

17

WINTER/SPRING 2018

EUROPEAN LAW ENFORCEMENT RESEARCH BULLETIN

ISSUE 17

WINTER/SPRING 2018

EUROPEAN LAW ENFORCEMENT RESEARCH BULLETIN

– formerly and continuing from the *European Police Science and Research Bulletin* –

ISSUE 17

WINTER/SPRING 2018

Also published online: <https://bulletin.cepola.europa.eu>

Editors:

Thomas Görgen, Deutsche Hochschule der Polizei, Münster

Justyna Jurcak, Faculty of Internal Security, Police Academy, Szcztytno

Peter Neyroud, Institute of Criminology, Cambridge University, Cambridge

Lucia G. Pais, Instituto Superior de Ciências Policiais e Segurança Interna, Lisbon

Barbora Vegrichtova, Faculty of Security and Law, Police Academy, Prague

Editorial and production support provided by: CEPOL staff

Published by: European Union Agency for Law Enforcement Training (CEPOL)
(Executive Director: Detlef Schröder)

Contributions are to be submitted via the Bulletin's website (<https://bulletin.cepola.europa.eu>, with more information). Submitted articles, depended on the category, are subject to a (double blind) peer-review process. Communications for the editors shall be mailed to research.bulletin@cepola.europa.eu

Disclaimer: The views expressed in the articles and contributions in the European Law Enforcement Research Bulletin are not necessarily those of the publisher or the editors or the European Union Agency for Law Enforcement Training. Sole responsibility lies with the authors of the articles and contributions. The publisher is not responsible for any use that may be made of the information contained therein.



Publications Office

Luxembourg: Publications Office of the European Union, 2018

Print	ISSN 2599-5855	ISBN 978-92-9211-321-6 doi:10.2825/928668	QR-AG-17-003-EN-C
PDF	ISSN 2599-5863	ISBN 978-92-9211-322-3 doi:10.2825/908140	QR-AG-17-003-EN-N

© CEPOL 2018, authors for self-authored articles.

Reproduction is authorised provided the source is acknowledged.

Printed by Imprimerie Central in Luxembourg

Contents

Introduction by the Executive Director	2
<i>Detlef Schröder</i>	
Editorial	5
Towards a Holistic Understanding of the Prevention of Violent Radicalisation in Europe	9
<i>Dominic Kudlacek, Matthew Phelps, Francisco Javier Castro Toledo, Fernando Miró Llinares, Ehiازه Ehimen, Stephen Purcell, Thomas Görgen, Katerina Hadjimatheou, Tom Sorell, Maja Halilovic Pastuovic, Triantafyllos Karatrantos, Gaëlle Lortal, Magda Rooze, Holly Young, Dianne van Hemert</i>	
Local Ownership and Community Oriented Policing: The Case of Kosovo	19
<i>Thomas Feltes, Robin Hofmann</i>	
EUPOL Afghanistan: Civilian Policing in a War Environment	31
<i>Thierry Tardy</i>	
Political Change, Organisational Fluidity and Police Training: The South African Case	39
<i>Elena van der Spuy</i>	
Female Leaders in a Male Organisation: An Empirical Analysis of Leader Prototypicality, Power and Gender in the German Police	51
<i>Faye Barth-Farkas, Antonio Vera</i>	
Forensic Analysis of Unknown Materials: a different vision of <i>questioned documents</i>	67
<i>Ana Cristina de Almeida Assis, João Freire da Fonseca, Maria de Fátima Barbosa, Carlos Farinha</i>	
The Working Group Against Hate Crimes: a unique good practice in Hungary	85
<i>András L. Pap</i>	
A Contemporary Concept of Management of an Anti-Corruption Authority	91
<i>Rumen Valchev Ganev, Krasimira Venelinova Vasileva</i>	

Introduction by the Executive Director

Detlef Schröder



Dear Reader,



Since the 16th of February 2018 I have the great privilege of serving as the Executive Director of CEPOL, the European Union Agency for Law Enforcement Training. After more than eight years in the function of Deputy Director of the Agency, I feel honoured that our Management Board appointed me for this top position in law enforcement training in Europe.

During many years in my professional career, serving as a police officer and doing academic research as well, I have lived a kind of 'hybrid' existence in police and academic worlds alike: since 1998 I have been engaged in numerous national and international research projects on various topics in the area of criminology and police science.

Currently, I am completing my PhD-research at Portsmouth University in the UK.

This affiliation to the academic world explains my full commitment in bringing together academics and law enforcement practitioners so that both sides can benefit in the best possible way and enable law enforcement communities to deliver high quality services to EU citizens in an efficient way, while fully respecting fundamental rights.

On the occasion of the relaunch of the Bulletin under its new title, I would like to take the opportunity to present my perspective and vision on CEPOL's way ahead for research and science.

Since the establishment of the Agency in 2005, CEPOL has made continuous efforts to best integrate current research results into its planning and implementation of training activities and to play a modest role as bridge or facilitator between research projects / academics and police practitioners. As CEPOL matured as an agency over the years, we have aimed to play an increasingly more prominent role.

CEPOL's engagement with research and science can be described by the following main elements:

- The Research and Science Conferences;
- CEPOL's publications on research and science;
- Support of police and law enforcement research projects;
- Continuous transfer of topical academic knowledge into training activities.

The CEPOL Research and Science Conferences have developed in an excellent way over the last years. The conferences organised until 2015 in close cooperation with our national partners in Lyon, Münster and Lisbon were of high quality and attracted a wide range of participants from academia and law enforcement practice.

In 2016 and 2017 we implemented the Research and Science Conferences in Budapest with the support of the Hungarian National University for Public Service. On both occasions we achieved a participation of more than 200 academics and practitioners - not only from Europe, but from all continents. The variety of topics covered, and the excellent quality of the contributions from key academics and top law enforcement leaders brought these events to a remarkable level. As I have actively participated in these conferences, I have the first-hand experience of the importance of such events, enabling rewarding discussions among the different professions and academic orientations. Witnessing the success of this dialogue has proven for me that further investment in such event would be mutually beneficial.

For future CEPOL Research and Science Conferences I am fully committed not only to maintain this excellent level but also to develop it even further by seeking synergies and practical cooperation with other key partners.

Unfortunately, due to restrictions in the budget of CEPOL, the agency had to move from an annual to a bi-annual planning cycle, therefore we are not in the position to organize the conference in 2018. Our aim is to deliver another excellent conference event to our target audiences again in 2019.

Several very good book projects have been published over the last years on law enforcement topics, but from my perspective there is space for more dedicated volumes in the future, especially in the area of law enforcement training.

The books have been complemented by our continuous publication of the Bulletin, which has seen a remarkable development over the last decade. You may take this issue just as an example as evidence that we are now in the position to bring to you articles of excellent quality reviewed by outstanding academics in the area. It is not our intention to compete with the numerous other publications in this field, but we are confident that we have been successful in defining our position on this market for our target audience.

I am very optimistic that we will continue to strive for an even better quality of this publication in the future. I do count on the commitment of our editorial team and the readiness of our community to produce top quality articles for this fora.

When it comes to the active engagement in funded scientific research projects and activities, CEPOL has been less successful over the last years. Until 2016, the legal mandate did not allow the agency to engage in such projects. However, with the current mandate CEPOL is now in the position to play a more active role and can even (budget allowing) launch its own research projects. As an EU Agency, CEPOL has only very limited options to participate in research consortia. The legal frame of funding on EU level for research projects prevents CEPOL from benefiting as a partner in such activities. The Management Board of the Agency, in line with this perspective, decided in 2017 on a Research Agenda to be implemented in the next years with key priorities but the current budget situation does not allow this implementation. I strongly hope that we can find a solution in the near future so that we will be able to realise our Research Agenda.

I do see a strong need for such projects especially in the field of law enforcement training on a comparative level for Europe and regarding digital education and learning.

CEPOL has made strong efforts for the timely and constant transfer of current knowledge into education and training. For the planning and implementation of our own training services and products we are very keen to fully utilise current research results and academic competence. For instance, we have established an electronic library for our target groups with a broad range of specialised e-journals and large collection of electronic books.

In sum, CEPOL has strengthened its profile on research and science over the last years. But there is still a long way to go and relevant challenges to be tackled before we can really say that all CEPOL services and products are based on, or linked with top quality academic research.

I am fully committed to ensure that CEPOL takes on a key role in providing top class services to our law enforcement communities in Europe. We have seen over the last years a dramatic change in the landscape for the internal security of Europe and in order to enable law enforcement communities to be capable of dealing with all these challenges requires dynamic, fast, tailor made and very efficient support through excellent models of education and training. And it goes without saying, that to achieve these goals will require a stronger, deeper and sustainable engagement into research and science in the next years to which the agency is fully committed.

Editorial

The opening statement of the first editorial, when published nine years ago in the first issue of this publication, has lost neither its timeliness nor urgency:

“How can governments across Europe ensure that police services are delivered in the best possible way for the sake of their citizens? How can policing in the 21st century be organised in the most efficient manner while at the same time ensuring that human rights and the rule of law are observed without compromise? How should ‘good police practice’ be achieved in the European area of freedom, security and justice?” (Göransson 2009: 3). (1)

The ambition of the Bulletin as a publication has changed little over time: to make a significant contribution towards improving the links between training, education and research in the area of professional policing and law enforcement: so far, more than 200 articles in seventeen regular issues and three special conference editions have been made accessible to the profession and the general public.

However, in the modern world, things are constantly changing, occasionally progress is made and improvements are achieved – CEPOL as an agency and the Bulletin are no exception to the rule.

At the end of 2015 the European Parliament and the Council of the European Union decided that CEPOL’s legal mandate would change – and with it its full denomination: in 2016 the European Police College (CEPOL) became the European Union Agency for Law Enforcement Training (CEPOL). (2) One of the most significant amendments of the regulation is the extension of the prospective target group of the agency’s activities from “(senior) police officers” to “law enforcement officials”. The term law enforcement officials is defined as “staff of police, customs and other relevant services (...) that are responsible for, and staff of Union bodies that have tasks relating to, the (...) prevention of and fight against serious crime affecting two or more Member States, terrorism and forms of crime that affect a common interest covered by a Union policy; or (...) crisis management and public order, in particular international policing of major events” (Regulation (EU) 2015/2219, 2015: Article 2).

(1) Göransson, Ulf (2009): Editorial. In: European Police Science and Research Bulletin 1/2009.

(2) REGULATION (EU) 2015/2219 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA

Expanding the circle of professional specialisations within the process of law enforcement calls evidently for a broadening shift in the focus of scientific research in order to include all the issues customs and tax officers, border guards, public prosecutors or judges are concerned with and interested in. Consequently the Bulletin positions itself now to be a forum not just for research and scientific contributions around police and policing matters, but for all topics relevant for law enforcement.

Accordingly - reflecting the change of the agency's mandate and the extension of its target groups - the title of the Bulletin has been changed as from 2018: the former European Police Science and Research Bulletin is now continuing as the European Law Enforcement Research Bulletin.

However, the changes are not just in name only. In order to deliver a more useful learning experience for the reader, all issues and articles of the Bulletin are now presented on a new website, which provides easier access, a search option over all published issues and the option to subscribe: We, therefore, encourage all our readers to go to the CEPOL website and navigate to the Bulletin's page or make a direct bookmark for <https://bulletin.cepol.europa.eu>.

There is more Bulletin news to share: The terms of Eduardo Ferreira (Portugal) and Antonio Vera (Germany) as editors of the Bulletin elapsed in 2017. Both of them made most significant contributions towards the further professionalization and improving quality of the periodical. Their pro bono commitment to this publication project and to the development of a stronger link between (scientific) research, education and professional practice is highly appreciated by both the network and the Executive Director of CEPOL.

The editors of the Bulletin at this stage are:



Dr. Thomas Görgen is a professor at German Police University (Muenster) where he holds the chair of Criminology and Interdisciplinary Crime Prevention. He is a psychologist; among his current main areas of research are the fields of victimization risks in later life, elder abuse, prevention of crime and violence, violent crime, political and religious extremism, hate crime and prejudice-related crime.



Justyna Jurczak, Doctor of Social Science in the field of internal security. She is an academic teacher and researcher at the Faculty of Internal Security at the Police Academy in Szczytno, Poland. Her main areas of scientific interest are football hooliganism in the context of hate speech and hate crimes, racism and other xenophobic behaviours, as well as mass event security issues.



Peter Neyroud CBE QPM PhD is the Deputy Director of the Police Executive Programme and a Lecturer in Evidence-based policing in the Jerry Lee Centre for Experimental Criminology at the Institute of Criminology, University of Cambridge. He teaches and supervises police students from across the world. His PhD focused on field experiments in policing. He is the Co-Chair of the Campbell Collaboration Crime and Justice Coordinating Group.



Lúcia G. Pais, Assistant Professor at Instituto Superior de Ciências Policiais e Segurança Interna (ISCPSI, Higher Institute of Police Sciences and Internal Security) – Lisbon, Portugal. She has a PhD in Psychology by the Faculty of Psychology and Educational Sciences of the University of Porto (Portugal), a Post-Graduate Diploma in Criminology, and an Undergraduate Degree (5 years) in Psychology (clinical psychology). She teaches at a university level since 1993, mainly in the clinical psychology and forensic psychology areas. Teaching in the IS-

CPSI since October 2006, she is the Scientific Coordinator of the Major Events Laboratory and the head of the Department of Social Sciences and Humanities. Her present research topics are: major events policing; decision making in police activities; social identity of protest groups and deviant groups; police, media, and public perception; police psychology; biographical studies of individuals linked with the criminal phenomena; police sciences (in general).



Lt. Col. **Barbora Vegrichtová** holds a Ph.D. from the Police Academy of the Czech Republic where she is recently appointed as a Head of the Criminal Police Department at the Faculty of Security and Law. Her primary research focus lies with security studies and criminal sciences publishing papers on extremism and identification of radicalisation with an emphasis on criminal subculture and prison facilities. Since 2011, she has been working at the Police Academy in Prague as academic researcher and course organiser, while lecturing in Lithuania, Poland, Romania, Azerbaijan and Slovakia as well. She is a member of the European Expert Network on Terrorism Issues and an active member in different scientific committees and boards.

Last but not least, readers are invited to take note of the publication of the 3rd Special Conference Issue of the Bulletin, collecting contributions of the 2016 CEPOL Research and Science Conference on “Global trends in law enforcement training and education”. Various presentations of last year’s conference “Innovations in Law Enforcement – Implications for practice, education and civil society” are now freely accessible from the CEPOL website at <https://www.cepola.eu/science-research/conferences>. The Special Conference Edition of this event is in preparation.

The Bulletin Editors

Towards a Holistic Understanding of the Prevention of Violent Radicalisation in Europe

Dominic Kudlacek ⁽¹⁾

Matthew Phelps

Criminological Research Institute of Lower Saxony,
Germany

Francisco Javier Castro Toledo

Fernando Miró Llinares

Miguel Hernández University,
Spain

Ehiazé Ehimen

Stephen Purcell

Future Analytics Consulting Limited,
Ireland

Thomas Görden

Deutsche Hochschule der Polizei,
Germany

Katerina Hadjimatheou

Tom Sorell

University of Warwick,
United Kingdom

Maja Halilovic Pastuovic

Trinity College Dublin,
Ireland

Triantafyllos Karatrantos

Center For Security Studies,
Greece

Gaëlle Lortal

Thales Research & Technology,
France



Magda Rooze

Holly Young

Arc Foundation
Psychotrauma Expert Group,
Netherlands

Dianne van Hemert

Nederlandse Organisatie
Voor Toegepast
Natuurwetenschappelijk
Onderzoek,
Netherlands

⁽¹⁾ Corresponding author's email: dominic.kudlacek@kfn.de

Abstract

The focus on radicalisation has increased in recent years in response to incidents of international terrorism. European countries have boosted funding into various prevention policies and counter-radicalisation tools in an attempt to tackle the ever-increasing threat of broader social problems, political extremism and home-grown terrorism. However, these efforts have yet delivered coherent and effective initiatives that curtail the onset of radical tendencies disengage those who have already embraced violent extremism, and minimise the effectivity of terrorist entities. This article introduces the European research funded project Policy Recommendation and Improved Communication Tools for Law Enforcement and Security Agencies Preventing Violent Radicalisation (Pericles). The project develops a comprehensive approach to the prevention of radicalisation and violent extremism in Europe by addressing operational gaps and introducing developments that are modelled to the needs of practitioners. In addition, the needs of families will be explored in which the children or parents are radicalised or at risk of radicalisation. The project recognises the importance of families in identifying the signs of radicalisation and as a useful instrument for prevention and de-radicalisation. The project delivers a comprehensive understanding of current European counter-radicalisation programmes and policies as well as five tools that will enhance the capabilities of frontline staff in detecting radicalisation and formulating an informed response. The Pericles toolkit includes an advanced cyberspace detection system, an enhanced platform of exchange, vulnerability assessment tool, family care package, and an updated skills and competencies package.

