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## Police accountability: Matters arising from The Hague confab (2)

*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. In attendance were 10 Nigerians including our Group News Editor, Oguwike Nwachukwu.*

### ***Continued from yesterday***

Mikhail Chernousov explained that in Latvia both politicians and criminals can actually pay news organisations to print certain things about crime. And Marco Klarh Lara confessed that the social responsibility of the media often falls short in the case of crime coverage.

To Judy Kamanyi, the media can and should also be a source of education. She said in Uganda, her country, and other developing countries, "lack of accountability thrives on ignorance." According to her, it is not enough that the media print responsible stories and take serious its oversight role. The media should also expand access to print and broadcast news, so that more of the population has access to the kind of information essential to any democratic accountability.

Finally, on the issue of research, three things are achievable to improve quality of police oversight. One is that research can document the problems and explode myths. Secondly, it can help us in measuring progress (or lack of it) based on successful outcomes. And thirdly, research will help us to understand the context for accountability and the dynamics of oversight.

In the main, participants agreed that part of the challenges of policing a democratic society would be the ability of the police to respond to the needs of the people, which of course, includes the police being accountable to their citizens and operating within laid down oversight mechanisms, whether internal or external, formal or informal.

One simple but controversial question the participants laboured to arrive at a dependable answer is that of whom the police should be accountable to. Is it the government of the day or the citizens? Again, who should check the mode of operation of the police, and through what mechanisms?

Leroy Baca, of the Los Angeles County Sheriff's Department, captured the answer in his "An American Model of Police Oversight" in reference to Sir Robert Peel, father of law enforcement.

He said: "Police at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public the police; the police being only members of the public, who are paid to give full-time attention to duties, which are incumbent on every citizen in the interests of community welfare and

existence.”

The Los Angeles County Sheriff Department where Baca himself is an elected official and Chief Law Enforcement Officer of Los Angeles County, presiding over other elected Sheriffs, brings to the front burner the gains that can be derived from parliamentary oversight of the police.

“Because Sheriffs are elected, the general operations of the Sheriff’s departments are to develop numerous policies, procedures and services that improve the trust and confidence of the public for the police service,” Baca explained, adding that the various policies, practices, and issues of special counsel reports have resulted in numerous improvements and reduced risk, which also contain large lawsuits.”

Unlike what obtains in other countries including Nigeria, Baca said because there is no national police department in the United States, thousands of police and Sheriff’s departments enforce the law in cities and Counties throughout the nation. “Police oversight is local city and County policy,” he said.

Apart from Sheriffs being elected, the Los Angeles County Sheriff’s department has internal and external oversight mechanisms through which accountability is achieved. There is, for instance, the Office of Independent Review, which oversees all internal affairs and internal criminal investigations performed by the Sheriff’s Department personnel and manned by civil rights trained attorneys.

There is also the media department headed by a former newspaper professional and charged with the responsibility of revealing the good, the bad and the ugly of the Sheriff’s Department “without evading or spinning the facts,” according to Baca.

The summary of the Los Angeles County Sheriff’s Department model therefore, is that police accountability emanates from within and based on core values just as control mechanism should also come from within.

That is to say, the level of commitment at the top level of the police and the willingness of such persons to be receptive to change without seeing the variables that will drive those changes as competitive cannot be over-emphasised.

Put differently, the police should not try to resist criticism. Instead, they should be ready to experience more criticisms. This is because they deserve to be criticised.

Professor Etannibe O. Alemika, of the Department of Sociology, University of Jos, who spoke on “Social Agencies and Mechanisms of Police Accountability” said unless such agencies and mechanisms emerged, “The rights of citizens may be violated with impunity by law enforcement officers.”

He said, “In democratic societies, there are governmental and non-governmental agencies or mechanisms for holding police accountable for their powers. Policemen and women exercise varied and enormous powers. Even in dictatorial societies, there are organisations, which attempt to expose abuse of police powers and mobilise public opinion against such abuse.”

In canvassing for effective police accountability and oversight, Alemika explained that state agencies and mechanisms as well as social agencies and mechanisms must be alive to their responsibility.

With particular reference to Nigeria, Alemika said a lot of lessons are there to be learnt from the conference, particularly by the participants from Nigeria who were present.

He said, “I think we from Nigeria should look at the relative merits and drawbacks in some respect from the papers presented and see what mechanism would engender effectiveness and efficiency of the Nigeria Police.

“This is more so because there is a global concern on global accountability no matter the classical case of the county involved.”

