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Police accountability: Matters arising from The Hague confab

*Police accountability and oversight functions are two issues that could be the key to the practice of democracy all over the world. While the terminologies are gaining ground in the West, the situation is different in other nations of the world, particularly in the developing countries due to familiar factors, not excluding poverty, illiteracy, dictatorship and status quo syndrome, among others. In October 2005, teams of police and oversight professionals from 17 nations on five continents were at The Hague to discuss the purpose and means of improving police accountability in democratic societies. The event was hosted by the Dutch Ministry of Foreign Affairs in collaboration with Altus, a global alliance of NGOs and academic centres dedicated to expanding the collaboration of civil society with government in the delivery of safety and justice. Designed to bridge the many divisions that often frustrate collaboration across national, regional, cultural, linguistic, political, and professional boundaries, the conference had in attendance 10 Nigerians including our **Group News Editor, Oguwike Nwachukwu**.*

Between October 19 and 21, professionals from five continents drawn from 17 countries were at The Hague, The Netherlands, to discuss a vital phenomenon that affects the safety and justice of mankind worldwide.

The participants, 92 in all, drawn from key government officials, judiciary, police, media, academia and non-governmental organizations, had gathered to examine the theme – “Police Accountability and the Quality of Oversight: Global Trends in National Context”.

The conference, which was hosted by the Dutch Ministry of Foreign Affairs, was sponsored by Altus, a unique global alliance, which was formed in April 2004 by six non-governmental bodies from five continents.

The NGOs include Centre for Studies on Public Safety (Santiago, Chile); Centre for Studies on Public Security and Citizenship (Rio de Janeiro, Brazil); CLEEN Foundation (Lagos, Nigeria); Institute for Development and Communication (Chandigarh, India); INDEM Foundation (Moscow, Russia), and Vera Institute of Justice (New York, United States).

Altus promotes safety and justice from a multicultural perspective, encouraging comparative analysis across countries and a larger role for civil society in advancing justice. It also helps public officials in their regions identify and develop empirically tested models of respectful policing, quality legal services for the poor, victim services and other practices and policies that fit local needs.

It is due to the emphasis Altus places on police accountability and the quality of police oversight that the conference was organised in the first place.

Its members are convinced beyond doubt that Altus should further serve as a source of knowledge and innovation for governments, police leaders, human rights activists, legislators, journalists and citizens around the world, who are bothered about effective

and fair control of policing.

The alliance is determined to accomplish five missions: "To work across continents and from a multicultural perspective, to improve public safety and justice.

"To generate a new body of comparative knowledge about safety and justice as well as cross-cultural research methods and tools.

"To work with governments to study social problems and explore new ways of delivering justice.

"To provide an efficient platform to connect reformers around the world and make progress on issues of global importance related to criminal justice systems and,

"To gather and disseminate information, knowledge and experiences regarding criminal justice systems around the world."

The conference itself was aimed at bridging the many lacuna, which often frustrate collaboration across national, regional, cultural, linguistic, political, and professional boundaries with regard to policing.

Perhaps, the issue of police accountability in the lexicon of safety and justice in many countries appears to be relatively new given that it was not even talked about 10 to 15 years back.

That is to say that in the past 15 years, attention was being paid more to community policing, crime reduction, drug trafficking, money laundering, to name but a few.

Today, awareness on police accountability has appeared in a more powerful way that anyone can think about. Most participants therefore, believe that in the next 15 years much progress would be made in the area of police accountability vis-à-vis quality of oversight.

Different papers presented by participants in eight plenary sessions throughout the duration of the conference as well as pre- and post-group discussions on the lectures were not only stimulating but brought to the fore the challenges, which different cultural societies face in ensuring that effective police accountability becomes a reality in their clime.

Nick Hardwick, chairman, United Kingdom Independent Police Complaints Commission (IPCC), set the ball rolling in his keynote lecture when he summed up his speech thus: "Not every complaint is fought out to the bitter end. Sometimes victims have understanding for the mistakes and it is solved in a decent way."

Hardwick believes that some of the gains derivable from effective police accountability include increase in public confidence and by demonstrating the independence, accountability and integrity of the complaints.