Key words:

Extremism, policy recommendations, radicalisation, prevention.

Violent radicalisation in Europe

The threat of terrorism in Europe is high, with terrorist attacks of increasing frequency and diverse and complex threats from terror organisations. Perhaps most troubling is the growing sophistication with which terrorist organisations spread their ideologies and develop their recruitment strategies. Manifestations of radicalisation are becoming more diverse and complex, with groups exploiting societal vulnerabilities, whether these are social tensions or political polarisation (Lub, 2013). Although violent extremism is not a new phenomenon, innovative methods in the way individuals are being targeted present new challenges to law enforcement agencies (LEAs) and other relevant actors. One particular challenge is the number of individuals being successfully radicalised 'virtually', i.e., via the internet (Edwards & Gribbon, 2013). The European Union has responded by funding the development of measures that monitor and obstruct such activities, though not every member state has incorporated these into their counter-radicalisation strategy. The innovative capabilities of terrorist recruitment therefore raises the question of whether counterterrorism strategies are up-to-date enough to be able to handle such challenges. The serious investment in prevention strategies and proposals occurring across Europe may give the impression

that progress towards curtailing terrorism and related activities is being achieved. However, Western policy makers have struggled to deliver viable options that both boost successful results and provide LEAs and security agencies with the tools they need to properly manage security risks, protect the public and prevent terrorist attacks. Furthermore, any progress made is outpaced by the burgeoning spread of violent extremism through large-scale social engineering and technological advancements, especially on the internet.

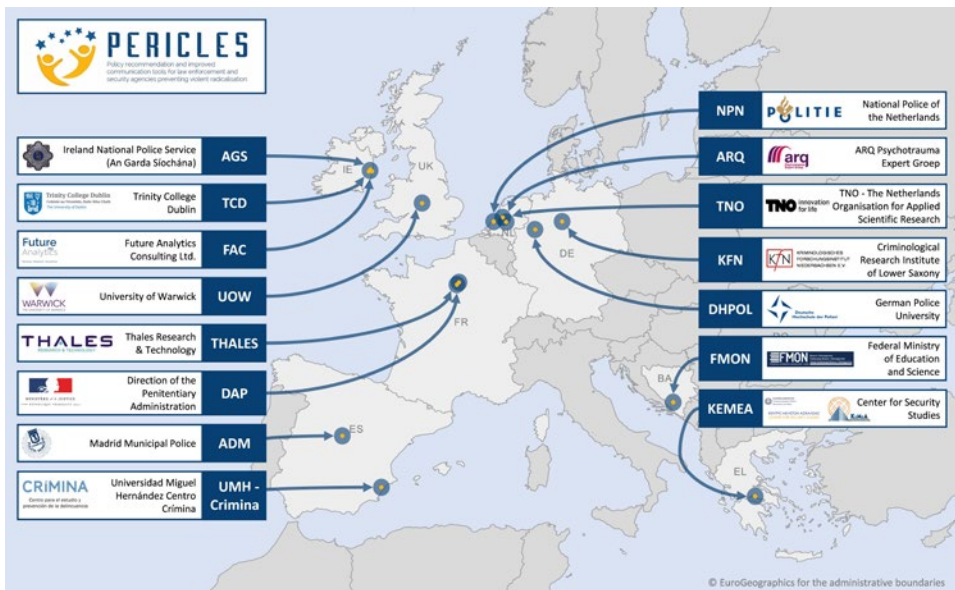
Current efforts fall short in a number of ways. First, there is little evidence demonstrating the effectiveness or assessing the impact of existing programmes and projects. The discernible lack of systematic evaluation of counter-extremism and radicalisation projects and programmes should be a pressing concern for both funding bodies and practitioners in the field of prevention (Kudlacek et al., 2017). Second, end user needs are only partially addressed by the action plans of current preventative initiatives. Third, there is insufficient development of the kind of specialised instruments that can identify individuals at risk of radicalisation and which could provide a guiding framework with which to address this vulnerability and that provides support to the individual's needs. Finally, an absence of technical solutions is identifiable in the prevention of online radicalisation. There is a need for the development of "intelligent" technologies that can scan and categorize web and multimedia data and detect radical speech in public communication channels, in order to achieve "early prevention" (Camacho et al., 2016). Current measures gather information mainly from open sources using the conventional keyword based approaches, which have proven to be highly unsuccessful. Current time-consuming and outdated practices need upgrading and the development of an online tool for the detection and prevention of radicalisation is an essential step in this process.

The Pericles project will deliver concrete progress in this area, developing tools including an advanced cyber-space detection system, an enhanced platform of exchange, a vulnerability assessment tool, family care package, and an updated skills and competencies package. In doing so, Pericles adopts a much-needed dynamic understanding of the full range of challenges that LEAs are faced. Moreover, it builds in depth understanding of the preferences and needs of end users which will, in turn, inform ongoing toolkit development and adjustments.

Overall methodology

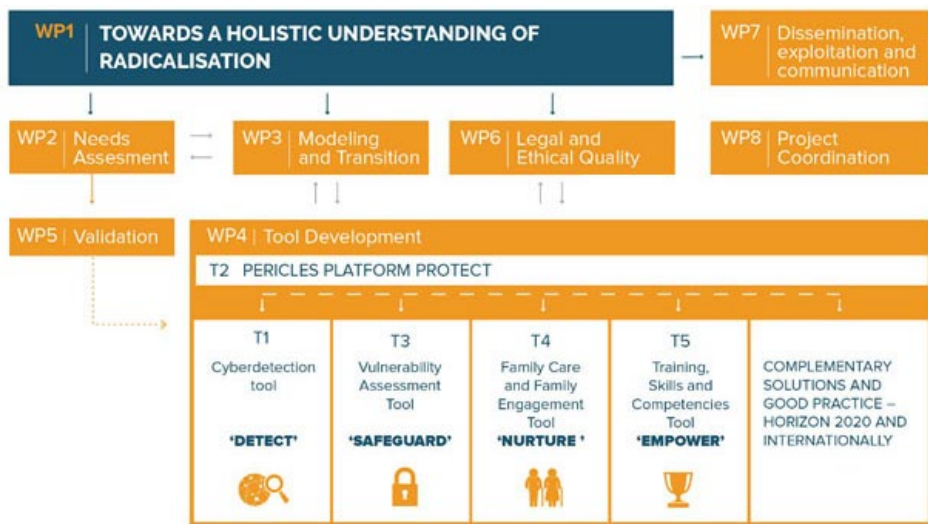
Pericles is an EU-funded project under the Horizon 2020 *Research and Innovation* action. The project consortium consists of large international companies, small and medium enterprises, research and development organisations, and academic partners. The full list of partners are outlined in figure 1.

Figure 1 — Pericles consortium



The Pericles vision is to develop a comprehensive approach to preventing and countering radicalisation and violent extremism, which provides LEAs and security agencies with enhanced tools to assist them in their practice. Although the project largely addresses the needs of LEAs, the comprehensiveness of the Pericles prevention strategy allows it to be used by prisons, social workers, teachers and other educational workers, and the families of ‘at-risk’ individuals. The ideologies of violent left-wing and right-wing extremism as well as religious extremism are addressed by the project. Pericles also maintains a special focus on the risks connected with violent propaganda in the digital sphere. This is achieved through a structured methodical framework comprising of eight targeted work packages, which have clear inter-linkages to ensure that relevant results and conclusions feed in to each other.

Figure 2 — Pericles work plan



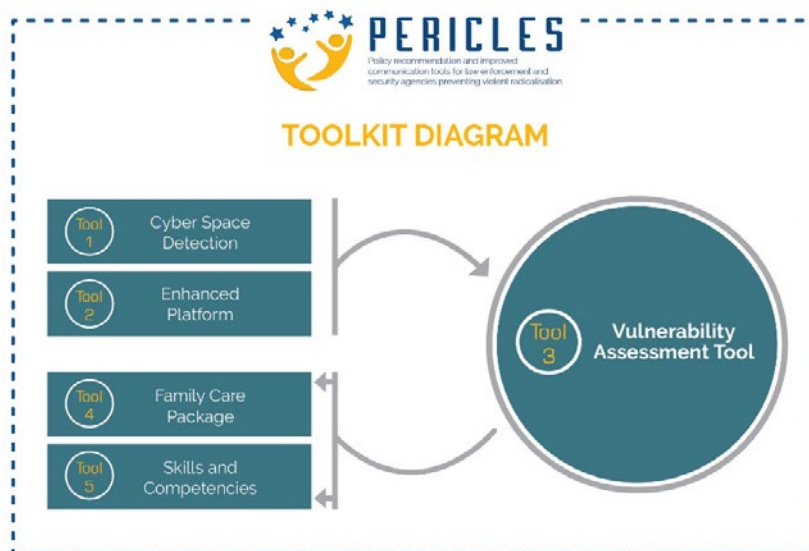
The project’s first work package provides an overview and analysis of contemporary prevention tools and policies in Europe that aim to counteract the radicalisation of vulnerable individuals. This will provide an understanding of prevention efforts in different contexts and allows for the identification of first line practitioners to whom the Pericles toolkit will be directed. A variety of information sources will be used to collect the data, such as academic peer reviewed and professional journals, research textbooks on the subject area, policy documents and implementation strategies from national governments and non-governmental organisations. In a second step, an analysis will be performed on the data collected in order to identify any gaps existing in modern prevention and counter-radicalisation policies. Such an analysis is critical for raising awareness of which tools/measures front-line practitioners require in order to better tackle radicalisation. The results of this analysis will guide the development of the Pericles toolkit in work package four.

In order to capture the knowledge and experiences of key actors in the field of counter-radicalisation, a needs assessment will be conducted in work package two that will collect data from LEAs, former radicals, convicted terrorists and families of radicals throughout Europe. A series of interviews and questionnaires will be devised. These will aim to elicit a detailed description of the respondent’s background and lifestyle, factors motivating him or her to join the radical groups and, where applicable, factors prompting him or her to disengage and/or de-radicalise. Participants will be drawn from TERRA’s network and the Families Against Terrorism and Extremism (FATE) network, which are grassroots networks of organisations, families and individuals at the forefront of countering violent extremism

in Europe. The results drawn from work package one (holistic understanding of counter-radicalisation) and work package two (needs assessment) will then be refined into two theoretical models; the first model conceptualises the radicalisation processes and the second the policies and solutions for counter-radicalisation. This is to ensure that the Pericles toolkit will be developed according to end-user requirements. Both models will enrich the understanding of how individuals radicalise and the programmes that are suitable in preventing and countering this process. Taken together, they also provide the technical backbone for the development of the tools. The results from the aforementioned work packages will come together to form the Pericles toolkit. Here, new and enhanced tools will improve practitioner capabilities in the identification, response to, and support of individuals at risk of radicalisation.

- **Cyber-space detection system.** Pericles will provide an updated cyber-space detection system based on an analysis of metadata and violent and online-radicalised communication. Social networks will be studied, with a focus on Twitter, which is one of the most popular open channels of dissemination of radical propaganda (Miró-Llinares & Rodríguez-Sala, 2016; Esteve-Campello, Miró-Llinares & Rabasa-Dolado, 2017).
- **Enhanced platform of exchange.** An enhanced platform will be generated that provides end users with a more efficient interface for exchanging information and examples of best practices of strategies and tools aimed at preventing radicalisation.

Figure 3 — Pericles toolkit



- **Vulnerability assessment tool.** An assessment tool will be developed that combines a variety of indicators from 'at-risk' individuals and groups, to create a risk evaluation along with recommended actions. Indicators include religion, family circumstances, personal factors and local resources.
- **Family care package.** Tailored material for family members of those at risk of radicalisation will be produced. Families will be provided with advice and support on how they can detect signs of radicalisation, how to intervene during the earliest stages, and the best course of action to take.
- **Updated skills and competencies package.** An updated counter-radicalisation training course will be developed for frontline staff in order to increase their knowledge, awareness and understanding of radicalisation for better preparedness. These interactive courses will involve the latest tools and resources to cover crucial points, such as warning signs, providing advice to vulnerable individuals, and developing the skills to build resilience.

Vulnerability assessment tool

Law enforcement agencies, alongside other front-line workers, are in the unique position of working with individuals vulnerable to radicalisation. With sufficient knowledge and equipment and once an assessment of the warning signs has been conducted, LEAs are better able to respond to radicalisation. It is difficult, however, to conduct a reliable assessment, and this is a potential pitfall in the process. Pericles addresses this by developing an assessment tool that combines a variety of risk indicators in order to create a risk evaluation. The vulnerability assessment tool (VAT) provides support to stakeholders regarding the identification of vulnerable individuals in their environment, as well as offering a range of options for how to approach individuals, which can be considered and implemented on identification. It combines different types of indicators such as behaviour, school results, mental health issues, police records, and social contacts in order to assess the vulnerability of an individual or group to (further) radicalisation. The methodology builds upon the Pericles Cyberspace Detection Tool and Enhanced Platform as well as relevant academic research findings and expertise from other projects^(?) such as EU FP7 projects SAFIRE^(?) and TERRA^(?). The tool uses and builds on existing vulnerability indicator sets and assessment tools for radicalisation that are now being used by, among others, the Dutch National Police. Certain combinations of the indicators should lead to a red flag, indicating certain assessed risk of radicalisation, and appropriate interventions will be proposed. By combining indicators from diverse agencies, such as LEAs, schools, and social services, cooperation between these organisations will be stimulated and a multi-agency perspective will be promoted.

^(?) More information on the SAFIRE project, including detailed descriptions of project results, can be found at <http://www.safire-project-results.eu/>.

^(?) More information on the TERRA project, including detailed descriptions of project results, can be found at <http://www.terra-net.eu/>.

An enhanced platform of exchange

A multi-agency approach is needed to support individuals in making well-informed decisions on how to support people vulnerable to radicalisation. Developing a support package that generates the best possible guidance should therefore include the knowledge and expertise of key players in counter-radicalisation. A clear challenge here concerns the absence of an information-sharing platform between the relevant actors both on a national and international level. The enhanced exchange tool, to be developed in Pericles, responds to the increasing need for timely information exchange when vulnerable people are identified. Although the need for a multi-agency approach has been identified in various European Member States, very few counter-radicalisation strategies have actually been developed on this basis. Frontline practitioners often deal with radicalised individuals, or those at risk, using only the databases provided from their own organisation. The Pericles exchange platform extends the availability of information to an international basis in quick time. The tool supports law enforcement agencies, among other stakeholders, in a two-fold process. The first application of the tool is the identification of different stakeholder profiles in the field of counter-radicalisation (relevant practitioners, societal users and law enforcement agents). Relevant actors, their objectives, roles and relationships are visualised on screen to identify the skills and support such groups can offer as well as a prompt identification of the limitations they face. In its second application, the tool matches a best possible approach to the situation at hand. The solutions suggested are both produced on the basis of the information entered by the user and drawn from the best practices of relevant actors across Europe.

