

Police Reform

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What are the objectives of police reform and why have they been changing?

What are the main policing strategies?

Which international norms govern policing?

What are the key challenges?

What are the particular challenges of post-conflict situations?

What are the objectives of police reform and why have they been changing?

The goal of police reform is humane, accountable, responsive and capable policing. Like SSR more generally, police reform assumes that effective and democratic security delivery is fundamental for reducing poverty and for sustainable economic, social and political development.

Police reform efforts used to prioritise technical assistance and training in specific technical skills, such as investigative procedures, crime scene management and records keeping. In the early 1990s, however, its emphasis changed. While the balance between building technical skills and a newer emphasis on promoting liberal norms varies depending on the country, implementing organisation and reform programme, successful police reform is now largely focused on human security and is articulated in terms of such norms and values as human rights and equal protection under the law.

As the section below on community policing goes some way in demonstrating, police reform is also about a fundamental change from police as “force” to police as “service”, whereby a key objective of police reform is the reorienting of policing goals towards service to the community and responsiveness to its needs. This shift in emphasis has been driven by several factors, including democratisation, peacekeeping operations, and the need for better co-operation and co-ordination in the face of terrorism and organised crime.

Reform requires short-term operational objectives to be combined with long-term goals of democratic governance, effective oversight and local ownership. A strategic approach is therefore essential.

This backgrounder focusses on police reform challenges in post-conflict, developing and transitioning states. However, many of the issues that have to be dealt with in these environments are similar to those involving the police in mature democracies, where the problems are less acute but no less strongly felt by both police and the communities that they are meant to serve.



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Box 1. Principles of Police Reform

Equal treatment: reform should be aimed at achieving equal access to security and justice for all members of society.

Inclusiveness: the composition of reformed police services should reflect the ethnic and cultural diversity of the communities they serve as well as the need to be able to address the different security issues facing women, men and minority groups across society.

Professionalism: a reformed police service should be able to carry out its duties to a high professional standard.

Well-Managed: police reform should seek to establish a coherent chain of command and management structure, and ensure the effective use of available resources.

Transparency and Accountability: civilian, democratically-constituted authorities should oversee the policies, activities, expenditures and processes of a reformed police service. A strong judicial framework should govern their actions. Independent oversight by civil society is of crucial importance.

Cooperation: reform should strive for improved coordination between the police and other domestic security actors, as well as enhanced participation of domestic police in regional and international cooperation frameworks (such as Police Cooperation Convention for Southeast Europe, Europol and Interpol). This latter type of cooperation is particularly important given the often transnational nature of many threats (such as organised crime, terrorism, trafficking in weapons, people and drugs).

- improving the experience of those who have contact with the police
- embedding neighbourhood policing into local communities
- ensuring effective community engagement – which includes consultation, marketing and communications, and public involvement
- enhancing public understanding and local accountability of policing
- effecting organisational and cultural change to foster increasingly responsive services that use feedback from frontline staff and the public on an ongoing basis

Box 2. Police Reform in Bosnia and Herzegovina

Because of the complicity of many in the Bosnian police force in ethnic cleansing and war crimes, police reform was seen as an urgent post-conflict priority. Reform efforts were hobbled, however, by the fact that the war had left the republic with three distinct and separate forces: Bosniak, Croat and Serb. The Serb forces in Republika Srpska (RS) strongly resisted integration and reform efforts. Bosniak and Croat forces, while quicker to merge, remained independent of each other in many important areas.

Politicisation of police services has also remained a problem. Many forces still form part of old patronage networks, which have facilitated their involvement in organised crime and corruption. It has also hindered the implementation of the Dayton Accords, the pursuit of war criminals and the safe return of refugees.

Reforms designed to deal with the central problem of integration stalled for many years. They were partly resolved in April 2008, however, when enormous EU pressure led to the passing in the Bosnian parliament of a plan to set up new state-level police coordination bodies, without immediately affecting the autonomy of the two forces. The breaking of the deadlock led to the signing a pre-membership deal with the EU.

