

# POLICING THE WORLD

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**In the last decade there have been cases of unchecked police brutality. Do you think police standards have been lowered as a result of the growing threat of terrorism?**

I don't agree these cases are unchecked. I believe police brutality is increasingly under scrutiny around the world. The reason we hear more about brutality is precisely because the public, the media and governments themselves are denouncing it. Here in Australia, the old practices of 'verballing' false confessions have been eliminated, and around the world police are increasingly being held accountable for their actions. Yes, there is a long way to go because police brutality is still quite common in many countries, but I am optimistic about the general direction we are going.

I believe that the heightened sense of a terrorist threat has not only resulted in many intrusions in our lives but also in increased state control. But I still don't believe it has lowered police standards. However, I would agree with the fact that this threat has compromised important police reforms such as the movement towards community policing, simply because working closely with communities, while at the same time being suspicious of some of them arguably produces dissonance on the part of frontline police. I must say that the best police agencies have found ways to successfully manage that potential dissonance, but there is a long way to go to resolve this contradiction.

**Transnational crime: Terrorism, fraud, forgery, money laundering, identify theft, arms smuggling, human trafficking and commerce in illegal materials, have now taken on transnational dimensions. What factors affect international collaboration in police investigation? Do we need an international police agency?**

I believe international police investigations are mostly hampered by the complex and fragmented framework of the existing international cooperative arrangements, which are still very much based on national structures rather than on an international model. At the same time, the routines of international engagement take place at agency-to-agency level. To some extent police work has always extended across borders. I mean there has been a long history of professional exchange between police across different countries, even when their governments have been at odds with each other.

Having said that, I would also say that there are considerable challenges to achieve effective international police collaboration and this is due to the distrust felt towards foreign police, particularly because of suspected corruption.

At the same time, many developing countries lack the personnel and the resources to cooperate with other countries. Language barriers and lack of knowledge of

other countries' protocols and cultures are also major factors inhibiting the effectiveness of international agreements.

Police management, in many countries, lament that their own officers do not have language skills or a better understanding of other cultures. There have also been complaints about the lack of sensitivity and understanding by visiting officers.

But as criminal enterprises become more globalized the pressure is mounting. The question is how and when will policing operations move beyond nation-bound agencies and develop the international operational capacity needed to fight transnational crime. That can only be achieved with the existence of effective global governance mechanisms that could hold the international police to account, and that is not likely to happen soon.

One international model of a global police structure that sheds some light on how international policing might develop in the future is Europol, that was established as part of the 1992 European Union Maastricht Treaty. It is based in The Hague. It started limited operations in 1994 with the Europol Drugs Unit, but soon its mandate extended to deal with all forms of "serious international crime" like terrorist activities, drug trafficking, money laundering, forgery of Euros, trafficking in nuclear and radioactive substances, environmental crimes, immigrant smuggling, trade in human beings, and motor vehicle crime. Europol assists European Union (EU) member countries' national policing agencies to prevent and combat serious international crime, in cases where there are reasonable grounds to believe that an organized criminal structure is involved in two or more EU member countries.

Unlike Interpol and UN Office of Drugs and Crime, which are voluntary intergovernmental organizations. Europol is a deliberate legal construction of the EU. In fact this is an entity that has the legislative, executive and judicial authority normally associated only with States. It also works in conjunction with other EU justice entities such as Eurojust (composed of national prosecutors, magistrates and police officers with equivalent judicial responsibilities).

In 2007 the EU established a Standing Committee on Internal Security. This is seen as a critical step towards creating a more permanent European Interior Ministry, which will handle a wide range of policing and internal security matters.

The EU may currently be a unique instance of the restructuring of political authority, but I think it is symptomatic of a wider trend in which policing is no longer only a national responsibility, and the EU may evolve as the model that could actually be adopted by other regional and international agreements.

**What are the best strategies to respond to international and transnational crime?**

There are considerable differences in how the North and South are experiencing globalization and crime. Rich countries appear to be mostly concerned with terrorism, drugs, and illegal immigration; while poorer countries are struggling with urban violence, corruption in their political and commercial institutions and seeing their territory being used as a base by international criminal organizations.

These geopolitical realities form the backdrop of any discussion about policing responses to international and transnational crime. How individual police agencies go about fighting this type of crime will depend on factors such as the size of the agency, the geographic location, access to resources, etc. However, there is potential for all of them to fight crime if they build their domestic capacity and strengthen their networks of international cooperation. Of course, it would help if the international community established new cooperative and supranational structures.

**Human trafficking appears to be on the increase. Governments seem to have no strategies to address it. What do you think are the barriers to effective human trafficking enforcement?**

They do have some strategies but they have been hampered by problems like the definition of “trafficking” and also a lack of recognition among law enforcement personnel in both, source and destination countries, that trafficking is in fact a crime that should be fought.

Human trafficking is defined by the UN as “the recruitment, transportation, or receipt of persons through deception or coercion for the purposes of forced labor or sexual exploitation”. Trafficking involves exploitation of victims and is generally distinguished from human smuggling, in which the persons crossing the border are willing participants. However, when smugglers force people to travel under conditions of considerable danger or use coercion to extract additional payment, the distinction between smuggling and trafficking is blurred.

Also, there is a lack of understanding of the economics of supply and demand of the trade. In some communities, economic needs are so great that social values may condone human servitude as a means of securing income for a desperate family, thus making it difficult to establish the criminality of the trade.