The Pericles exchange platform is an information sharing tool, allowing the user to access and share information nationally and select best practice approaches. New information is not created by the system and the tool does not exist as an intelligence system. Instead, the exchange platform facilitates access to existing information relevant to the prevention of radicalisation. The tool compiles numerous response actions from international prevention sources. Given the potential sensitivity of the information shared and the various legal and privacy policies governing information exchange, the tool and its resulting activities are overseen by the ethical and security boards of the project. The exchange platform exists on a secure Internet server and end-user accounts are established for the participating users.

Practical problems addressed

The gravity of the threat from radicalisation has prompted the development of various tools that countries have used to help tackle violent extremism. Even though countering radicalisation has been high on the political agenda in the EU, there are limited technologies enhancing the capabilities of LEAs to meet their prevention goals in the counter-radicalisation domain. With the two new tools proposed in this project—the vulnerability assessment

tool and the enhanced platform of exchange—LEAs can achieve improved monitoring and contextualisation of individuals and groups exhibiting signs of violent extremism. The resistance of practitioners to accommodating new tools for tackling radicalisation demonstrates a potential obstacle. Pericles overcomes this through a close collaboration with its many LEA partners, whose expertise and opinions will shape the evolution, direction and eventual output of the project. In order to address the increasing complexities of violent extremism, outdated technologies and methods should be replaced with new systems, tools and practices. Keeping up-to-date with terror-related advancements is needed to effectively prevent the onset of terrorism and radicalisation and should take the form of long-term measures that involve collaborations and information-exchange between national and international practitioners.

References

- Camacho, C., Gilperez-Lopez, I., Gonzalez-Pardo, A., Ortigosa, A., & Urruela, C. (2016). Risktrack: A new approach for risk assessment on radicalisation based on social media data. *In Proc. Workshop Affect. Comput. Context Awareness Ambient Intell.(AfCAI)* (Vol. 1794, pp. 1-10).
- Edwards, C., & Gibbon, L. (2013). Pathways to violent extremism in the digital era. *The RUSI Journal*, 158(5), 40-47.
- Esteve-Campello, M., Miró-Llinares, F. & Rabasa-Dolado, A. (2017). Classification of tweets with a mixed method based on pragmatic content and meta-information. *International Journal of Design & Nature and Ecodynamics* 13, 60-70.
- Kudlacek, D., et al. (2017). Prevention of radicalisation in selected European countries. A comprehensive report of the state of the art in counter-radicalisation. Hannover: Kriminologisches Forschungsinstitut Niedersachsen (Pericles-Report Nr. 1).
- Lub, V. (2013). Polarisation, radicalisation and social policy: evaluating the theories of change. *Evidence & Policy: A Journal of Research, Debate and Practice*, 9(2), 165-183.
- Miro-Llinares, F., & Rodriguez-Sala, J. J. (2016). Cyber hate speech on twitter: Analyzing disruptive events from social media to build a violent communication and hate speech taxonomy. *International Journal of Design & Nature and Ecodynamics*, 11(3), 406-415.



Local Ownership and Community Oriented Policing: The Case of Kosovo

Thomas Feltes
Robin Hofmann (¹)

Department of Criminology, University of Bochum,
Germany



Abstract

This article provides an overview of the history and the current state of affairs of community-oriented policing (COP) in Kosovo. Based on qualitative research in this country, the focus is on local ownership and the challenges posed by local culture to the implementation of COP in communities. From the beginning, COP in Kosovo was strongly related to peacebuilding and police reform efforts of the international community. After the war in 1999, UNMIK introduced COP strategies using a top-down approach, allowing very little local ownership and public involvement in the process. After 2004, UNMIK began to retreat and transfer more and more responsibilities to the Kosovo government. Different COP forums, like Community Safety Action Teams Programs (CSATs), Local Public Safety Community Councils (LPSCs) and Municipal Community and Safety Councils (MCSCs), were introduced. After independence in 2008, the EU took over from the UN and emphasized approaches focussing on local ownership while at the same time pushing heavily for reforms in the police sector. The outcomes of these efforts had limited success, while numerous challenges are still ahead.

Keywords:

Post-conflict, community-oriented policing, human security, police reform, Kosovo

(¹) Corresponding author's email: robin.hofmann@rub.de

Introduction

Collaboration between the police and citizens to generate security in communities, today is perceived as enhancing the quality of life (Gill et al., 2014). The same is increasingly true for developing and post-conflict countries. Under the heading of “Community Oriented Policing” (COP), preventive approaches aiming to improve the population’s feeling of security have been under discussion since the 1970s (Feltes, 2014). COP is not to be understood as a new policing method, but rather as a philosophy of how policing should be carried out involving the community in the process (Trojanowicz & Bucqueroux, 1994). COP requires not only organizational change, but also a fundamental shift in the administration of police and its community work. The decentralization of power as well as the support for grass-roots initiatives are preconditions for COP strategies to work successfully. Moreover, COP requires a change of mindset on the part of politicians and citizens (Feltes, 2012).

Despite these challenges COP has been increasingly regarded as a mainstay for institutional reform for fragile and post-conflict states (Brogden, 1999; Denny & Jenkins, 2013; Bayley, 2001). The results of these international efforts have been mixed so far (Gippert, 2015; Ganapathy & Damkas, 2017). Western police reform approaches to local police forces have been widely criticised for being merely technical, one-size-fits-all and top-down, disregarding local ownership, lacking legitimacy and ignoring local cultural as well as political realities in the host country (Gippert, 2015: 55; Peake & Brown, 2005). Welch (2011: 123) for example, in his work on the Security Sector Reform in Kosovo notes, that in building capacity often:

“...an environment is created where the local population sees the international community as imposing its norms with little regard to the wishes, aspirations and culture of civil society and its leaders.”

O’Neill (2005: 5) goes even further by stipulating that local history, traditions and culture must be acknowledged in all police reforms. The failure to anchor programs in local realities often also results in the failure of the programs themselves. In consequence, different concepts of cultural awareness in state building and peace keeping have been discussed recently, such as ‘cultural intelligence’ (Earley and Soon, 2003; Heuser, 2007; Pilon, 2009; Varhola & Varhola, 2009; Collier, 1989), ‘cultural knowledge’ (Jager, 2009) or ‘cross-cultural competency’ (Sion, 2008; Autesserre, 2014).

There seems to be consent in academia as much as among practitioners that local culture plays a crucial role for the success of police reform efforts. This is even more true for the implementation of COP in post-conflict settings. A good example is Kosovo. Since the end of the conflict in 1999, the international community has invested massively in the small Balkan country. In 2011, Kosovo received 19 times more developmental aid than the average developing country. Moreover, in per capita terms Kosovo received 50 times more peacekeeping troops and 25 times more funds from the international community than Afghanistan did

after 2001 (Cappussela, 2015: 12). Nevertheless, the UN mission UNMIK, deployed shortly after the cessation, was criticized for its top-down approach and the wide disregard of local ownership (Janssens, 2015; Capussela, 2015). The former Chief of Staff of the UN Mission to Kosovo (UNMIK), Blanca Antonini, for example stated:

„The international community – and UNMIK in particular – did not have as a priority the question of culture, and made little to no effort to integrate the experience that both major communities in Kosovo had accumulated prior to the international intervention.” (King & Mason, 2006).

EULEX, the EU Rule of Law Mission to Kosovo, one of the most extensive missions ever deployed with a large contingent of police officers, seemingly had learned from these mistakes and put local ownership at the center of the mission. However, not only local ownership culture plays a decisive role in police reform. The same counts for the cultural backgrounds of those who implement police reform, especially when it comes to the diversity of COP approaches.

In this article we will shed some light on the interdependencies of local culture and the implementation of COP approaches by the international community in Kosovo. Starting with the UNMIK era, it will focus on recent COP strategies in the country and the challenges encountered when putting local ownership and culture at the focus of police reform.

Methodology

This article is based on preliminary results from the EU research project ‘Information Communication Technologies for Community Oriented Policing’ (ICT4COP, see Ganapathy & Damkaas, 2017). (?) Qualitative research has been carried out in Kosovo during a period of six months in 2016. We conducted 32 semi-structured interviews with key informants from different societal groups, such as public officials, police representatives, academics, representatives from NGOs and international organizations as well as citizens. The latter were comprised of men, women and young people with diverse socio-cultural and ethnic backgrounds from both urban and rural areas in Kosovo. In addition, the strong role played by internationals in Kosovo, such as the OSCE, EULEX and the UN, was reflected as well in the selection of interview partners, providing a balance between Kosovarian nationals and internationals. In short, the collected data is comprised of state-centric and people-centric perspectives on the issues of COP and human security in Kosovo.

(?) This project has received funding from the European Union’s Horizon 2020 Research and Innovation programme under grant agreement No 653909.

The UNMIK Era and its Influence on COP in Kosovo

The roots of Western influenced COP strategies reach back to the beginning of the engagement of UNMIK in 1999. After the cessation of the conflict, a UN Security Council resolution handed over governance of Kosovo to the United Nations. These five first years of Kosovo's post-war history can be called the 'UNMIK era' and was marked by the responsibility of the UN for public security as well as for the creation of new functioning security structures from scratch in the country. To achieve the latter, the UN opted for a top-down approach for establishing a police service. According to Janssens (2015: 83), the question which policing scheme would be best fitting for Kosovo was of lesser importance. A strong focus was put on law enforcement and human rights. Despite some efforts, local ownership played only a minor role for the UN mission. While UNMIK was a civilian mission, KFOR (NATO-led Kosovo force) was its military partner mission, both having the monopoly on coercive force. This meant that UNMIK had the authority to conduct criminal investigations, arrest suspects and use deadly force if necessary. UNMIK also created the Kosovo Police Service (KPS) whose police officers were trained by the Organization for Security and Cooperation in Europe (OSCE) and gained practical experiences by collaborating with the UNMIK International Police Unit (Gippert, 2015: 55). The police training was organized by the OSCE in cooperation with the International Criminal Investigative Training Assistance Program (ICITAP) of the U.S. Department of Justice. The mandate was to establish and train the police service in a manner consistent with the principles of democratic policing.

Little attention was given during this time to the training of COP strategies as the focus was more on a law and order model. The primary tasks were to prevent and combat crime. Graduated recruits started by enforcing speed limits and conducted joint patrols with UNMIK police officers to increase contact with citizens and communities. An important aspect of training was to 'depoliticise' the police force. In order to do so, UNMIK implemented two strategies, the first being to make the police more responsive to the needs of citizens. The second was to insulate them from political influence. This was relatively successful, especially the employment of local police officers with a better understanding of the local culture. In sum, the new police force was positively viewed by the citizens and their will to cooperate improved (Janssens, 2015: 146). As a consequence, the responsibility was slowly transferred from UNMIK to KPS over the following years.

During this period of transition, a number of deficiencies of the KPS surfaced as soon as UNMIK handed over responsibilities. It appeared that police training had been too short due to the need of UNMIK to deploy a large number of police officers in short time (Janssens, 2015: 160). Moreover, the strategy of leading by example and the idea that new police officers would learn most by being in the field under the supervision of a Police Field Training Officer (PFTO) proved to be only partly efficient. In reality, the PFTOs often lacked experience and qualifications to lead by example. Although all UNMIK police officers received initial training before entering the mission, it seemed that very often they were

not better qualified than the cadets from KPS they were supposed to train (Feldes & Hofmann, 2016: 61). Selection as well as in-mission-trainings can only mitigate problems of low qualifications and are unlikely to reconcile the different backgrounds and police cultures (Heinemann-Grüder & Grebenschikov, 2006; Feldes, 2008).

The mixed performance by international police officers consequently led to a significant decline in their credibility and acceptance by the local population. According to Jopp & Sandawi (2007, 73) in 2007, after only 8 years of deployment, 80 per cent of the population refused further deployment of UNMIK. They perceived the mission as a paper tiger, a bureaucratic monster and colonial administration. Among the reasons for this dramatic decline in reputation were mismanagement, prominent corruption cases and a perceived multinational chaos (International Crisis Group, 2004; Feldes, 2009).

COP Forums in Kosovo

Over the years, a variety of approaches and strategies were introduced by the international community to promote COP in Kosovo. One of the earliest forums implemented by UNMIK were the so-called Municipal Community and Safety Councils (MCSCs). These are consultative bodies for safety that bring together representatives of the municipal institutions, police, media, ethnic and religious communities as well as civil society organizations. Officially every municipality was obliged to have an MCSC. Hence, no capacity building was offered by UNMIK which resulted in a certain reluctance in a number of municipalities (Janssens, 2015: 247). In addition, other COP forums were implemented, such as the Community Safety Action Teams (CSATs) created by ICITAP. The aim of the program was to methodologically establish and engage teams of community volunteers, local government officials and local police officials who would work together to identify and prioritize issues of community safety and livability. The idea was based on a community policing philosophy: citizens develop more respect and trust in the law as well as in law enforcement agencies if they have a voice in solving community problems related to human security together (ICITAP, 2009: 10)

Today the so-called Local Police and Security Councils (LPSCs) can be called the most important COP forums in Kosovo with the greatest impact on communities. The LPSCs were established by OSCE in the aftermath of the 2004 riots in Kosovo, when violence was sparked between Albanians and Serbs in the northern city of Mitrovica and quickly spread over the entire country. Although various factors contributed to the outbreak of violence, UNMIKs disappointing performance was perceived as being one of the triggers (Janssens, 2015: 221). Consequently, to prevent similar events in the future, a number of measures were taken by the international community including the establishment of LPSCs. Much like the CSATs these forums are based on a grass-root approach to create consultative bodies to address the security needs of local communities and give them a voice in the policing of their

community. According to our respondents the establishment and functioning of LPSCs is mainly donor driven. LPSCs are set up by the initiatives of a community or on the request of a police station commander. A vital role in the establishment of the forums is taken over by the OSCE. They help to identify locations for LPSCs, to train the members and to function as a contact point between the LPSCs and potential provider of funding.

In 2012, the KPS adopted the Kosovo Community Policing Strategy 2012-2016. While in the short term the strategy aims to establish an effective relationship between police and citizens in the long run it sets out to improve the ability of police officers to liaise with the communities and work in cooperative manner (KPS, 2011). An important role was granted to the community safety forums to identify and communicate safety needs of communities and to ensure that the police are reactive to them (OSCE, 2010). Already in 2011, the Ministry of Internal Affairs had adopted the “Community Safety Strategy and Action Plan 2011-2016”, determining strategic priorities and objectives of institutions involved in community safety. The strategy declares LPSCs and MCSCs as an integral part of a broader approach to community safety.

Sustainability of COP

One of the most important factors to ensure sustainability is local compliance. In fact, it has been identified as a crucial factor for the success of international peacebuilding and police reform efforts in general (Gippert, 2015; Rubinstein et al., 2008; Pouligny, 2006). Most peacebuilding efforts are commonly driven by internationals but implemented by relevant local actors, the latter being a key factor for sustainability beyond the operation (Donais, 2009). We still know very little of what drives these local behavioural choices. The question remains why this works in some parts of the world, a country or a community better than in others? Or more generally: Why do some local actors choose to comply with peacebuilding reforms and why do others evade or even resist the same efforts?