Intelligence-led. This policing strategy involves using intelligence collection and analysis to inform decision-making at both the tactical-operational and strategic-corporate level. At its core, it is about four interlinked elements: targeting offenders; using both covert and overt actions; identifying and managing crime “hotspots”; investigating the links between different crimes; and prevention through local partnerships.

What are the main policing strategies?

Strategies reflect national preferences and/or international consensus, and they employ a mix of incentives and sanctions, combining idealism and pragmatism. In some cases, as in the Balkans, reform is attractive because it can be a pre-requisite for access to resources, integration and international recognition. But police often have to be pressured into adopting new procedures and habits.

There are three main strategies for policing reform.

Community policing. At the most basic level, community-policing is about integrating the concerns of citizens and communities into every level of policing policy, management and delivery. For example, in the United Kingdom, which was one of the first places where the community policing model was implemented, the Home Office has described five elements as being critical to its success:

Zero-tolerance/Broken Windows. The zero-tolerance approach is highly controversial. It is sometimes associated with the broken windows approach, which like intelligence-led policing, is informed by research which suggests that a small number of criminals commit the vast majority of crimes. First tested in a big way in New York City, zero-tolerance policing is summed up in a quote by James Q. Wilson and George L. Kelling, from their 1992 article 'Broken Windows.'

"Consider a building with a few broken windows. If the windows are not repaired, the tendency is for vandals to break a few more windows. Eventually, they may even break into the building, and if it's unoccupied, perhaps become squatters or light fires inside. Or consider a sidewalk. Some litter accumulates. Soon, more litter accumulates. Eventually, people even start leaving bags of trash from take-out restaurants there or breaking into cars."

The approach suggests that minor and major crimes are connected and that fixing the former can have a big impact on the latter.

Other approaches stress **smart policing**, involving such techniques as the use of computer maps into which are fed instantaneous crime statistics. Star policeman, William Bratton, who has served as police chief in Boston, New York and Los Angeles, sees predictive policing, or identifying problems before they happen, as the next big trend.

Reform is a complex and expensive long-term process requiring a clear vision, as well as a realistic development plan. It is a major exercise in state building. Some idea of the cost can be gained from the UK's current 'Access to Justice Programme' in Nigeria where the seven-year sector-wide programme has a budget of £37 million. Partly because of this expense, many reform projects are international in character, and involve strategic partnerships.

The aim of most current projects is to support comprehensive ('holistic') programmes of long-term strategic reform while offering immediate assistance to ensure the security of democratic processes.

A phased approach is usual. In the DRC this has meant:

- **Phase One:** Operational capacity building to support democratic elections

Box 3. Australia in the Solomon Islands

In 2004, Australia formed an International Police Deployment Group (IDG), composed of 500 standing officers. Given a substantial budget and their own base and training facilities, the IDG was meant, at least in part, to address widespread criticism that international police missions have been ad hoc, poorly planned and under-resourced.

Two hundred IDG officers were deployed as part of the Australian-led Regional Assistance Mission to the Solomon Islands (RAMSI). The policing component of this mission had two goals: firstly to restore law and order and, secondly, to build capacity and substantially reform the Royal Solomon Islands Police (RSIP). The first of these goals was achieved quite rapidly and basic law and order was restored to the archipelago. The second goal, however, proved more elusive for a number of reasons.

The RSIP were massively compromised during the civil war. Their officers were involved in extrajudicial executions, torture, threats and arbitrary shootings. Even before the conflict, however, the police force had been in a long period of decline. Command and management structures were non-existent in many parts of the country, many officers had gone for long periods without pay, and basic supplies, (such as pens and paper) were completely lacking from many stations.