Another problem is the mistreatment of the victims, once they have been rescued by police or by the immigration authorities of some destination countries that tend to treat them first as illegal immigrants and then to make matters worse try to deport them. And finally, we need to aggregate and validate the various sources of information on human trafficking, as it has been difficult to fully document the extent of the problem.

**You mention in your book that bilateral and multilateral treaties are the foundation of police cooperation between countries. How effective are these? Is the implementation of international law an issue?**

These treaties and other formal instruments of international integration are essential for building trust between countries, for negotiating permissions in order to share each other’s resources, and are also important for working toward the harmonization of relevant legislation. However, there is also a constant tension between the desire to build international policing structures and the concern for maintaining the sovereignty by preventing potential intrusion of foreign police in the domestic affairs of a country, particularly in the context of bilateral treaties.

At the international level we have the Interpol, the justice work of the UN, and the international cooperative arrangements that exist between police working in different countries. These arrangements are done through economic political and security agreements.

For example, in Sub-Saharan Africa, four overlapping Interpol-sponsored Police Chiefs Cooperation Organisations have been established since the mid-1990s. Although the political and economic relationships between neighboring countries in that region may be tense, cooperation at a professional-level, particularly on less controversial crime matters, is still happening.

Of course international law is an issue in all these agreements, but then so is international politics and economics.

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**Police in developing countries face considerable challenges due to lack of resources, skills etc. Self-policing, you write, is a fact of life in societies that rely on or are fearful of, public police. How prevalent is this practice?**

Very prevalent. There are only perhaps 30-40 countries in the world (out of 190) where the public can call an emergency number 24 hours a day and have a reasonable expectation that police will respond quickly and when they arrive they will serve the interests of the public. In the rest of the world people have to rely on

more informal methods of policing for their security and to ensure public order.

Sometimes these private initiatives are approved by the government, for example the Uganda Taxi Operators and Drivers Association has a system of traffic wardens who enforce taxi regulations, direct traffic and arrest criminals operating in taxi parking areas.

At the most extreme, there is also vigilantism and mob justice. So yes, when it comes to developing countries, with their lack of police resources to investigate crimes and the difficulties of pursuing suspects in crowded cities or remote rural areas, suspects are often caught and dealt with summarily by the local people.

A patchwork of public and private policing is typical in many developing countries. Given the lack of resources and the fact that often State institutions are not trustworthy, many citizens simply survive without the police. When they do seek security and justice they are faced with an intricate array of informal and formal options, many of which present their own dangers and complications.

**Democratic policing practices have been exported to authoritarian and developing countries. What do you think are the difficulties of exporting policing styles and models from one country to another?**

Common sense tells us that it is not a good idea to borrow policing policies and practices from other countries or cultures. There are concerns that ill-conceived policy borrowings only exacerbate existing problems or produce new unintended ones. But despite these warnings, some policing strategies do in fact travel well.

For example, crime prevention, through environmental design and restorative justice, are approaches that have been successfully transferred to a wide range of settings. Other potential policies such as Neighborhood Policing and private prisons are only selectively transferred, as they are rejected by some countries because they consider them incompatible with their social norms and practices. I think the cultural, socio-political, and institutional contexts at the receiving end will be decisive for its success.

Despite concerns about transferring models of policing and ensuring these respond to local needs, there are evident commonalities in policing reform processes. For example, the South African Centre for the Study of Violence and Reconciliation has identified 39 indicators of democratic policing, which are intended primarily as benchmarks for countries that are transitioning from authoritarian to democratic regimes, but they also can be used to evaluate processes in almost any country that is reforming policing practices.

**You write in your book about increasing police involvement in peacekeeping operations that seek to restore order after a war or a period of violent civil unrest. Also in peace-building efforts carried out in post-conflict societies. Could you give us some examples where these initiatives have worked and others where they have not? And why?**

Many people seem to think that the previous two decades of police participation in peacekeeping and capacity building activities in post-conflict countries has not had much impact. Some even say that the main result of intervention seems to be “reverse capacity building” with the peacekeepers getting new skills they can use back home.

I think the causes of failure can be traced both to clumsy and insensitive attempts at reform and to the intractability of the conflicts. If capacity building programs are not backed up by political will and more widespread structural economic and social reforms, it will have little chance for success. But while there is a lot of cause for despair there is also hope.

For example, Ghana has come to be considered one of the most successful examples of demilitarization and democratization. In the 1970s and 1980s, Ghana was at the brink of collapse. It appeared to be locked up in a process of militarization and authoritarian regimes. Despite many obstacles it managed to turn around and democracy was restored.

The Ghana Police Service was neglected with poor conditions of service and equipment; there were constant reports of the excessive use of force and the arbitrary detention of people. So as a result, police-community relations were based on mistrust and hostility.

Since 2002, police-improvement teams have succeeded in improving service delivery, public accountability and credibility, and also improving the overall governance and operations of the police. The reform was supported by the Government of Ghana the United Nations Development Programme - with technical cooperation from the African Security Dialogue and Research, a non-governmental security research organization.

The Ghana Police Service is being successfully transformed and has been distancing itself from the negative legacy of having been regarded as a corrupt, non-performing service. This is a good example that shows with some effort things can actually change for the better. So yes, I would say that if Ghana was able to turn the situation around so could other countries in similar situations.