Trust in police is regarded as an important factor for the success of COP and the citizens' perceptions of security (Bullock, 2013; Gray & Strasheim, 2016). In Kosovo general trust in police is high with 79 % of citizens trusting or somehow trusting the police in 2015 (KCSS, 2016). Interestingly, this figure is relatively stable over the regions as well as over ethnic backgrounds. But trust is not the only precondition. COP requires, on the police side, a high degree of proactivity as well as the understanding that citizens are not just subject to policing but rather a cooperative asset in the creation of security. For example, the CSATs and LPSCs are based on an US model of community engagement where voluntarism of community members is an integral part. However, the volunteering culture in the US has a strong basis in everyday life. This is not necessary the case in other cultures such as in Kosovo. Voluntarism in Kosovo faces various problems as one of our respondents stated:

“The challenge we still face is the sustainability. Because we had the problem of grasping the voluntarism inside the community. We have to understand one thing: the economic situation is quite a big challenge.”

Other problems our respondents named are the following: Teachers engaged in LPSCs struggle to get leave from their principals to attend trainings. Often no certificates or verifications are issued for volunteering work so that applicants have no chance of proving their engagement in community issues. An LPSC-foreman from a rural area struggled for years to acquire a stamp to being able to issue certificates to the LPSC members to confirm that they have been actively involved in the forum.

Hence, small incentives might have a positive impact on voluntarism. This is supported by studies dealing with the question how local actors can be motivated to comply with peacebuilding reforms. It is increasingly recognized that among other pathways, ‘buying in’ locals into reform processes is important in shaping the success of international peacebuilding outcomes (Gippert, 2015: 71). Incentives do not have to be financial. According to the OSCE, they used the LPSCs training to introduce English language trainings as well as job interview trainings for students that were engaged in the LPSCs.

From the beginning the LPSCs as much as the CSAT program were designed to be handed over to the local authorities at some point. The question was: When is the right time to put a mechanism of local community safety in the hands of the locals? Ideally, the forums would be handed over when they are self-sustainable, meaning that no engagement from outside of the community is required to keep the forum functioning. This, however, is depending on a number of factors that cannot be controlled easily. Funding of the forums remains a crucial issue. It was reported to us by LPSC representatives that numerous LPSCs in the past had simply died slowly not because of a lack of ideas for projects but because they did not acquire necessary funds. Sometimes the suggested projects were not feasible and often a project does not cross the threshold of € 3.000. This led to a forced suspension of activities which can have a devastating effect for the motivation and engagement of members. A mechanism that lies fallow for a too long time is very hard to reanimate.

The performance of these forums varied considerably depending on the municipality. They work better or worse, often depending on how valuable they are considered by each mayor. Also, the public perception of MCSCs was rather limited in the past due to a lack of outreach, and the constant struggle for funding made a sustainable strategy difficult. The troubles continued as the development of the complex architecture of these forums was at times uncoordinated, with different actors, national as well as international, and even the forums occasionally seemed to compete with each other rather than to cooperate. Saferworld concludes that this has resulted in parallel sets of structures, unclear relationships and poor communication between the different levels of the infrastructure (Saferworld, 2013).

Risks and Limits of COP

Despite the fact that COP has become an integral part of police reform in post-conflict settings, it is important to acknowledge that COP is not a panacea or antidote, as all too often portrayed. In fact, the examples where COP was successfully implemented in the framework of security sector reform with a sustainable effect remain rare. Sustainability is a key factor and often forgotten in the fast-paced cycles of international engagement (Feltes, 2008). Implementing COP structures takes a considerable amount of time and effort, especially within (police) cultures that are traditionally used to authoritative law enforcement styles. O'Neill (2005: 5), for example, stipulates that "police reform is a multi-faceted, multidisciplinary effort that takes careful coordination among many actors and will require many years and a great deal of money." He sees one of the major challenges in how to ensure the sustainable generation of financial resources and to avoid dependence on foreign largesse. This is particularly true for post-conflict countries where trust in police is typically low and where the police themselves might have played a role in the conflict. As Feltes (2008: 439) points out:

"There is an open clash between the mainstream international understanding of what a "just society" or a society, functioning under the "rule of law" is (or should) be on one side, and the local understanding of the members of a society, who survived different kinds of suppression and war over years or centuries, often by building up their own informal structures and their own rules of living together".

Positive results of COP take time to become visible and are not easily evaluated. This bears the risk that the state will not be able or unwilling to finance COP projects as soon as outside donor support dries up. Yet, sustainability does not only pertain to the funding of COP programs. With a view to international engagement, respectively police missions, one of the biggest challenges for the implementation of community policing is the constant change of staff. Personal contacts and trust that are crucial for COP take time to build up and cannot be simply handed over to the successor. Often the success of COP approaches rests heavily on the engagement and enthusiasm of individuals. As soon as they are replaced or leave the forum for any reason, the performance may drop (Police Foundation, 2011).

Limits of COP also derive from the implementation in communities itself. COP is only rarely introduced by the request of communities. In fact, all too often COP is imposed on communities without having consulted community leaders. One of our respondents stated:

"The international community played their part as well by, to a certain degree imposing community policing on the police without taking into consideration the customs and traditions in Kosovo and the fact that community policing was implemented over a very long period of time in western countries."

The underlying cause for these problems was probably the more or less coercive or top-down manner in which UNMIK introduced them, regardless of the needs and abilities of the municipalities and without even consulting them (Janssens, 2015: 247). In consequence, some municipalities refused to comply but they were established anyhow. The problem with these top-down approaches is that they undermine local ownership from its very beginning.

Kosovo: A Litmus-Test for COP

Police reform is only one of numerous dimensions of peace building. It is shaped by different assumptions about state power, the role of police in a democracy and how conflicts can be prevented. Kosovo, however, has been a case – or an experiment – where these assumptions were put to test. Some of the strategies worked, some did not and for some it is still too early for an assessment. The implementation of the above named security mechanisms, are the attempt to prescribe local ownership in terms of security provision in communities. Although these forums have been present for over a decade now, awareness of them among citizens remain low (Saferworld, 2011: 10). This comes less as a surprise when taken into account that the implementation of COP mechanisms is a long-lasting process that requires considerable efforts, training, funds and manpower (Birzer & Tannehill, 2001).

Sustainability is key for community safety structures. Top-down approaches are less effective when it comes to police reform. This is particularly true for COP, which is based on cooperation rather than authoritative policing. The UNMIK experience suggests that top down approaches are more likely to fail. Raising expectations that cannot be met due to financial or political constraints are key issues of all security sector reforms. The same counts for COP which is far from being a panacea for security risks. This is the reason why especially for COP public or local ownerships are important features. Fortunately, cooperative implementation strategies have become more popular. Leading by example, convincing citizens and police officers as well as giving incentives to adopt and engage in COP forums have dominated COP implementation strategies of the international community in Kosovo in recent years. Not to forget the educating efforts through trainings and training the trainers.

Kosovo is under scrutiny, especially by the EU, not only because it is a potential accession candidate but also because the EU has vital security interests in the region. An instable Kosovo is a major security threat to the EU itself. Powerful organized crime groups have infiltrated the country, making Kosovo a transit post for smuggling, money laundering and the trafficking of women, migrants, fuel, cigarettes and weapons (Capussela, 2015; Transparency International, 2015: 28, Derks & Price, 2010: 27). The Balkan route is estimated to be the world's most important opiate trafficking route and one of the most established international supply routes for other illicit drugs (UNODC, 2016: 29). Moreover, the region remains a prime source of foreign fighters travelling to the conflict in Syria (Shtuni,

2016: 2). Stagnancy, poverty and unemployment have triggered large migration flows into the EU (Möllers et al., 2016). Kosovo has the youngest population in Europe – a burden, with regards to youth unemployment but also a chance and opportunity for its future development. COP can contribute to tackle some of these challenges. Kosovo has become no less than a litmus-test for the potentials of COP as a tool in international police reform efforts.

References

- Autesserre, S. (2014) *Peaceland: Conflict Resolution and the Everyday Politics of International Intervention*. Cambridge: Cambridge University Press.
- Bayley, D. (2001) *Democratizing the Police Abroad: What to Do and How to Do It*, US Department of Justice, Washington DC.
- Birzer, M.L., Tannehill, R. (2001) A more effective Training Approach for Contemporary Policing. *Police Quarterly* 4, 233-262.
- Brogden, M. (1999) Community policing as cherry pie. In Mawby R. (ed.)
- Policing across the world, 167-186. Abingdon: Routledge.
- Capussela, A. (2015) *State-Building in Kosovo. Democracy, Corruption and the EU in the Balkans*. London: I.B. Tauris.
- Collier, M.J. (1989) Cultural and Intercultural Communication Competence. *International Journal of Intercultural Relations* 13, 287-302.
- Denny, S., & Jenkins, S. (2013) *Securing communities: The what and the how of community policing*. Overseas Development Institute. Retrieved from www.odi.org.
- Derks, M., & Price, M. (2010) *The EU and Rule of Law Reform in Kosovo*. Netherlands Institute for International Relations Clingendael. Retrieved from <https://www.clingendael.org>.
- Donais, T. (2009) Inclusion or Exclusion? Local Ownership and Security Sector
- Reform. *Studies in Social Justice* 3, 117–31.
- Earley, P. & Soon A. (2003) *Cultural Intelligence: Individual Interactions Across Cultures*. Stanford: University Press.
- Feltes, T. (2008) *Peacebuilding and Police Reform in the New Europe: Lessons from Kosovo*. In: Möllers & van Ooyen (eds.). *Jahrbuch öffentliche Sicherheit 2008/09*, 439 – 466. Frankfurt am Main: Nomos.
- Feltes, T. (2009) *Wessen Frieden wird gesichert? Kritische Anmerkungen zur UN-Mission im Kosovo*. In: Behr, R. & Ohlemacher, T. (eds.). *Offene Grenzen – Polizieren in der Sicherheitsarchitektur einer post-territorialen Welt*, 45-78. Frankfurt: Verlag für Polizeiwissenschaft
- Feltes, T. (2012) *Community Policing in Germany*. In: M. Nalla, G. Newman (eds.): *Community Policing in Indigenous Communities*, 257-265. CRC Press-Taylor & Francis Group, Boca Raton.
- Feltes, T. (2014) *Community Policing in Germany*. In: Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (eds.), *OSCE Yearbook 2013*, 219-230. Baden-Baden.
- Feltes, T. & Hofmann, R. (2016) *Transnational Organized Crime and its Impact on Societies*. In: Hauck P. & Peterke, S. (eds.) *International Law and Transnational Organized Crime*, 42-62, Oxford: University Press.

- Ganapathy J. & Damkaas, T. (2017) Pathways to Understanding Community-Oriented Policing in Post-Conflict Societies. *European Police Science and Research Bulletin* 16, 77-85.
- Gill, C., Weisburd, D., Telep, C. W., Vitter, Z., & Bennett, T. (2014) Community-oriented policing to reduce crime, disorder and fear and increase satisfaction and legitimacy among citizens: A systematic review. *Journal of Experimental Criminology*, 10 (4), 399–428.
- Gippert, B. (2015) Exploring local compliance with peacebuilding reforms: legitimacy, coercion and reward-seeking in police reform in Kosovo. *International Peacekeeping* 23, 52–78.
- Heinemann-Grüder, A. & Grebenschikov, I. (2006) Security governance by internationals: The case of Kosovo. *International Peacekeeping* 13, 43-59.
- Heuser, B. (2007) The Cultural Revolution in Counter-Insurgency. *The Journal of Strategic Studies* 30, 153-171.
- ICITAP (2009) International Criminal Investigative Training Assistance Program (ICITAP) – Program Management Plan for Kosovo. Retrieved from www.ssat.dcaf.ch.
- International Crisis Group (2004). Collapse of Kosovo. ICG Europe Report No 155. Retrieved from www.crisisgroup.org.
- Jager, S. (2009) On the Use of Cultural Knowledge. In Pilon, J. G. (ed.). *Cultural Intelligence for winning the Peace*, 165-186. Washington: The Institute of World Politics Press.
- Janssens, J. (2015) State-building in Kosovo. A plural policing perspective. Leuven: Maklu Uitgevers.
- Jopp, M. & Sandawi, S. (2007) Operationalisierung von Security Sector Reform (SSR) auf dem Westlichen Balkan intelligente/kreativen Ansätze für eine langfristige positive Gestaltung diese Region. Studie des Instituts für Europäische Politik. Retrieved from <http://balkanforum.org/IEP-BND/iep0001.PDF>
- King, I., & Mason, W. (2006) Peace at any Price. How the World Failed in Kosovo. New York: Cornell University Press.
- Kosovo Center for Security Studies (2016) Kosovo Security Barometer. Citizens' Perceptions on Police Integrity in Kosovo. Retrieved from www.qkss.org.
- Kosovo Police Service (2011) Community Policing Strategy and Action Plan. 2012-2016. Retrieved from www.kosovopolice.com.
- Möllers, J.; Arapi-Gjini, A.; Xhema, S. & Herzfeld, T. (2015) Mass exodus from Kosovo: How a struggling state loses its citizens, IAMO Policy Brief, Leibniz Institute of Agricultural Development in Transition Economies, No. 24. Retrieved from www.iamo.de.
- OSCE (2010) Safety in our Community – Informative brochure of community policing in northern Kosovo. Retrieved from www.osce.org
- O'Neill, W. (2005) Police Reform in Post-Conflict Societies: What We Know and What We Still Need to Know. The Security-Development Nexus Program, Policy Paper. Retrieved from <https://www.ipinst.org>.
- Peake, G., & Brown, K. (2005) Policebuilding: The International Deployment Group in the Solomon Islands. *International Peacekeeping*, 12, 520–32.
- Police Foundation (2011) Safer School Partnerships: The Briefing, Series 2, Edition 2. Retrieved from www.police-foundation.org.uk
- Pouligny, B. (2006) Peace Operations Seen from Below: U.N. Missions and Local People, London: Hurst & Company.
- Rubinstein, R.A., Keller, D.M. & Scherger, M.E. (2008) Culture and Interoperability in Integrated Missions. *International Peacekeeping* 15, 540–50.

- Saferworld (2011) Public perceptions of safety and security in Kosovo: Time to act. Retrieved from <https://www.saferworld.org.uk>.
- Saferworld (2013) Community-based approaches to safety and security. Lessons from Kosovo, Nepal and Bangladesh. Retrieved from <http://issat.dcaf.ch>.
- Selmeski, B. (2007) Military Cross-Cultural Competence: Core Concepts and Individual Development, AFCLC Contract Report 2007-01. Retrieved from www.cultureready.org.
- Shtuni, A. (2016) Dynamics of Radicalization and Violent Extremism in Kosovo. United States Institute of Peace. Special Report. Retrieved from <https://www.usip.org>
- Sion, L. (2008) Dutch Peacekeepers and Host Environments in the Balkans: An Ethnographic Perspective. *International Peacekeeping* 15, 201-213.
- Soeters, J. & Tresch, T. S. (2010) Towards Cultural Integration in Multinational Peace Operations. *Defence Studies* 10, 272-287.
- Transparency International Kosova (2015) National Integrity System Assessment Kosovo. Retrieved from <http://www.kdi-kosova.org>.
- Trojanowicz, R., & Bucqueroux, B. (1994) Community Policing: How to get started, Cincinnati: Anderson Publishing Company.
- UNODC (2016) World Drug Report 2016. New York. Retrieved from www.unodc.org.
- Welch, A. (2011) Security Sector Reform and the Confusion and Competition Nexus: The Case of Kosovo. PhD Thesis. Portsmouth: University of Portsmouth.
- Pilon, J. G. (2009) How Cultural Intelligence matters. In Pilon, J. G. (ed.): *Cultural Intelligence for winning the Peace*, 1-24. The Institute of World Politics Press, Washington.
- Varhola, C. & Varhola, L. (2009) Avoiding the Cookie Cutter Approach to Culture: Lessons Learned from Operations in East Africa. In Pilon, J. G. (ed.): *Cultural Intelligence for winning the Peace*, 155-164. The Institute of World Politics Press, Washington.