Upon their arrival, IDG officers were sworn in as line members of the RSIP, making up 20% of the force. Their role included everyday policing, mentoring, restructuring and capacity building. Despite the fact that on paper IDG officers operated in the same units as the RSIP, it was difficult to bridge the cultural divide. This was particularly problematic given the far-reaching nature of the reform programme: large numbers of RSIP officers were arrested or discharged, and new management and planning systems were implemented that stood sharply at odds with earlier practices. The reform programme also largely ignored existing informal power structures and restorative justice and dispute resolution practices – something that reflects the fact that police officers, with their highly specialised but often narrow skill-sets, are not always the best people to do police reform. The RAMSI case demonstrates that reform efforts need to take place within a wider development and governance reform context and include people with specialised skills in capacity building and local ownership, alongside any international or regional police deployment.

- **Phase Two:** Consolidation and organisational planning undertaken concurrently with Phase One.
- **Phase Three:** Organisational capacity building and long-term strategic reform.

South Africa, for example, achieved its early strategic objectives by means of training courses on crowd management, criminal information gathering and operational analysis, firearms tracing, VIP protection, and the maintenance of telecommunications and radio equipment. The cost of its training courses was South African Rand 3,250,000 (US\$ 620,000).

Multinational approaches to reform offer political and financial advantages, but they also have disadvantages. Objectives can, for instance, be undermined by problems of cooperation and coordination. The result is often strategic incoherence. This happened in the DRC where Angola trained and equipped riot control squads at its own expense, but its methods were at odds with those promoted by EUPOL, France and South Africa.

Which international norms govern policing?

Norms are standards of behaviour (or benchmarks) defined in terms of rights and obligations.

International norms relevant to police reform efforts have been developed and codified by international actors (such as the EU, OECD, OSCE, UN and ECOWAS) as well as by states (as is the case with DFID in the UK) and NGOs (such as Amnesty International, CLEEN in Nigeria and IDASA in South Africa).

Norms relevant to policing are formalised in a series of overlapping declarations, codes and standards and operationalised by a variety of actors. These include instruments with broad relevance, such as the Universal Declaration of Human Rights, and the conventions against torture and against sexual or racial discrimination. Furthermore, they increasingly include instruments explicitly addressing policing, such as the UN's 1979 Code of Conduct for Law Enforcement Officials, which emphasised that policing must respect human rights.

Norms related to democratic control and accountability followed in the mid-1990s when renewed interest in public security issues on the part of states and IGOs led to a series of attempts to

	Type	Actor	Role	Examples
External Actors	International Organisations	EU	Post-conflict stabilisation; DDR; supporting democratic reform efforts; restructuring and rebuilding of indigenous police; promoting human development and security; providing policy and legal advice	UNPOL in post-conflict; EU missions in the Balkans and accession states; EU mission in Afghanistan; CoE in Macedonia; UNDP in Kosovo
		CoE		
		UN		
		OSCE		
	Foreign Governments	Ministries of Defence	Technical education and training; capacity building	US in Iraq, Afghanistan, Liberia and South America; South Africa in the DRC; UK in Sierra Leone; Australia in Asia Pacific
		Ministries of Interior		
		Development Agencies		
		Ministries of Justice		
		Ministries of Foreign Affairs		
	International Civil Society Actors	NGOs	Oversight of reform processes; providing input into reform strategies; identifying needs	Freedom House, Human Rights Watch, DCAF, RAND Corporation, Brookings Institution
Media				
Academic Institutions				
Internal Actors	National Governments	Ministries of Defence	Development of a clear mission statement; depoliticisation; introduction of new recruitment policies; improved training and working conditions; promotion of human rights; renovated police stations	
		Ministries of Interior		
		Ministries of Justice		
	Domestic Civil Society Actors	Media	Oversight of reform processes; provision of input into reform strategies; identification of needs	
		NGOs		
		Academic Institutions		

codify new policing norms. Some of these were written in response to the policy problems of the day, such as the need to legitimise police reform in the Balkans, while others reflected more lasting concerns. For example, in 1998, Amnesty International produced a series of Guidelines on Basic Human Rights Standards for Law Enforcement Officials.

