy. The officers interviewed were in the process of redefining their occupation as one of constant vigilance. Are we witnessing the emergence of a custom officer who defines himself less by his ability to use discretion, but by his preparedness—his capacity to maintain himself in a responsive position—as a ‘police of the border’? A ‘commercial’ officer is increasingly becoming a less busy, but more patient and alert policing actor. At the intersection of automation, displacement of risk management operations and partial devolution of border compliance to industry lies a new conception of officers’ function.

### *Conclusion*

This article provided insight into the policing of goods and transport workers in a time of transformation in border agencies. The current criminological, socio-legal and security literature does not pay enough attention to the impact of organizational instability and technological change on border officers’ discretion. This literature expresses valid concerns with the disregard for legal standards, as well as dynamics of exclusion and inclusion in border spaces. These analyses conceptually inspired by approaches such as ‘state of exception’ and ‘social sorting’ assume an elevated degree of discretion in frontline officers’ daily work. Yet, findings from the commercial sections of CBSA-managed land ports of entry challenge this premise. While a high level of discretion constituted the historical basis of officers’ work and was foundational to their occupational identity, contemporary developments point to a shift in the distribution of decision-making capabilities in border policing. Border agencies have removed from ports of entry many of the tasks traditionally placed under the purview of customs officers thus impeding their capacity to decide and apply regulations in the way they judge best. Such alterations in customs operations have reconfigured discretion in paradoxical ways. They have enabled both an extension in time and a decline in officers’ hold on decision-making. This article considered the impact of such changes for the work life of customs officers, especially in regards to their use, experience and perception of discretion. It also shed light on transformations in the ways in which officers see themselves as policing actors.

It would be remiss to limit these trends to the work of officers involved in customs compliance. The introduction of risk management technologies generate similar impacts on officers’ discretion when it comes to dealing with travellers, especially in the case of those deemed to be low risk. Canadian airport authorities are currently installing automated booths for processing citizens and permanent residents. North American bilateral programs, such as NEXUS, require officers to process in a more timely fashion frequent border crossers whose profile was previously assessed in order to grant membership into these programs. These trends have consequences for how we think about discretion and decision-making at the border and should be further investigated in sea, inland and air border policing locations.

*Funding*

This work was supported by a Canada Graduate Scholarship offered by the Social Science and Humanities Research Council (# 767-2005-1496), and by a Public Safety Canada Research Fellowship in honour of Stuart Nesbitt White (# 200950500023).

## ACKNOWLEDGEMENTS

I would like to thank Rémi Boivin, Sara Casella Colombeau, Chloé Leclerc and Katherine Pendakis for their comments on a previous draft of this article.

## REFERENCES

- AAS, K. F. (2011), 'Crimmigrant' Bodies and Bona Fide Travelers: Surveillance, Citizenship and Global Governance', *Theoretical Criminology*, 15: 331–46.
- AAS, K. F. and GUNDHUS, H. (2014), 'Policing Humanitarian Borderlands: Frontex, Human Rights and the Precariousness of Life', *British Journal of Criminology*, doi: 10.1093/bjc/azu086.
- AMOORE, L. and DE GOEDE, M. (eds) (2008), *Risk and the War on Terror*. Routledge.
- ARADAU, C. and VAN MUNSTER, R. (2009), 'Exceptionalism and the "War on Terror": Criminology Meets International Relations', *British Journal of Criminology*, 49: 686–701.
- Auditor General of Canada. (2007), 'Keeping the Border Open and Secure – Canada Border Services Agency', available online at [http://www.oag-bvg.gc.ca/internet/English/parl\\_oag\\_200710\\_05\\_e\\_23829.html](http://www.oag-bvg.gc.ca/internet/English/parl_oag_200710_05_e_23829.html) [Accessed on 18 March 2015].
- BIGO, D. (2014), 'The (In)Securitization Practices of the Three Universes of EU Border Control: Military/Navy – Border Guards/Police – Database Analysts', *Security Dialogue*, 45: 209–25.
- BOIVIN, R. and OUELLET, F. (2014), 'Space and Time Variations in Crime-Recording Practices within a Large Municipal Police Agency', *International Journal of Police Science and Management*, 16: 171–83.
- BREWER, R. (2014), *Policing the Waterfront. Networks, Partnerships, and the Governance of Port Security*. Oxford University Press.
- Canada Border Services Agency. (2012), 'e-Manifest initiative—Evaluation Study Final Report August 03, 2012', available online at <http://www.cbsa-asfc.gc.ca/agency-agence/reports-rapports/ae-ve/2012/emi-ime-eng.html> [Accessed on 18 March 2015].
- CÔTÉ-BOUCHER, K. (2010), 'Risky Business? Border Preclearance and the Securing of Economic Life in North America', in S. Braedley et M. Luxton, *Neoliberalism and Everyday Life*, 37–67. McGill-Queen's.
- CÔTÉ-BOUCHER, K., INFANTINO, F., SALTER, M. B. (2014), 'Border Security as Practice: An Agenda for Research', *Security Dialogue*, 45: 195–208.
- CHALFIN, B. (2007), 'Customs Regimes and the Materiality of Global Mobility: Governing the Port of Rotterdam', *American Behavioral Scientist*, 50: 1610–30.
- CHAN, J. (2001), 'The Technological Game: How Information Technology is Transforming Police Practice', *Criminal Justice*, 1: 139–59.
- . (2007), 'Making Sense of Police Reforms', *Theoretical Criminology*, 11: 323–45.