EUPOL Afghanistan: Civilian Policing in a War Environment

Thierry Tardy ⁽¹⁾

European Union Institute for Security Studies



Abstract

EUPOL Afghanistan was established in 2007 as a non-executive Common Security and Defence Policy (CSDP) civilian mission, and came to an end in December 2016. Its primary objective was to strengthen the Afghan National Police (ANP) in the domain of civilian policing.

EUPOL did contribute to the reform of the ANP, which was one condition for Afghanistan's long-term stability. At the EU level, the Mission contributed to shaping the current civilian CSDP – and the EU is today better equipped to plan and run civilian missions. Yet the nature and scale of the challenges that EUPOL faced were huge, and the Mission was not designed and resourced to effectively tackle those challenges.

Most specifically, the fact that the Mission focused on civilian policing (and 'community policing') while most of the ANP was involved in counter-insurgency operations – and was therefore going through a process of militarisation – was a recurrent problem. Even the concept of 'civilian policing' seems to have been problematic as it suffered from at times diverging national interpretations rather than being a Mission-wide well-understood concept.

In this context, lessons identified include the necessity, first, to sufficiently prepare the mission and identify its objectives and added-value in relation to the local context and other international actors; second, to properly calibrate the division of responsibilities among EU monitoring bodies based on their respective functions (political vs. operational, HQ vs. field); and, third, to ensure a smooth transition between the mission and follow-on actors or programmes.

Keywords:

CSDP, civilian policing, Afghanistan

⁽¹⁾ Correspondence email: thierry.tardy@iss.europa.eu

EUPOL Afghanistan was established by the Council of the EU on 30 May 2007 as a non-executive Common Security and Defence Policy (CSDP) civilian mission.⁽²⁾ It was mandated to 'significantly contribute to the establishment under Afghan ownership of sustainable and effective civilian policing arrangements, which will ensure appropriate interaction with the wider criminal justice system, in keeping with the policy advice and institution building work of the Community, member states and other international actors.'

To fulfil these objectives EUPOL was mandated to:

- a. work on strategy development, while placing an emphasis on work towards a joint overall strategy of the international community in police reform, taking into account the Afghanistan Compact and the interim-Afghan National Development Strategy (i-ANDS);
- b. support the Government of Afghanistan in coherently implementing their strategy;
- c. improve cohesion and coordination among international actors; and
- d. support linkages between the police and the wider rule of law.

EUPOL's *modus operandi* included monitoring, mentoring, advising and training (from 2014, following a revision of EUPOL's Operation Plan (OPLAN), this was adjusted from mentoring to advising on a strategic level).

The Mission was launched in mid-June 2007 and officially terminated at the end of 2016. It was the first civilian CSDP mission to be deployed in a war-like environment. Three casualties were reported during EUPOL's ten year mandate.

Total expenditure for EUPOL was approximately €450 million (to which one should add the cost of seconded personnel), i.e. an average of €45 million per year with a peak at approximately €70 million in 2014 (budget annualised).⁽³⁾ By comparison, the European Commission commitment (under the Development Cooperation Instrument) to support the rule of law in Afghanistan is €319 million for the period 2014-2020.⁽⁴⁾ EUPOL's overall costs made it the second most expensive civilian mission ever after EULEX Kosovo.

Operations and missions that fall within the realm of the EU's CSDP are all context-specific yet many of them face similar challenges, among which are over-ambitious (and often too Western model-driven) mandates, fluctuating support from member states over time, weak local buy-in, difficult coordination with other international and local partners, lack of insertion into a broader EU strategy, and a gap between what these missions bring and what the country actually needs or wants. Overall, the size of CSDP missions also makes it difficult

⁽²⁾ Council of the EU, Council Joint Action 2007/369/CFSP, 30 May 2007.

⁽³⁾ See *Yearbook of European Security 2016* and *Yearbook of European Security 2017*.

⁽⁴⁾ See 'EU announces further support for the development of Afghanistan', European Commission, Press Release, 11 October 2014.

for them to generate a significant impact; as a consequence, they tend to remain at a 'sub-strategic' level.

Although EUPOL Afghanistan had its own specificities and did not necessarily resemble other 'typical' CSDP missions, it was however affected by quite a few of those general challenges.

EUPOL's mandate

EUPOL's primary objective was to strengthen the Afghan National Police (ANP) in the domain of civilian policing. The Mission drew on what had been done by the German Police Project Office (GPPO) since 2002. EUPOL's main target were the higher ranks and senior leadership of the Afghan Ministry of the Interior (MoI) and the ANP, i.e. it aimed at supporting the reform through 'strategy development' rather than through classic training of the lower levels. Throughout EUPOL's presence, the question of how fitting that mandate was for the Afghan needs was constantly raised.

The general framework of this debate was defined by Afghanistan's highly volatile environment, which raised issues about the ability of EUPOL's staff to operate throughout the country (beyond Kabul), the extent to which (and the mechanisms through which) the Mission could be protected, and the degree of suitability of the Mission to its environment.

The security situation in Afghanistan overall made it difficult for EUPOL to operate outside of Kabul, while its dependency from NATO for its own security undermined its freedom of manoeuvre (not to mention the difficult EU-NATO relationship that prevented any formal arrangement between the two institutions) (Fescharek, 2015: 51-53).

Most specifically, the fact that the Mission focused on civilian policing (and 'community policing') while most of the ANP was involved in counter-insurgency operations – and was therefore going through a process of militarisation – was a recurrent problem. Given the nature of the environment and the scale of the challenges, should EUPOL rather support the ANP through counter-insurgency training, or at least move away from the soft 'community policing' focus to better match the ANP's immediate needs?

Even the concept of 'civilian policing' seems to have been problematic as it suffered from at times diverging national interpretations rather than being a Mission-wide well-understood concept. Civilian policing was not dismissed as such; it was seen as both necessary in the long run and complementary to other security-related programmes that were shorter-term or simply different. Yet its prioritisation by the EU was internally contested and perceived as the result of 'what the EU and its member states were able and willing to offer' more than what was most needed or requested locally. In the end, what the EU was willing to achieve

through EUPOL did not seem to have been given sufficient attention at the early stage of mandate design.

In addition, EUPOL's mandate was complicated by the nature of its target audience – the Afghan police – characterised by a high degree of illiteracy (up to 80 %) and corruption (in both law enforcement and judicial institutions), making any hope to significantly impact its level of performance rather low.

The lack of resources

The credibility and effectiveness of CSDP missions is to a large extent dependent upon the degree of support they receive from the member states, be it in political, financial or human resources terms. Such support has never been very strong in the Afghan case. EUPOL never reached its authorised strength of 400 staff (it peaked at 350 in January 2012 and then slowly declined) and it took two years to meet the initial authorised strength of 200.⁽⁵⁾

This was partly the consequence of parallel needs in EU civilian missions (in particular EULEX Kosovo and the EU Monitoring Mission in Georgia) as well as of security concerns on the part of member states that were seconding personnel. Competence was also an issue: getting staff with the right experience (in particular in ministry reform) proved to be challenging throughout, and many positions were often not filled because of lack of applicants. These problems attested to a limited commitment from member states to the Mission and its core objectives, on which no clear consensus emerged over time.

Furthermore, difficulties at the early stage of the Mission to get IT equipment or even basic office material revealed EU logistical and procurement problems that did undermine EUPOL's start. It also took some time for the Mission to get a working chain of command and clear reporting lines with the Field Offices.

Equally important – and problematic – was EUPOL's leadership, particularly at the beginning, with three different Heads of Mission during the first 18 months. Overall, it seems that most Heads of Mission faced difficulties in relation to their mandate, their own state authorities, the local actors, or the Brussels-based institutions. Some ended their term in truly peculiar circumstances. But it also appears that HoMs suffered from a sort of 'capability-expectations gap' no matter how dedicated they were or could have been.

⁽⁵⁾ European Court of Auditors (2015) The EU police mission in Afghanistan: mixed results. Special report. p.16.

The quest for coherence

EUPOL was supposed to aggregate European activities in the police domain (to be the ‘European voice on police reform’) and thus provide one of the building blocks of the stabilisation efforts, in accordance with some sort of division of labour with other international actors, most notably NATO. Such burden-sharing provided the rationale for EUPOL’s focus on civilian policing.

Yet EUPOL suffered from EU fragmentation. Internal coordination between EUPOL itself, the EU Special Representative (EUSR) and the EU Delegation was initially rather weak (the establishment in 2011 of the EEAS, and the subsequent double-hatting of the EUSR and HoD did help). Yet coordination in the police domain remained difficult and local actors were often lost as a consequence. For example, the International Police Coordination Board (IPCB) that was supposed to enhance police-related coordination and was supported by EUPOL with staff and logistical support, faced significant obstacles.

Fragmentation was also the result of parallel European police programmes. A few member states maintained national activities in support of the Afghan police and also participated in the NATO-led police training mission (NTM-A). In some cases these different activities reflected diverging views on EUPOL’s civilian policing approach. As a result, EUPOL by and large failed to become a ‘single framework’ for the member states’ action in the police domain.

Furthermore, EUPOL’s modest size and role limited its ability to influence international efforts, notably on the virtues of community policing in its dialogue with NTM-A. EUPOL was a political actor on the Afghan scene, yet it lacked the expertise and the clout required for such a political role. Therefore EUPOL remained a marginal actor within the broader stabilisation activities throughout its mandate, and hardly central even in the police domain. In the end it was the overall lack of a common strategic direction that negatively impacted police reform in Afghanistan.

What strategic direction?

As any CSDP mission, EUPOL was placed under the political control and strategic direction of the Political and Security Committee (PSC) and was the constant object of close scrutiny from Brussels institutions: first DGE-IX of the Council’s Secretariat, then the EEAS Civilian Planning and Conduct Capability (CPCC) as well as the Commission’s Foreign Policy Instruments (FPI) and the member states (through the PSC and the Committee for Civilian Aspects of Crisis Management [CIVCOM]).

The Brussels-Mission relationship has been assessed differently by external audits. On the one hand, it has been criticised for being too slow and complicated in contrast with the pace of

change on the ground, which seems to have been the reason for tensions with some Heads of Mission. ⁽⁶⁾ The extent to which the PSC or CIVCOM were indeed able to truly grasp the complexity of the situation on the ground was deemed limited. On the other hand, EU member states and the EEAS have been presented by the European Court of Auditors, in 2015, as ‘reasonably flexible in adjusting EUPOL’s mandate in line with changing priorities’ on the ground. ⁽⁷⁾

Either way, this raises the issue of the degree of autonomy that a Head of Mission should enjoy so as to be reactive to any evolution *in situ* versus the level of monitoring (macro- vs. micro-management) by Brussels institutions and member states and the necessity to retain control over what they saw as a highly sensitive mission.

Strategic and operational guidance provided by the EEAS and produced at Mission level was also to an extent improvised and done in an *ad hoc* manner before it became more systematic and professional. At the operational level, initial Mission Implementation Plans (MIPs) seem to have been too complex before some improvements were made.

EUPOL’s achievements

What EUPOL has actually achieved has always been hard to evaluate, due to the difficulty to gather data from Afghan interlocutors and to methodological hurdles (adequacy of MIP and benchmarks, especially for non-quantitative estimates). Additionally, no impact could really be measured whenever the ANP was employed in activities that had not been the object of EUPOL’s training (like counter-insurgency, for example). Practically, the Mission was also torn between the permanent scrutiny of the member states (combined with pressure for results) and the inherently slow pace of any progress on the ground.

EUPOL’s achievements have been documented in various reports that converge on the fact that the ANP overall benefited from EUPOL’s assistance, while huge challenges remain. For the House of Lords Report, for example, the work EUPOL did was ‘more valuable than that of many other multinational missions in Afghanistan’. ⁽⁸⁾ The fact that the ANP was in such bad shape when EUPOL deployed made its mandate challenging and even questioned EUPOL’s rationale, but it also created a situation where virtually any change could only be positive and tangible.

More specifically, EUPOL seems to have delivered on at least two of its four lines of operations, namely ‘advancing institutional reform of the Ministry of the Interior’ and ‘professionalising the national police’. The third (‘connecting the national police to justice reform’) and the fourth (‘international coordination’) have been the most difficult ones. Most notably, a joint approach to both police and the judiciary was never really implemented.

⁽⁶⁾ House of Lords (2011) *The EU’s Afghan Police Mission. Report with evidence*. p.30.

⁽⁷⁾ European Court of Auditors (2015) *The EU police mission in Afghanistan: mixed results. Special report*. p.19.

⁽⁸⁾ House of Lords (2011) *The EU’s Afghan Police Mission. Report with evidence*. p.8.

EUPOL contributed to the reform of the Afghan MoI and did help improve strategic and operational frameworks (including strategic thinking and drafting of policies and regulations). The training dimension of EUPOL's mandate has led to some results, including the number of training courses run and the associated number of trainees, the support to the Police Staff College (that trains the police leadership), the 'train-the-trainers' approach, and the targeting of higher-rank officers (covered by no other programme). These all contributed to the professionalization of the ANP. Whether this is better able to ensure the safety of Afghan citizens as a result of EUPOL, however, is more difficult to assess, while doubts are widely expressed about the ANP's performance.

The mentoring and advising side of the Mission was also challenging. The selection of mentees, the analysis of Afghan capacity gaps (to be addressed through mentoring and advising), and the high turnover of both Afghan and EUPOL officials, have all proven to be problematic and thus further limited impact.

The sustainability of EU efforts is also in question. Sustainability of what has been achieved depends first and foremost on the broader security situation in Afghanistan, which is way beyond the EU's control. More specifically, sustainability depends on whether police reform has become a genuine Afghan and locally-owned rather than externally-led process. The high financial dependency of the Ministry of the Interior on international donors, the prioritisation of counter-insurgency tasks within the ANP (over civilian policing), the level of corruption and the high attrition rate within the Afghan police speak against such sustainability.

One way by which EUPOL has tried to ensure a certain level of sustainability has been through focusing on key systemic elements of the Afghan MoI and ANP reform such as the revision of regulatory frameworks, clarification of MoI and ANP respective responsibilities, and development of oversight mechanisms.

Finally, sustainability is to a large extent dependent upon the nature of the post-EUPOL transition and how the previous programmes are taken over by other actors, be they EU (under the lead of the EUSR), international (the UN in particular, but also national agencies), or local ones (Afghan MoI and ANP). Yet the transition was addressed at a very late stage, creating a gap between the end of the Mission and the start of handover activities.

Lessons learned

EUPOL faced two sets of challenges – one EUPOL-related and one context-related.

Mission-related constraints pertained to:

- mandate design and adequacy to the needs;
- resource allocation and member states' support;

- coherence and strategic direction of the international stabilisation efforts; and
- transition strategy.

Context-related constraints pertained to:

- the volatility of the Afghan context;
- tensions created by the deployment of a civilian mission in a war situation;
- the state of disarray of the ANP and Afghan security sector.

In addition, EUPOL was one of the first CSDP civilian missions, created at an early stage of the EU's civilian crisis management development (the EEAS did not exist until 2011), and was the first one to be deployed in a war-like context.

Overall, EUPOL did contribute to the reform of the ANP, which was one condition for Afghanistan's long-term stability. At the EU level, the Mission contributed to shaping the current civilian CSDP – and the EU is today better equipped to plan and run civilian missions (or to decide not to do so). Yet the nature and scale of the challenges that EUPOL faced during its ten-year presence were huge, and the Mission was not designed and resourced to effectively tackle those challenges. In the end EUPOL's achievements were limited and the medium-term sustainability of what has been achieved is far from being guaranteed.

In this context, lessons identified include the necessity, first, to sufficiently prepare the mission and identify its objectives and added-value in relation to the local context and other international actors; second, to properly calibrate the division of responsibilities among EU monitoring bodies (PSC, CIVCOM, EEAS, HoM, EUSR) based on their respective functions (political vs. operational, HQ vs. field); and, third, to ensure a smooth transition between the mission and follow-on actors or programmes.