The Council of Europe's recommendations for a European Code of Police Ethics (adopted in 2001) have been particularly influential in the wider European region. It addressed 'the values and standards that are required of police in a modern, democratic society' (Explanatory Memorandum 1.1). It identified accountability as a critical norm, reinforcing this conclusion in a series of recommendations. These included 2001's Joint Action on the EU's police mission, 2002/210/CFSP, and 2005's recommendation 1713 on Democratic Oversight of the Security Sector in Member States. By 2006, when the OSCE's 2006 Guidebook on Democratic Policing was published, it was difficult to find publications on reform that did not use the terminology of international democratic policing.

The OECD Development Assistance Committee's 2007 definition of democratic policing is now standard. It is policing that uses minimal force, is not corrupt, and provides reasonably impartial assistance and redress within an accountable criminal justice framework.

The identification of international norms is valuable. It offers clarity and delegitimises repression and social exclusion. Additionally, it offers the possibility of developing a common understanding based on political consensus and occupational commonalities, which can facilitate international co-operation. But international norms are also controversial, and their interpretation differs from actor to actor. Organisations such as the OECD treat international norms as if they are ideologically neutral, but Southern governments and officers often see an emphasis on, for example, civil society or individual responsibility as culturally inappropriate or threatening. In other words, international norms reflect liberal values, which are not automatically universalised.

As Afghanistan shows, this can also result in allies adopting different approaches. Canada, Italy, Germany, the UK and USA, all have different ideas as to the length and type of training appropriate for Afghan National Police (ANP) officers. In particular, the ongoing conflict has led many external actors to prioritise a counter-insurgency or counter-terrorism function for the ANP, rather than a more community focused or intelligence-led approach.

What are the key challenges?

Multiple political and practical obstacles confront reformers. These can be as complicated as corruption and as simple as internationals not speaking local languages.

The most significant and common challenges are to do with:

- a lack of consensus on policing norms and delivery
- weak assessment of local needs
- the nature of policing and the police institution.

Lack of normative consensus. Police reform is often undermined by a lack of consensus. This is true on two levels. Firstly, international actors involved together in the same reform project may not agree. For example, gendarmerie forces may be advocated by one international actor but be an anathema to the principles of democratically controlled policing advocated by another. This can harm cooperation at the tactical level as well as undermine efforts to strategically coordinate reform.

Secondly, international norms may not always be appropriate in culturally specific contexts. For example, donors often identify objectives without involving recipient countries, thus ignoring the principle of local ownership. Reformers also sometimes downplay the significance of social and cultural realities in recipient countries.

Failure to conduct robust assessment of reform requirements. Donors, indigenous police and political elites assess reform differently. For example, reform may be an opportunity for donors, but a threat to indigenous elites. And, all too often, reform

projects are based on unrealistic assessments that do not take into account the governance constraints in the country concerned.

Reformers assume that external agents can impose or facilitate fundamental social change and that police can be used to achieve the social engineering necessary for reform to happen.

In contrast, some indigenous elites may see reform as a threat because it limits their opportunities for illicit gain or threatens their cultural norms and values. An effective or impartial police would threaten the power of many politicians or security agencies.

Institutional resilience. Police accommodate, manipulate, subvert or (as in Sierra Leone) welcome reform measures. At the level of individual officers, reform efforts may have trouble changing entrenched views about operations or society. And at the strategic level, reform may only be a tactical manoeuvre in the face of unavoidable political pressure. Institutions may thus revert to old patterns once that pressure is removed.

Beyond the police force alone, practices such as corruption may be so widespread that reform may be impossible outside a larger systemic framework. SSR efforts must thus take a holistic view that looks at (and seeks to deal with) problems of crime and corruption, both in the security sector (broadly conceived), and in government more generally. The existence of strong patronage networks make government actors responsive only to the concerns

of their patrons and clients. These networks need to be dismantled during reform processes, to ensure that citizens have access to justice and security in an efficient and impartial manner.

What are the particular challenges of post-conflict situations?