Alemika’s thinking tallies with that of Mr. Innocent Chukwuma, executive director of CLEEN Foundation whose body is part of Altus.

Chukwuma said: "I think for us in Nigeria, we should emphasise the need for collaboration among various parties, the civil society and organisations that are involved in police reform. And for the police service to work more closely, the other government and non-governmental agencies should ensure they work to enhance the performance of the police enforcement both national and internationally.

"The police should be more open to both commendation and condemnation by the public since both measures would help to enhance their efficiency.

"I also think the Ministry of Police Affairs should work to ensure the police come up with a national strategy for policing."

According to him, the very specific lesson from the conference is the fact that the police must set very strong standard of performance, conduct and dignity for themselves and also work towards monitoring and enforcing the rules. It is their failure to do this that has attracted the concern of the agencies outside.

Ayo Obe, member of the Police Service Commission of Nigeria and one time president of the Civil Liberties Organisation (CLO) described the conference as "very useful and instructive."

Said she: "I got a lot of good ideas. I also noticed there were common problems for which there may be solutions. Our task is to go back to Nigeria and see to what extent the lessons and experiences can be applied to our Nigerian situation."

In the view of Mr. Ray Ekpu, chief executive officer and editor-in-chief of *Newswatch* magazine, the conference was not only very successful, but unique in terms of the quality of participants.

Ekpu, who is also a member of the Police Service Commission, agreed that the conference has opened a new tapestry of experience in police, hence "the most important benefit from the experience should be applied in our national context."

Also speaking on the conference, the Force Public Relations Officer, Deputy Commissioner of Police (DCP) Haz Iwendi, said the main lesson he got from the exercise was that the police should learn to open up and communicate with those they are policing.

According to Alhaji Mohammed Lawal Sule, a deputy director in the Police Service Commission, the "experience from the conference cannot be quantified, particularly as all issues affecting the police were looked into dispassionately."

In her view, Mrs. Gloria Egbuji, Altus regional representative in Nigeria, "the conference will do the Nigeria Police a lot of good if the recommendations are put to good use."

Other participants did not sound differently in their assessment.

While Tommy Tshabalala, head of investigations of South Africa's Independent Complaints Directorate (ICD), described the conference as "huge success", Dr. Pramod Kumar, director, Institute for Development and Communications, Punjab, India, said the world would be the better for it if police accountability and oversight are taken very seriously.

To Femke Hafstee, Altus European director, the dawn of a new global effort in policing is already here if all the continents can work assiduously towards actualising the dream.

Christopher Stone, professor of Criminal Justice, Harvard University, could not have differed from other speakers. According to him, nobody is without problems and nobody is without solutions, but "the challenge of policing a democratic society would remain a difficult challenge", because, "the struggle for good democratic policing is a common struggle in the world today."

Hear Stone: "This conference has demonstrated a surprisingly broad commitment to police accountability: not only among those who oversee the police, but among police officials themselves; not only among officials from stable and wealthy nations, but

among police, government, and civil society leaders in transitional and developing countries. “Only a decade ago, it was commonplace for scholars to avoid speaking explicitly of police accountability for fear of alienating police officials whose departments they sought to study.

“At this conference, police officials from Los Angeles to Lagos, from Moscow to Mexico City, spoke boldly and forthrightly about their commitment to the accountability and what needs to be done to strengthen the quality of that accountability.

“If the only thing resulting from this conference is that the incredibly diverse participants merely conducted civil conversations on a subject as controversial and emotional as police accountability, the event has been a success.

“The professional divisions alone might have spoiled civility – as the conference included journalists, sociologists, police commanders, ministerial officials, human rights activists, ombudsmen, and others who monitor police conduct. And even apart from professional disagreements, the different economic and legal contexts in which the participants worked might have easily led to misunderstandings.

The 17 countries were roughly even balanced both in terms of economic development (north and south) and legal tradition (common law and civil law).

“Not only was the conversation civil, it proved constructive. We began with a framework that recognised accountability to multiple authorities as an essential, if burdensome, feature of policing in democratic societies. Yet, while the conference framework focused on the different institutions to which police are accountable – internal oversight structures, external state structures, and civil society entities – the discussion during the plenary sessions did not organise itself so neatly. Instead, the conference participants used the various plenary topics to define a set of six questions and to explore them from multiple perspectives.”

Not surprisingly, the summation of the issues canvassed or if you like, the communiqué is hinged on those six major questions.