References

- European Court of Auditors (2015) *The EU police mission in Afghanistan: mixed results. Special report*. Brussels.
- European Union Institute for Security Studies (2016) *EUISS 2106. Yearbook of European security*. Paris: EUISS. Available from: <https://www.iss.europa.eu/content/euiss-yearbook-european-security-2016>
- European Union Institute for Security Studies (2017) *EUISS 2106. Yearbook of European security*. Paris: EUISS. Available from: <https://www.iss.europa.eu/content/euiss-yearbook-european-security-2017>
- Fescharek, N. (2015) Forward procrastination? Afghanistan's lessons about Europe's role as a security provider. *The International Spectator: Italian Journal of International Affairs*. 50 (3), 43-59. Available from: doi:10.1080/03932729.2015.1055449
- House of Lords (2011) *The EU's Afghan Police Mission. Report with evidence*. London.

Political Change, Organisational Fluidity and Police Training: The South African Case

Elrena van der Spuy (1)

Centre of Criminology, University of Cape Town,
South Africa



Abstract (2)

*The establishment and evolution of a constitutional democracy held considerable implications for police training in South Africa. The historical record at our disposal indicates that since 1992 police training has been a topic of debate around which a wide range of practical interventions aimed at the restructuring of police training have been forthcoming. The South African case study allows us to reflect on how the fortunes of police training – its philosophy, methodology and logistics – have been shaped by a complex mix of factors relating to structural realities, political developments and organisational changes. This paper tracks the momentum for reform of police training which existed as the new constitutional *rechtstaat* came into being and the kinds of mechanisms which played a key role in creating a new vision for police training and translating that vision into practice. The focus then shifts to a consideration of the internal and external influences which have diluted the momentum for change. The paper concludes by reflecting on the latest round of conversations in which the need for reforming the processes of selection, recruitment, training and deployment of police recruits are identified.*

Keywords:

South Africa – police training – demilitarisation – professionalisation – specialisation

(1) Correspondence email: Elrena.vanderspuy@uct.ac.za

(2) Based on the presentation at the 2016 CEPOL Research and Science Conference “Global trends in law enforcement training and education”.

Introduction

In 1994 the racial oligarchy of Apartheid gave way to the establishment of a constitutional democracy. The change required a fundamental restructuring of the state apparatus including its security establishment. After all the security forces played a critical role in the maintenance of racial role throughout the forty long years of formal Apartheid. Furthermore from 1976 onwards both the military and police were embroiled in a counter-insurgency war against popular insurrection which further consolidated a paramilitary institutional culture. In the context of political transition the police as an institution had to be re-engineered in terms of its political role, cultural ethos and operational strategies. Restructuring of training at the level of both basic and advanced training was considered a critical strategy to realign the normative parameters of the organisation to the new democratic polity. This was no small endeavour.

Police training in fortress South Africa

In 1992 just as early negotiations towards a negotiated settlement took off Janine Rauch undertook a pioneering assessment of basic police training. In doing so she managed to explore a domain which had been largely hidden from external research scrutiny. Under Apartheid, Basic Police Training was organised along the principle of racial segregation. At the time, the four major police colleges were organised along racial lines and scattered across the Republic of South Africa and the various self-governing and independent 'homelands'.

Rauch (1992) confirmed that at the time police training was steeped in an ethos of paramilitarism with an emphasis on drill, physical fitness and the training in musketry skills. In terms of teaching methodology, 'front-loading', 'talk and chalk' characterised the classroom. At the time the training of police recruits was still organised along racial lines with training colleges earmarked for specific racial groups. Rauch's research proved instrumental in galvanising support for a radical overhaul of training as the momentum for political change increased at a time when racial integration of the training estate got underway. As Rauch (1992: 1) would put it:

"Credible, effective and accountable policing is essential to the larger process of social change in South Africa. To achieve such a style of policing requires a deep-rooted change in the aims and methods of the police organisation. Training has an important role in this process of change, both in terms of addressing the problematic aspects of the informal organisational culture, and in providing members of the police force with the skills that will enable them to deliver an efficient and professional service."

Policing training suited to an emerging democracy

In years to come various structures participated in the process of reform of police training. In October 1992 – under the auspices of the Police Board – an International Training Committee (ITC) was appointed to review and oversee all reform in the field of police training. The Committee consisted of local and international experts. The conceptual parameters which guided the work of the Committee were defined by the philosophy of community policing and the principle of probationary training. Training had to be ‘modernised’ to equip police officers with ‘professional skills’. On this score, international developments in ‘new style training’ were considered particularly critical. New strategies for recruitment and selection had to be devised. The selection of recruits had to be guided by a new social profile of the future South African police constable. Recruitment and selection also had to be part of a wider strategy to change the social composition of the public police institution to become more representative of the population. Reform of basic training was interpreted as a critical access point to engender a cultural change within the organisation by advocating new values (accountability, effectiveness, police-community partnerships) and aligning institutional habits to international best practices. Considerable effort went into the training of some 400 local trainers who underwent various crash courses referred to as ‘new style training’ at the different training centres in the country. This group constituted a racially diverse group of trainers selected from the formerly racially segregated training colleges.

Implementation of the new paradigm for police training became the responsibility of the Multi-National Police Training Implementation Team (MIT). MIT commenced work in August 1994 shortly after the new political elite of the Government of National Unity moved into office. And so it came that the Basic Level Training Pilot Programme (BLTPP) was designed with generous funding support from the Office of Development Administration of the United Kingdom. MIT comprised of four international experts – one each from the UK, Sweden, Holland and Zimbabwe – and four South African Police Service officers. This structure was further supported by a Commonwealth Advisory Team.

In January 1995 1760 recruits arrived to be trained as ‘community police officers’. These initiatives had to contend with considerable constraints of times and infrastructural resources. The Pilot Programme envisaged a period of practical training in the field once training at the college was completed. Field training also required the creation of a new infrastructure as well as mentoring support. The latter was provided by eighteen International Advisors who worked alongside local operatives covering the 107 training stations scattered across nine provinces.

The BLTPP constituted a moment of enlightenment in the history of South African police training. At the time it seemed as if the stage was set for an altogether new beginning in the recruitment, selection, training and deployment of police recruits. The new curriculum placed much emphasis on the normative principles of due process, human

rights, police-community partnerships and service delivery. The South African Police Service seemed poised on the eve of a new organisational phase with recruits being inducted in the principles of 'democratic policing'.

The optimism of the early 1990s, however, was not to be sustained. After 1996 a combination of factors effectively stalled the reform of police training. Space limitations do not allow us to go into much detail. Suffice to highlight the most important factors which shaped the trajectory of police reform and of police training in years to come. We now turn to a brief consideration of two sets of factors: internal police organisational factors and external social factors.

Internal police organisational factors

In the first instance, *a moratorium on police recruitment* was announced in late 1995. Budgetary considerations lay at the heart of this decision. The moratorium disrupted the momentum for change which has just been set in motion. What contributed to a further dissipation of energies was the decision that during the moratorium the training colleges offer remedial type training of three months' duration to 'special constables'. Special constables were deployed in African townships during the 1980s with the explicit task of suppressing popular resistance. The cohort of special constables all drawn from the black African lumpen proletariat exhibited low levels of literacy. Many of them had criminal records too. Amongst township residents, they had a reputation for thuggish behaviour. As part of the political agreement of 1994, these auxiliary forces were to be 'integrated' into the SAPS. It became the responsibility of trainers at the colleges to impart some basic knowledge to this group. The task was difficult. Morale was said to be extremely low amongst trainers who have just been exposed to the latest ideas about classroom pedagogics. The trainers at the police colleges were ill-prepared to make the shift from the intensive demands of teaching new style police recruits to training low calibre 'special constables'.

The moratorium on police training lasted for two years. By the time basic training resumed in 1999 many of the trainers at the colleges who benefitted from the pilot programme had left to take up positions elsewhere in the organisation. It appeared at the time that the investment in basic police training was being squandered (van der Spuy, 1995).

A second factor of importance relates to the *massive increase in police personnel* which took place over a relatively short period of time. This process which ensued in 2000 became known as "en masse recruitment". Between 2003 and 2012 more than 120000 recruits were absorbed into the organisation. Part of the rationale of recruiting large numbers of new personnel was to adjust the demographic profile of the larger organisation in pursuit of demographic representiveness. To illustrate the point, we can compare the demographics of the organisation between 1995 and 2012. In 1995, at the time of amalgamation of the

11 police forces into a national police institution, the ratio between white to black personnel was 36 % to 64 %. Seventeen years later, in 2012, the ratio stood at 12 % white and 88 % black (Bruce, 2013). In numerical terms, the integration of former ANC militias into the police organisation made only a marginal contribution to human resources for reasons which are discussed elsewhere (van der Spuy & Lever, 2016). The SAPS was applauded for its rapid achievement of equity targets considered so critical an aspect of transformation. Success on the equity front, however, did not translate into either effectiveness or efficiency. In later years the Commissioner of Police, under whose watch the organisation expanded, admitted that the expansionist drive overemphasised 'quantity' at the expense of 'quality'. In years to come the effects of "en masse recruitment" would loom large over the organisation (news24, 2010).

Many risks were associated with such ambitious personnel targets resulting in a 51 % growth in police personnel between 2002 and 2012. As thousands of applications streamed in, the administrative systems started to buckle under the strain. Delays in the processing of applications increased. Opportunities for corruption multiplied (The Voice from the Cape, 2014). Overflow and congestion led to a lowering of controls and standards at the point of recruitment, selection and training. Reference-checks were by-passed and the system of fingerprinting which was supposed to eliminate applicants with criminal records became inefficient (The South African, 2016). Parliamentary debate on the topic was recorded as follows:

"Mass recruitment had occurred between 2002 and 2012, to meet a need, but it was badly planned, and failed to ensure correlating improvements for the training colleges and supervisors, with the result that inadequately trained officers were related without proper management support, which was exacerbated by a breakdown also, of accountability systems" (Parliamentary Monitoring Group, 2013).

Field deployment, so critical a feature of the Basic Level Training Pilot Programme, was also whittled down. The dramatic increase in police recruits exacerbated personnel problems on the ground. The supervisory role of frontline managers increased exponentially. They struggled to cope with the increase of responsibilities. It did not take long before command and control over the deployment of new recruits became compromised.

A third factor which influenced police training related to the way in which multiple waves of restructuring made for organisational fluidity and a lowering of police morale. In 2000 Jackie Selebi took office as Commissioner of the Police and embarked on an intricate process of organisational reshuffling. There were two waves to the restructuring. In 2000 various specialist units were reorganised (Burger & Omar, 2011; Redpath, 2000). The reorganisation took different forms. In some instances specialist units were closed down. In other cases formerly centralised units were decentralised to station or area levels only to be re-centralised in the second wave of organisational change (Burger, 2015). Take the case of the *National*

Anti-Corruption Unit. Since its inception in 1996 this unit established an admirable track record. Notwithstanding its achievements, Commissioner Selebi closed down the Unit in 2003. This decision left the police institution without any dedicated capacity to investigate corruption. This loss of expertise was all the more critical at a point where all national indexes of corruption were pointing upwards. The *Serious and Violent Crime Unit* was centralised in 2002 and then decentralised in 2006 with a consequent dispersal of policing expertise. The *Family, Violence, Child Protection and Special Offences Unit* originally established in 1996 was decentralised to station level in 2006 only to be re-established in 2010. Then finally, the changing fortunes of *Public Order police units* over a decade also demonstrate the negative impact of ever-changing policy decisions to centralise, disperse, disband or re-centralise specialist policing expertise. Amidst such organisational reshuffling, it was not possible to consolidate the gains of police training as envisaged in the early period of reform.

A fourth factor which impacted on training initiatives related to wider policy shifts within the police organisation. Take for example the issue of *de-militarisation*. From 1992 onwards there was large-scale consensus in political circles about the need to demilitarise the organisation. At the time the new vision for the police envisaged a police service working in close cooperation with communities in pursuit of local safety. The Basic Level Training Pilot Training Programme shifted the emphasis from drill and discipline to the development of the 'social skills' of police officials. By 2000 however, the National Crime Combating Strategy foreshadowed the continued appeal of fire-brigade and saturation forms of policing. The continuation of high levels of violent crime, the growth in more organised transnational forms of crime on the other, and the re-emergence of public protests (after a respite of some five or so years) created the very conditions within which a return to combative crime control strategies found traction in both political and police circles. From the political centre throughout the first decade of the new millennium there was talk of the need for making 'war on crime' and for allowing the use of lethal force in the execution of police duties vis-à-vis dangerous criminals. For many these conversations signalled a dangerous return to the use of maximum force so characteristic a feature of Apartheid police (Bruce, 2005; Jensen, 2010).

Before long the pendulum of debate would swing back to de-militarisation. In part public concern about basic police skills, police abuse of power and high levels of corruption within and across the organisation would prompt a re-think of the ethos to guide police. In 2012 with the release of a strategic developmental document – *The National Development Plan for 2030* – the call was once again for 'professionalisation' and 'demilitarisation' of the police service (National Planning Commission, 2013). With regards to the latter the architects of the report would argue as follows:

"The decision to demilitarise the police force, moving away from its history of brutality, was a key goal of transformation after 1994. The remilitarisation of the police in recent years has not garnered greater respect for the police or higher conviction rates. If anything, it has con-

tributed to violence. The police should be demilitarised and managed towards a professional civilian service” (National Planning Commission, 2013: 44).

So far we have considered some of the internal organisational factors which diluted the reform momentum in the training environment so characteristic a feature of debates and innovations between 1992 and 1995. We now turn to a consideration of external factors.

External factors of relevance

Ongoing theorising and practical experimentation in various aspects of police training were also influenced by wider external developments. Three factors deserve mention here.

The increase in public disorder

Between 1994 and 1999 there was a considerable drop in incidences of public disorder. This lull provided a welcome reprieve from the long-standing adversarial engagements between public order policing units and pockets of protesters so characteristic a feature of policing in Apartheid South Africa. The reprieve did not last long. From 2000 onwards protests over ‘service delivery’ became a routine political feature at the level of local governments. The sheer magnitude of incidence of public disorder, demonstrations and protests would strain police resources on an almost daily basis (Alexander, Runciman & Maruping, 2016).

In the context of such protests, the police would be re-inserted into the theatre of adversarialism. Before long, discussions on police training again tipped toward the paramilitary end of the equation. Investigative journalists attached to the Mail and Guardian reported in 2011 that old style training practices reminiscent of police training during Apartheid were very much in evidence at the training college in Pretoria. The investigation supported by leaked video footage spoke of ‘South African Police Service’s heavy-handed, military-style approach to the training of police recruits, which includes assault, harsh punishment and sleep deprivation’ (Gumede-Johnson, 2011).

Old and new crime demands

The evolution of South Africa’s democracy has been accompanied by the diversification of safety concerns and crime threats. Take the issue of police responsibilities vis-à-vis domestic violence, for example. High rates of gender-based violence have long characterised the South African situation. Since the early 1990s a concerted effort has gone into the development of socio-legal policies aimed at addressing such violence. So, for example, the promulgation of the *Domestic Violence Act* has placed new demands on the criminal justice sector. Training to develop the skills of SAPS in this area was prioritised in the Training Provisioning Plan of 2010 (Combrinck & Wakefield, 2010). Considerable effort has been made to engage the police in their legal responsibilities and to develop awareness and skills to

fulfil their responsibilities vis-à-vis victims of domestic violence. Police training on the implementation of the Domestic Violence Act has been a subject of considerable research, which has allowed us to engage, not only the limitations of police training, but also the limitations confronting the police as an institution to control or prevent domestic violence (Smythe, 2015).