Conflict can help or hinder reform. War can destroy institutions and undermine existing power structures, thus providing a unique opportunity for reform efforts to take place. Conversely, reform can also be severely undermined by the challenges of post-conflict settings. In particular, wartime violations of human rights can irreparably damage public trust in security institutions, and DDR processes may complicate recruitment efforts.

The death of officers in the fighting as well as the possible involvement of police forces in atrocities can make for a shortage of good quality, properly vetted recruits. This can mean that positions continue to be filled on the basis of ethnicity or political connections, rather than competence.

Even when new recruits are found, factors specific to post-conflict make it harder to ensure that they will behave or think differently from their predecessors. This is especially true when recruitment is treated as a job-creation scheme for ex-combatants (Liberia), as an enticement for minority buy-in to a peace process (Bosnia), or as a political indicator (Iraq). The inclusion of former militia into the police is similarly problematic. A notable example occurred

Challenges	
Donors	Insufficient linguistic/cultural understanding
	Insufficient understanding of governance constraints
	Assumption that reformers can facilitate fundamental social changes
	Narrow police reform goals that ignore the need for systemic changes
	Conflicting goals (counter-insurgency versus community policing) and conflicting models of reformed police
	Growing costs as well as time lines too short for effective donor engagement and commitment.
Recipients	Corruption
	Threat to the power of indigenous elites and undermining of patronage networks
	Undermining of patronage networks and limiting of opportunities for illicit gain
	Entrenched views about operations or society
	Use of reform as a tactical manoeuvre in the face of political pressure; reversion to old patterns once pressure is removed
	Overly ambitious training approaches that ignore literacy levels and fail to address basics

in Afghanistan, where warlords have successfully manipulated recruitment processes in favour of their supporters.

Another factor complicating reform in post-conflict environments is that police are often only one of many groups doing 'policing' work. The use of informal justice and localised or sectarian policing mechanisms is common after conflict, and these must be taken into account by reformers. Local non-statutory (and often international) military forces are commonly involved in policing tasks, such as law enforcement and crowd control, in post-conflict settings. As time goes on, a managed transition needs to occur, as the military reduces its presence, and police forces gain capacity.

At the same time, there is pressure on police to deal with the crime associated with post-conflict. Small arms are available, turf wars are fought, and it does not take long for revenge, kidnapping, sexual violence and armed robbery to become common. Distinctions between political and criminal issues usually blur, too. For example, the interpenetration of crime and politics in Pristina and Belgrade after the Kosovo conflict of 1999 was notorious, and quickly undermined reform.

War crimes can also complicate SSR efforts. Transitional justice (whether through judicial or non-judicial processes, such as truth and reconciliation commissions) needs to take into account the (often) competing claims of international law and victims' rights. Within this context, police forces need to prioritise and allocate resources to providing for the immediate security of citizens as well as to identifying war criminals and bringing them to justice.

Further information

Amnesty International (1998) 10 Basic Human Rights Standards for Law Enforcement Officers.
www.amnesty.org/en/library/info/POL30/004/1998

Commonwealth Human Rights Initiative.
<http://www.humanrightsinitiative.org/publications/>

Council of Europe (2001) European Code of Police Ethics.

[www.coe.int/.../Legal_co-operation/Police_and_internal_security/Documents/Rec\(2001\)10_ENG4831-7.pdf](http://www.coe.int/.../Legal_co-operation/Police_and_internal_security/Documents/Rec(2001)10_ENG4831-7.pdf)

European Union (2005) Joint Action on Democratic Oversight of the Security Sector.

<http://assembly.coe.int/Documents/AdoptedText/ta05/EREC1713.htm>

Human Rights Watch.

www.hrw.org

Governance and Social Development Resource Centre.

<http://www.gsdrc.org/go/topic-guides/security-and-development/crime-and-policing>

OECD DAC. The OECD DAC Handbook on SSR: Supporting Security and Justice

www.oecd.org/dac/conflict/if-ssr

OSCE (2006) Guidebook on Democratic Policing.

http://polis.osce.org/library/details?doc_id=2658

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