Drawing from his experience in England and Wales, Hardwick said the police generally command high confidence in public opinion polls, but the confidence falls among those who have actually tried to report a crime to the police, and the largest single category of complaints, which the IPCC receives concerns failure to record crime.

But his speech (lecture) had immediate impact on the government of The Netherlands as Pim Dumore, director, Political Affairs, Ministry of Foreign Affairs of the country, in his welcome address on behalf of the ministry urged the Dutch police authorities not to investigate complaints made against the police by the public.

He could not resist the IPCC example, where complaints against the police are investigated by the independent body and reports made to the UK Justice Ministry and the victims, depending on which policeman or woman is indicted.

Dumore agreed with Hardwick that the method, if properly applied, would help lower the level of distrust in the mode of policing in the Dutchland.

Other papers presented, 20 in all, harped on internal accountability of the police; state oversight by Ombudsman and Human Rights Commissions, state oversight by

parliamentary and ministerial bodies, accountability to the press and the appropriate role of journalism, oversight by non-governmental organisations and scholars and integrating internal, state, and social control of police.

Speaker after speaker agreed that geographical barrier notwithstanding the global society must set up bodies and mechanisms that can hold the police accountable to and/or responsible for their actions and inactions.

At the end of the day, six major posers were raised on how accountability and oversight could be achieved.

First, to whose standard are the police accountable? Secondly, what are successful outcomes? Thirdly, how has division of labour or duplication of effort affected the issue under discussion? Fourthly, what are the appropriate roles for the media? Fifthly, how can NGOs contribute constructively to police accountability? And finally, what are the roles of the research institutions in the effort to achieve police accountability?

With regard to the issue of standard, various speakers agreed that the police are held accountable to many different standards of conduct, but particularly to the standards of their commanders, the law, various publics, and many different customers. The misalliance of these different standards serves as a source of frustration for police on the front lines, and a source of conflict between police authorities and various external oversight bodies.

The views canvassed on successful outcomes of accountability tended towards two areas – public trust in the oversight mechanisms and trust in the police. A third possibility, however, is that success for an accountability system might be defined as increased public confidence in the criminal justice system as a whole. This definition was suggested by Pramod Kumar Director, Institute for Development and Communications, Punjab, India, in his account of how an integrated system of accountability might look. His view was anchored on the problem with the justice sector itself. According to him, there are many functions in law enforcement and criminal justice that might be best judged by their contribution to the success of the sector as a whole – from prosecution through corrections – but in no country has the sector itself yet become sufficiently organised to make this practical.

The question about division of labour or duplication of effort comes down to: if internal investigations are frequently failing, should external oversight bodies assume some of the investigation responsibility themselves, or should they try other means to improve the quality and credibility of the internal investigations? Again, there were diverse views bothering on holding onto power, misconduct as a result of capacity, lack of confidence, lack of experience in specific areas of investigation, to name but a few. But the consensus is that rather than see their roles as duplication, it should be seen as complementary and divisional.

On the role of the media, it was agreed that journalists and their organisations play different roles in police oversight. The conference therefore, was also aimed at understanding the media as part of the democratic structure of police accountability rather than as a voice shouting from outside of it.

In every society, the media serve to amplify the competing demands made upon the police. Not only are the media whistle blowers or echo chambers, they help to amplify the demands made by each different interest group.

On the fifth point, which is on the role of NGOs, the consensus was that the world witnesses a lot of unjust activities for which the police are part of. While some NGOs exist to genuinely help to right certain societal anomalies, others are not very focused hence their approach are as confrontational as their role is suspicious, including the police they claim to mirror their activities.

Therefore, not only was credible NGOs canvassed, they should as well discuss collaborative areas of improving what the police are doing, and if possible, instituting awards in areas they deem necessary.

Based on media reports, the NGOs compete with the police to define public perception. The media serve as a vital source of oversight by featuring the actions of the police, whether positive or negative, and thereby bringing every issue to the public domain.

But just as the media can be a source of oversight, they can also be a source of distortion, as Ray Ekpu explained.

Instances abound where the media are paid to manipulate reports to suit the demands of the paymasters and by so doing, fall short of public expectations.

To be continued tomorrow

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