Legislative reforms in both youth and child justice as well as in organised crime have similarly led to various training interventions aimed at equipping the police to fulfil their responsibilities in these areas. Again, research has allowed us to appreciate the complexities of the issues and the limitations confronting law enforcement in engaging deeply embedded social problems.

The Annual Reports of the Commissioner of Police provide details about the large number of training initiatives on a wide range of topics which have involved police personnel. Numerous police officers are 'trained' annually. For example, the 20014/15 Annual Report of the South African Police Service captures training of numerous police personnel specialising in domestic violence; child justice; sexual offences; and victim support. Many training initiatives have also focused on the development of detective skills; service delivery at station level; the development of intellectual skills; tactical development particularly in the area of crowd management, firearm competency and so forth. Furthermore, parliamentary deliberations on international cooperation in police training allude to ongoing training exchanges between the South Africa Police Service and a number of other police institutions as far afield as China, the USA, the UK, France, Belgium, the Netherlands and Hungary. The SAPS have also offered courses relating to environmental crimes, human trafficking and data protection to other police agencies. So for example, study visits hosted by SAPS were attended by police from Qatar, Namibia and Bangladesh (Parliamentary Monitoring Group, 2016). Questions, however, have been asked by members of the relevant Parliamentary Portfolio Committee about the content of such training; the way in which personnel are selected, the quality of the trainers involved, and what is known about the impact of such training on the professional expertise of the police.

State capture and political influence over the police organisation

Twenty years into the new democracy another development became more evident: the steady encroachment of political influence over the police's operational mandate and key appointments at the upper echelons of the organisation. Political commentators began to point to the side effects of 'state capture' on the security apparatus. Processes of politicisation introduced new tensions and cleavages within the police organisation which have in turn bedevilled the pursuit of police professionalism. Time will tell whether and to what extent the increasing politicisation of the police as institution will have corrosive effects on training endeavours within the institution.

New moves to address training deficits

The story about reform of police training and the factors which have militated against a deepening and/or consolidation of the post-1994 initiatives need not end on a negative note. There is reason for some optimism. Over the past few years, critical engagement with the deficits of police training has again emerged. The public debate has been influenced by the deliberations of two Commissions of Inquiry – both of which were established in 2012. Both the Khayelitsha Commission and Marikana Commission have in their respective reports documented the shortcomings in both generic and specialist policing skills.

The reports of the Khayelitsha and Marikana Commissions of Inquiry yielded insight into the wider structural dynamics confronting the police organisation and the many internal organisational challenges (Marikana Commission, 2015). Take for example, the findings of the Khayelitsha Commission, which focused on police-community relations and the delivery of police services to poor African inhabitants of a sprawling township situated on the periphery of Cape Town (Khayelitsha Commission of Inquiry, 2014). The findings revealed the many challenges confronting community safety. Resource allocation remains skewed toward more affluent areas leaving the safety of the urban poor severely underfunded. Routine inefficiencies plague the police system ranging from the failure to record complaints; lack of police visibility; poor investigations; the loss of dockets; the submission of poorly prepared dockets to courts, and the daily violation of the principles of procedural justice. Case overload was further exacerbated by low levels of literacy and high rates of absenteeism within the police (van der Spuy & Armstrong, 2014).

Since 2006 there has been some realisation forthcoming of the need for radical interventions in the police organisation. Training is again seen as key to the quest for a professional police organisation. In theory (or on paper) there are many facets to the 'turn-around' strategy. For our purposes it is relevant to note that entry-level basic training has again been identified as a starting place for re-engaging the education of training of police recruits including detectives. The strategy has become advertised as the 'Back to Basics' approach. The title suggests a spirit of pragmatism. At a press meeting, acting national police commissioner Lt.Gen. Khomotso Phahlane in somewhat circular terms explained that the "Back-to-Basics" approach to policing "focuses on every police officer doing the basics of policing and on doing these basics properly and consistently." Recruit training too one surmised would be subjected to the dogma of 'back to basics' (Guduka, 2016). What exactly this means for the form and content of training however, is not readily evident at present.

In recent years there has been much talk of creating infrastructural capacity within the Training division or Human Resource Development to oversee education, training and skills development. Such investment is seen as critical to improving the quality of service delivered by police personnel. Changes to recruitment strategies are to be consolidated following the establishment of a Task Team in 2013 to investigate corruption in recruitment. In 2013

the Deputy Minister of Police acknowledged that a key challenge confronting recruitment of a credible workforce is to uproot corruption within the recruitment process. Recruitment, she went on to say, 'was besieged with favouritism, nepotism, allegiance and prejudice'.

Over the past few years there has been renewed talk of community involvement in recruitment. There has also been reference to the need for 'grooming camps' to equip prospective recruits and the need for vetting candidates and identifying fraudulent qualifications (Parliamentary Monitoring Group, 2015). A rigorous engagement with the normative templates for police as set out in the SAPS Code of Conduct is envisaged. There has again been persistent talk of the need for demilitarisation, professionalisation and technological modernisation of and within the police organisation.

It remains to be seen whether the latest training vision will become operationalised and succeed in yielding police recruits equipped with the basic policing skills required to engage the many crime challenges confronting the South African society.

Conclusion

The South African Police Services is large by international standards and with 194552 personnel, it is the largest police organisation on the African continent. In terms of infrastructure it is by African standards well-endowed. It routinely utilises a very enlightened discourse which emulates 21-century 'police speak' with references to community-based policing; human rights compliant policing and intelligence-led policing. Beyond this modern discursive surface, however, lies a deeply embattled institution and a flawed training estate. Wider structural inequities (poverty and unemployment) combined with contextual realities (high crime rates and low levels of cohesion) make for an extremely challenging situation. Whilst much hope is pinned on the benefits to be yielded by bold training initiatives those very initiatives are in turn shaped by a heady mix of internal and external influences.

References

- Alexander, P., Runciman, C. & Maruping, B. (2016) The use and abuse of police data in protest analysis: South Africa's incident registration information system (IRIS). *SA Crime Quarterly*. 58, 9-21. doi:10.17159/2413-3108/2016/v0n58a1513
- Bruce, D. (2005) Interpreting the body count: South African statistics of lethal police violence. *South African Review of Sociology*. 36 (2), 141-159. doi:10.1080/21528586.2005.10419135
- Bruce, D. (2013) New blood: Implications of en masse recruitment for the South African Police Service. *SA Crime Quarterly*. 2013 (43), 17-28. doi:10.17159/2413-3108/2013/v0i43a823
- Burger, J. (2015) No-man's-land: The uncertain existence of SAPS specialised investigative units. *Institute for Security Studies Papers*. 283.

- Burger, J. & Omar, B. (2011) A critical overview of restructuring in the South African Police Service (SAPS). *Institute of Security Studies*. Unpublished Paper.
- Combrinck, H. & Wakefield, L. (2010) Going the Extra Mile: Police training on domestic violence. *SA Crime Quarterly*, 31, 27-34. doi:10.17159/2413-3108/2010/v0i31a890
- Guduka, S. (2016) Police going back to basics. Available from <https://www.news24.com/SouthAfrica/Local/Express-News/police-going-back-to-basics-20160126>
- Gumede-Johnson, K. (2011) Police training: Brutality exposed. Available at <https://mg.co.za/article/2011-06-03-saps-the-strong-arm-of-force>.
- Jensen, S. (2010) The security and development nexus in Cape Town: War on gangs, counterinsurgency and citizenship. *Security Dialogue*. 41 (1), 77-98. doi:10.1177/0967010609357038
- Khayelitsha Commission of Inquiry (2014) Towards a safer Khayelitsha - Report of the Commission of Inquiry into Allegations of Police Inefficiency and a Breakdown in Relations between SAPS and the Community of Khayelitsha. Available at http://www.khayelitshacommission.org.za/images/towards_khaye_docs/Khayelitsha_Commission_Report_WEB_FULL_TEXT_C.pdf
- Marikana Commission (2015) Report on matters of public, national and international concern arising out of the tragic incidents at the Lonmin Mine in Marikana, in the North West Province. Available from <http://www.gov.za/sites/www.gov.za/files/marikana-report-1.pdf>.
- National Planning Commission. (2013) *National development plan vision 2030*. Executive Summary.
- news24 archives (2010) Police sacrifice quality for quantity – Cele (2010-09-14). Available from <http://www.news24.com/SouthAfrica/News/Police-sacrifice-quality-for-quantity-Cele-20100914>.
- Parliamentary Monitoring Group (2013) Minutes of PMG Meeting, 26 March 2013. Available at <http://pmg.org.za/committee-meeting/15623/>
- Parliamentary Monitoring Group (2015) South African Police Service on its 2014/15 Annual Report; Audit outcomes by Auditor-General. Minutes of PGM Meeting. Available at <https://pmg.org.za/committee-meeting/21578/>
- Parliamentary Monitoring Group (2016) SAPS & IPID: Training programmes & professionalisation, with Union and independent research input. Minutes of PMG Meeting, 09 February 2016. Available at <https://pmg.org.za/committee-meeting/21987/>
- Rauch, J. (1992) *South African police basic training: A preliminary assessment*. Project for the Study of Violence, Psychology Department, University of the Witwatersrand.
- Redpath, J. (2000) Restructuring the Detective Service. Available from <https://www.issafrica.org/uploads/Mono73.pdf>
- Smythe, D. (2015) *Rape unresolved: policing sexual offences in South Africa*. Cape Town, UCT Press.
- The South African (2016) South Africa's criminal cops: Is the rot far worse than we have been told? Available from <https://www.thesouthafrican.com/south-africas-criminal-cops-rot-far-worse-told/>
- The Voice from the Cape (2014) 'SAPS corruption stems from mass recruitment'. Available from <http://www.vocfm.co.za/saps-corruption-stems-from-mass-recruitment/>
- Van der Spuy, E. (1995) *The role of the international policing community in the reform of the SAP(S) Basic Police Training*. Unpublished document.
- Van der Spuy, E. & Armstrong, A. (2014) Policing of an urban periphery: The case of Khayelitsha. *South African Journal of Criminal Justice*. 27 (3), 377-403.
- Van der Spuy, E. & Lever, J. (2016) *Amalgamation and Integration: Some intricacies relating to the forging of the South African Police Service, 1994-1996*. Centre of Criminology, University of Cape Town. Research Report.



Female Leaders in a Male Organisation: An Empirical Analysis of Leader Prototypicality, Power and Gender in the German Police

Faye Barth-Farkas (1)

Antonio Vera

Department I: Leadership, Organisation and Administrative Sciences
German Police University
Germany



Abstract

Female leaders defy not only leader stereotypes, which typically call for powerful “great men”, but they also find themselves at odds with an organisation specific leader prototype. In the case of the police this prototype should be particularly male and powerful. The present paper explores the impact of gender on the perception of leader prototypicality and power in the police. In a pre-study, we first question 34 high-ranking police leaders on their views on prototypical leader traits within the police. Based on these findings, we then compare female and male police officers’ perceptions of prototypical leaders and displayed power. Our data gained from 106 male and 34 female officers indicate that the main effect of women trusting and endorsing leaders more than their male colleagues is driven by a significant gender difference in the attitudes towards non-prototypical and highly power displaying leaders. Prototypical and low power leaders were trusted and endorsed equally by both genders. We discuss the implications for aspiring and existing female leaders in a male-dominated domain such as the police, and highlight leader prototypicality and power as new venues for gender research within organisations.

Keywords:

police leadership, leader prototypicality, power, gender, female leadership.

(1) Corresponding author’s email: faye.barth-farkas@dhpol.de

Introduction

The police organisation, with its paramilitary nature characterized by a focus on hierarchy and concentration of power at the top (Chappell & Lanza-Kaduce, 2009), brings to mind the traditional notion of individual, extraordinary, powerful leaders being solely responsible for bringing upon change and success, as exemplified by the historical concept of the “great man theory”. The idea of the ideal leader is, however, dated, as there can be no leadership without those that follow. Depending on characteristics of the group being led, and the organisation on the whole, a leader who may be perfectly suited in one context may be doomed to fail in another. Hence, leader prototypicality, that is, the extent to which a leader is perceived to embody both the typical attributes of a successful leader and the identity of the corresponding group or organisation, is paramount in understanding leader effectiveness (Barth-Farkas & Vera, 2017).

Unintentionally, the so called “great *man* theory” does indicate one trait, which is unequivocally thought of as descriptive of the ideal leader – good leaders are generally thought of as male (Van Knippenberg, 2011). Women with leadership aspirations may find themselves faced by a myriad of obstacles on their trajectory along the career path, and those determined and lucky enough to make it to the top may discover that their role as a leader is perceived as a mismatch with their role as a woman. Role congruity theory (Eagly & Karau, 2002) has attempted to explain the disadvantage and discrimination women face in the work force. As people’s conceptions of a successful leader are generally characterized by typically “male traits”, and thus at odds with stereotypical notions of what a woman is or should be like, women in leadership positions seemingly violate role expectations. This is especially true of female leaders in police organisations with their “white, male organizational culture” (Heijes, 2007, p.551). Even though the general stereotype of a leader calls for a male, contextual factors, such as the organisational culture, play a role in defining which leader traits are thought of as representative and therefore desirable. In investigating leader prototypicality within police organisations, we ask the question of how fixed the stereotype of a leader being male really is.

Background

Female leaders

In 1973 Virginia Schein uncovered the “think-manager-think-male” phenomenon and influenced the way academia thought about the barriers inherent to the workforce in hindering women’s progression into leadership positions (Schein, 1973). The paradigm posits that when asked to select adjectives descriptive of men, women, and managers, respectively, studies find a significant overlap between the descriptions of men and managers but marked differences between the descriptions of women and managers. In a study two years later, Schein (1975) was able to show that this was not only due to a same-sex bias of

the male managers questioned in 1973, but female managers held the same stereotypes of descriptions of managers and men showing more convergence than those of women and managers.

As the original work by Schein lies more than 40 years in the past, considering the development and the current status of the “think-manager-think-male” paradigm is interesting. A meta-analysis comparing the research paradigms developed in the 1970s describing gendered leader stereotypes found that despite there being a masculine stereotype towards leadership on the whole, the strong gendered view towards leadership was decreasing (Koenig et al., 2011). Although women’s views on stereotypical leaders have been shown to have changed more significantly than men’s, the overall shift seems to be brought upon by an overarching change in female gender stereotypes, allowing the stereotypical women to be seen as leaders by both women and men. The construal of the stereotypical man, however, was found to have changed very little over the course of 30 years (Duehr & Bono, 2006). Additionally, the temporal development of gender stereotypes is not only found over the course of many years as a side-product of societal change but individuals are also hypothesized to change their views with experience and over the course of time. Duehr and Bono (2006) found that, whilst male managers, who were often responsible for enabling women to climb the career ladder, held far more gender neutral views on leadership, male students’ understanding of leadership was more gendered and followed the old-fashioned perspective of leaders being men.

In recent years, academics have called into question the existence of a global male bias towards leadership considering that traditionally leadership theories have been based on data from male, white Americans (Ayman & Korabik, 2010). In an attempt to test the cross-cultural existence of gender stereotyping leadership, Schein (2001) found that female study participants, drawn from a US sample, no longer exhibited the bias towards viewing managers as more similar to men in general than women. German, British, and Chinese female participants, however, still followed the “think-manager-think-male” paradigm. Male student participants across all tested countries similarly showed the male gendered stereotyping of leaders, indicating a unique shift in US-American women’s views.

Cross-cultural differences in views on gender and leadership may be explained by a manifold of factors. One important aspect, highlighting the importance of context on the malleability of leader stereotypes, is the sectoral or organisational affiliation. Although leadership is generally characterized as a masculine function, leadership may be associated with traits typically thought of as more feminine or masculine, respectively, depending on the occupational field. Koenig et al. (2011) for instance suggest leadership in the care sector or in primary education settings to be more in line with female traits. And although there has been little to suggest an actual difference in male and female leaders’ behaviour (Ayman & Korabik, 2010), men have been shown to be more effective in situations thought of as “male

dominated”, and female leaders’ effectiveness has been indicated to be higher in more “female dominated” settings (Eagly, Karau & Makhijani, 1995).