- COWEN, D. (2014), *The Deadly Life of Logistics: Mapping Violence in Global Trade*. University of Minnesota Press.
- ERICSON, R. V. (2007), 'Rules in Policing: Five Perspectives', *Theoretical Criminology*, 11: 367–401.
- ERICSON, R. V. and HAGGERTY, K. (1997), *Policing the Risk Society*. Toronto University Press.
- FROWD, P. (2014), 'The Field of Border Control in Mauritania', *Security Dialogue*, 45: 226–41.
- GARLAND, D. (2001), *The Culture of Control. Crime and Social Order in Contemporary Society*. University of Chicago Press.
- GILBOY, J. (1991), 'Deciding Who Gets in: Decisionmaking by Immigration Inspectors', *Law & Society Review*, 25: 571–600.
- GORDHAN, P. (2007), 'Customs in the 21st Century', *World Customs Journal*, 1: 49–54.
- HAWKINS, K. (1992), 'The Uses of Legal Discretion: Perspectives From Law and Social Sciences', in K. Hawkins, ed., *The Uses of Discretion*. Oxford University Press.
- HESKETT, D. (2009), 'Seamless Electronic Data and Logistics Pipelines Shift Focus From Import Declarations to Start of Commercial Transactions', *World Customs Journal*, 3: 27–32.
- HEYMAN, J. M. (2009a), 'Trust, Privilege, and Discretion in the Governance of the US Borderlands with Mexico', *Canadian Journal of Law and Society*, 24: 367–90.
- . (2009b), 'Ports of Entry in the 'Homeland Security' Era: Inequality of Mobility and the Securitization of Transnational Flows', in S. Martínez, ed., *International Migration and Human Rights: The Global Repercussions of U.S. Policy*. University of California Press.
- INFANTINO, F. (2010), 'La frontière au guichet: Politiques et pratiques des visas Schengen à l'ambassade et au consulat d'Italie au Maroc', *Champ Pénal/Penal Field*, 7, doi: 10.4000/champpenal.7864.
- LIPSKY, M. (2010), *Street-Level Bureaucracy: Dilemmas of the Individual in Public Services (30th anniversary expanded edition)*. Russell Sage Foundation.
- LOFTUS, B. (2009), *Police Culture in a Changing World*. Oxford University Press.
- . (2015), 'Border Regimes and the Sociology of Policing', *Policing and Society*, 25: 115–25.
- LYON, D. (2007), 'Surveillance, Security and Social Sorting: Emerging Research Priorities', *International Criminal Justice Review*, 17: 161–70.
- MCINTOSH, D. (1984), *The Collectors. A History of Canadian Customs and Excise*. NC Press, Revenue Canada, Customs and Excise, Canadian Government Publishing Centre, Supply and Services Canada.
- MOUNTZ, A. (2010), *Seeking Asylum. Human Smuggling and Bureaucracy at the Border*. University of Minnesota Press.
- MUTSAERS, P. (2014), 'An Ethnographic Study of the Policing of Internal Borders in the Netherlands', *British Journal of Criminology*, doi: 10.1093/bjc/azu033.
- NICKELS, E. L. (2007), 'A Note on the Status of Discretion in Police Research', *Journal of Criminal Justice*, 35: 570–8.
- O'CONNOR, D. and DE LINT, W. (2009), 'Frontier Government: The Folding of the Canada-US Border', *Studies in Social Justice*, 3: 39–66.
- PAAP, K. (2006), *Working Construction: Why Working-Class Men Put Themselves - And The Labor Movement - in Harm's Way*. Cornell University Press.
- PICKERING, S. and HAM, J. (2014), 'Hot Pants at the Border: Sorting Sex Work from Trafficking', *British Journal of Criminology*, 54: 2–19.
- PICKERING, S. and MCCULLOCH, J. (eds) (2012), *Borders and Crime. Pre-crime, Mobility and Serious Harm in an Age of Globalization*. Palgrave Macmillan.

- PRATT, A. (2010), 'Between a Hunch and a Hard Place: Making Suspicion Reasonable at the Canadian Border', *Social & Legal Studies*, 19: 461–80.
- PRATT, A. and THOMPSON, S. (2008), 'Chivalry, "Race" and Discretion at the Canadian Border', *The British Journal of Criminology*, 48: 620–40.
- RYGIEL, K. (2013), 'Mobile Citizens, Risky Subjects: Security Knowledge at the Border', in S. Ilcan, ed., *Mobilities, Knowledge, and Social Justice*. McGill-Queen's University Press.
- SALTER, M. (2008), 'When the Exception Becomes the Rule: Borders, Sovereignty, and Citizenship', *Citizenship Studies*, 12: 365–80.
- SMITH, D. and GRAY, J. (1985), *Police and People in London*. Policy Studies Institute.
- SQUIRE, V. (ed.) (2011), *The Contested Politics of Mobility: Borderzones and Irregularity*. Routledge.
- WEBER, L. (2011), "'It Sounds Like They Shouldn't be Here": Immigration Checks on the Streets of Sydney', *Policing and Society*, 21: 456–67.
- World Customs Organization. (2005), WCO Develops a Framework of Standards to Secure and Facilitate Global Trade, available online at <http://www.wcoomd.org/en/media/newsroom/2005/january/wco-develops-a-framework-of-standards-to-secure-and-facilitate-global-trade.aspx> [Accessed on 18 March 2015].