Furthermore, factors present within both stereotypically male and female organisations may temporarily skew the commonly held preference for male or female leaders. Increasing the perception of threat, for instance, has been shown to lessen the preference of a male leader (Brown, Diekmann & Schneider, 2011). The authors of this paper show that women are associated more with change, whilst men are associated more with stability, and argue that increased feelings of threat may increase the desire for change thus opening the door for a female leader. In controlled conditions, however, men remained the favoured choice. The research links in interesting ways to the finding that ratings of female leaders’ competence suffers far more than men’s when both are said to have made a mistake (Brescoll, Dawson & Uhlmann, 2010). Female leaders may therefore situationally be seen as equally capable compared to their male counterparts, their standing as endorsed and liked leaders, however, seems far more fickle.

Female leaders in the police

The organisational context clearly influences which leader prototype is entrenched in the minds of the organisation’s members. Research has tried to uncover the characteristics which determine leadership effectiveness within the police setting and has compared different leadership styles, seeking to recommend the style most suited for police work (e.g., Pearson-Goff & Herrington, 2014). These approaches to uncovering successful leadership are in line with the traditional top-down approach to leadership in organisations (e.g., Day & Antonakis, 2012), with a strong focus on the individual “up top” and little contemplation about the preconceptions and attitudes employees hold towards their leaders. However, as Kenney, Blascovich and Shaver (1994) point out, “leadership is in the eye of the beholder” (p.410), and whether or not a leader is endorsed by his or her employees is not only dependent on objectively measured leadership scores but will also be influenced by the extent to which the leader fits the followers’ expectations of a leader representative of their organisation and the typical attributes of a successful leader, that is, leader prototypicality (Barth-Farkas & Vera, 2017).

Women certainly still fill a minority of the leadership positions within police organisations. Furthermore, research on the organisational culture of the police has characterized police forces as “white, masculine organizations” (Vera & Koelling, 2013: p.69) and highlighted their paramilitary nature with an autocratic and macho leadership style (Silvestri, 2007). Hence, it is not surprising that the prototypical police leader is generally considered as male (Barth-Farkas & Vera, 2017). Since Bass and Avolio’s (1995) seminal research resulting in the Multifactor Leadership Questionnaire (MLQ), however, transformational leadership (Bass, 1990), a more person-focused approach in which a shared goal and vision is conveyed and greater attention is paid to individual needs within organisations, has dominated the academic view on preferred leadership. More recently research focusing on the police context has

also endorsed transformational leadership as a leadership style characterized by the exchange of both power and information between leader and follower (Österlind & Haake, 2010). Silvestri (2007) hypothesizes that the demand for transformational leadership within police organisations may increase the acceptance of female leadership, as she likens this leadership style to more stereotypically female behaviours. In her qualitative research on senior policewomen, however, she finds little evidence for a true shift in attitudes towards leadership in the police, and her female interview partners dismiss their gender identity in favour of leadership identity in order to succeed in a culture, which calls for “male traits”. In fact, the media and pop-science representation of women being ideal transformational leaders may be a broader exaggeration, not only when it comes to the special case of the police. Although research has found female leaders to be slightly more transformational than men (e.g., Eagly, Johannesen-Schmidt & Van Engen, 2003) this difference may be statistically significant but practically meaningless.

As the majority of research has made up its mind on what prototypical police leadership entails, we sought to paint a picture of the prototypical police leader according to genuine followers, highlighting differences between male and female police officers perceptions, in a pre-study. In our main study we then ask how this leader prototypicality and the related construct of displayed leader power translate into male and female follower’s endorsement and trust.

Pre-study

In our pre-study we try to gain an understanding of what is thought of as a prototypical leader within the specific context of policing. As already mentioned above, police organisations are marked by a strong organisational culture and strict vertical hierarchies simultaneously coupled with a prominent team spirit, and police officers are thought to strongly identify with their occupational role and organisational culture. Thus we expected ideas of what it means to be a prototypical leader to be relatively easy to glean from participants firmly embedded within the organisation. We were interested in a “practitioner’s view” on prototypicality within police leaders, as the academic view may often be a view from the outside looking in, be it necessarily or incidentally so. Our study, therefore, has an exploratory approach, attempting to find out what police leaders think of as being either prototypical or non-prototypical of leaders in the police organisation. Additionally, we contrast female and male police officers’ views on what a prototypical police leader is like.

Method

34 high-ranking German police officers (25 men, 9 women) participated in the pre-study upon visiting the German Police University. The median age was 44 years ranging from 38 to 60 years.

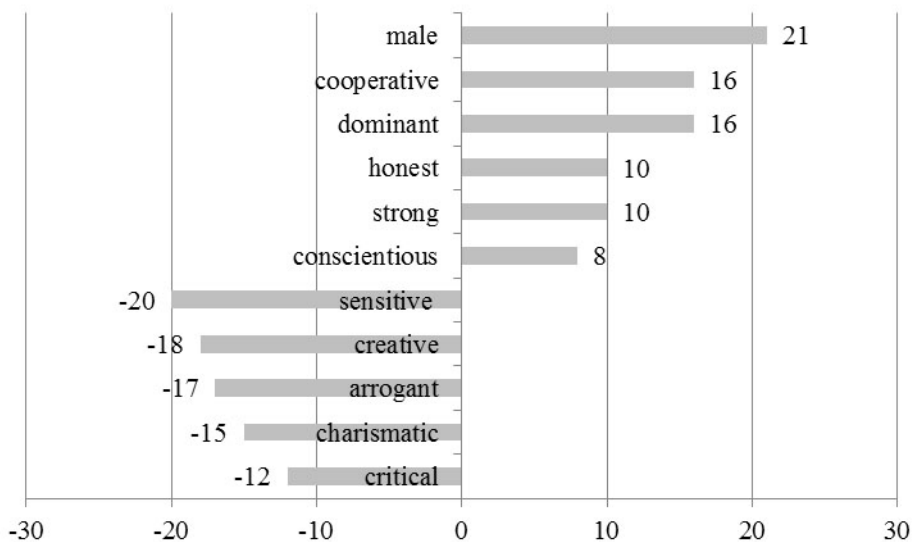
A review of the literature on police leadership formed the basis of the generated list of 58 adjectives describing police leadership. The list was translated into German and participants were asked to select those five traits that they felt were the least and those five traits that were the most prototypical of a police leader. Besides the 58 presented adjectives, participants were also given the opportunity to add their own adjectives to the list.

The number of times study participants selected an adjective to describe a non-prototypical leader was counted and subtracted from the choices made for the prototypical leader, so that the highest positive number corresponds to the trait most representative of a prototypical leader and the lowest negative number is most descriptive of a non-prototypical leader. This method was chosen in favour of a simple count of both non-prototypical and prototypical traits as some adjectives were chosen both to describe a non-prototypical leader and a prototypical leader.

Results

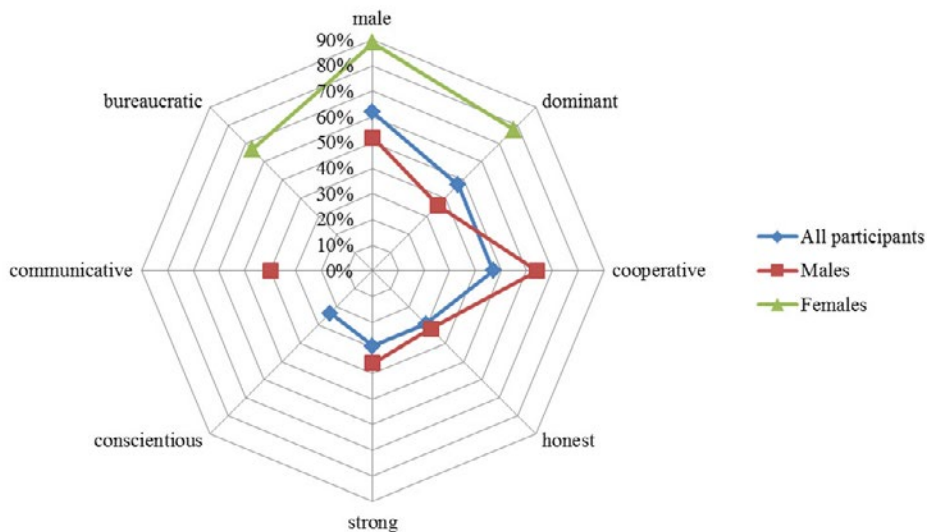
The adjectives most descriptive of a prototypical leader in the police force were: male, cooperative, dominant, honest, strong, and conscientious. In contrast, the adjectives that best described a non-prototypical police leader were: sensitive, creative, arrogant, charismatic, and critical. The results are presented in Figure 1.

Figure 1 — Attributes of Prototypical and Non-Prototypical Police Leader



The descriptions of prototypical and non-prototypical police leaders, however, change somewhat when selecting the subsamples of the 9 women who participated in the study. The 9 female participants described the prototypical leader as “male”, “dominant”, and “bureaucratic”, whilst the non-prototypical leader was described as “creative”, “charismatic”, “intelligent”, “strategic”, “integrating”, and “communicative”. In comparison the 25 men who participated in the study chose the adjectives “cooperative”, “male”, “communicative”, “dominant”, “strong”, “honest”, and “fair” to describe the prototypical leader and “sensitive”, “arrogant”, “creative”, “critical”, and “charismatic” to describe the non-prototypical leader. The differences between the male and female participants regarding the attributes of a prototypical police leader are visualized in Figure 2, illustrating that female police leaders chose the attributes “male” and “dominant” more often than their male counterparts.

Figure 2 — Gender Differences Regarding the Attributes of a Prototypical Police Leader



Discussion

Our pre-study was explorative in nature, with the aim to gain insight into who is seen as a prototypical leader within the police force. The resulting description of a prototypical police leader as male, cooperative, dominant, honest, strong, and conscientious matches the literature on the organisational culture of the police, and does not require an elaborate interpretation and discussion. Regarding the purpose of the present paper, however, it is important to point out that prototypical leaders in the police are expected to be male. This

fact illustrates one important obstacle women with aspirations for - or already in - leadership positions face in the police: they are seen as atypical leaders by the organisation on the whole (Brown, Diekman & Schneider, 2011). Our pre-study suggests that not only is the prototype of a police leader gendered but there may also be a difference in how leaders are perceived depending on whether or not they are being observed by a man or a woman. In our main study, therefore, we extend on the gained insight on prototypical police leaders and turn our attention towards the followers.

Main Study

Drawing on our findings from our pre-study, we were interested in how a follower's gender alters his or her attitudes towards different kinds of leaders.

First, we were curious to explore differences in female and male police perceptions of prototypical versus non-prototypical leaders. Barth-Farkas and Vera (2017) showed that prototypical police leaders were endorsed and trusted to a significantly greater degree than non-prototypical police leaders. The present paper extends these findings by investigating the impact of gender on these relationships: Do female and male police officers differ in their judgement of prototypical versus non-prototypical leaders? As the prototype of a police leader is said to be male, female police officers may perceive a greater distance towards these leaders, which may lessen the extent to which they feel represented by the leader, ultimately resulting in a decrease in endorsement of and trust towards prototypical leaders. On the other hand, the organisational culture of the police may be so clear-cut that female police officers endorse and trust male leaders just as much as their fellow male colleagues do.

In order to understand the role followers' gender has on their views of leaders, we also explored a second path. We sought to contrast traits associated with prototypical and non-prototypical leaders within the police with a construct more often thought of as descriptive of police leadership in the wider public: the display of power. Research has shown that the general public tends to view the legal system in general and the police organisation in particular as overly "bossy" and "authoritarian" (Sherman, 2002, p. 26), and our pre-study gives a first impression of how leadership characterized by powerful behaviour is viewed within the police. Both male and female police leaders selected the trait of "dominance" to describe prototypical leaders within the police force. Additionally, access to and assertion of power tends to be easier for men than women (e.g., Ragsin & Sundstrom, 1989) further disadvantaging female police leaders and emphasizing the male-dominated domain of policing. Therefore we investigated how male and female police officers perceive a leader's approach to displaying power, and how this would link to their endorsement and trust of said leaders.

Method

Participants

142 police officers (106 men, 34 women, and 2 non-disclosed gender, who were excluded from the analysis) currently enrolled at the German Police University (of 195 contacted) participated in our study, resulting in a 72.8 % response rate. They were completing a graduate degree in order to enter the top tier of police management in Germany. As an incentive to participate in the study, the data was later discussed with the students during a methods class. The average age of the participants was 36 years.

Materials

The following four vignettes (translated from German) describing a fictional police leaders were generated and served as the four different leadership conditions:

- *Vignette 1 (prototypical leader, low power):* "Please imagine... your immediate superior prefers a democratic leadership style, in which his employees enjoy a lot of freedom and are granted a say in things. In interpersonal exchanges he is honest and cooperative. He is often described as strong and conscientious."
- *Vignette 2 (prototypical leader, high power):* "Please imagine... your immediate superior prefers an authoritarian leadership style with clear instructions towards his employees. In interpersonal exchanges he acts in an honest and cooperative way. He is often described as strong and conscientious."
- *Vignette 3 (non-prototypical leader, low power):* "Please imagine... your immediate superior prefers a democratic leadership style, in which her employees enjoy a lot of freedom and are granted a say in things. In interpersonal exchanges she is sensitive and questions issues critically. She is often described as charismatic and creative."
- *Vignette 4 (non-prototypical leader, high power):* "Please imagine... your immediate superior prefers an authoritarian leadership style with clear instructions towards her employees. In interpersonal exchanges she is sensitive and questions issues critically. She is often described as charismatic and creative."

The vignettes served as our manipulation for leader prototypicality and displayed power and were generated using the insight gained through the pre-study. In describing the prototypical police leader, "dominant" was excluded from the vignette, as to not confound the level of perceived displayed power. In a similar vein "arrogant" was not included in the description of the non-prototypical leader, as this would likely affect the likability of the leader and override any effects of power or prototypicality.

The data collection concluded with two items ("I would like to work together with this superior" and "This superior is a good leader") measuring leader endorsement and five items

taken from Podsakoff et al. (1990) to measure trust, as well as asking for some general demographics.

Procedure

To enable a between-groups study design, the participants were divided into four groups according to their so-called study group, in which they attend classes and seminars, thus allowing for a random distribution of gender, work background, and home town, as well as minimizing the likelihood that students would talk about the study with class mates and cause confusion about the different study conditions. These students were then invited to participate in an online study via the 2ask.de platform. The participants read one of the four leader vignettes describing a fictional police leader and subsequently responded to the items testing endorsement and trust on a five-point Likert-scale. The study concluded with the collection of demographics and students were thoroughly debriefed during a subsequent class session, which was used to also present the results.

Results

Visual exploration, as well as one-sample Kolmogorov-Smirnov tests on the dependent variables of leader endorsement and trust indicated a non-normal distribution of both dependent variables. Therefore the non-parametric Mann-Whitney test was used to test the effect of leader prototypicality and power on endorsement and trust. Table 1 displays the results for both statistical tests, comparing the level of trust our male and female participants bestowed upon the different fictional leaders. Overall we found a main effect for gender, with female participants trusting the leader significantly more than male participants did (3.841 versus 3.360). This main effect was driven by the marked difference in trust the two genders granted towards the leader displaying high levels of power (3.653 versus 3.145) and the non-prototypical leader (3.718 versus 2.939). Although the direction of the effect still holds, female and male participants' trust in the leader did not significantly differ for the low power leader (3.990 versus 3.664) and the prototypical leader (3.965 versus 3.832).

Similarly, statistical analyses on the dependent variable of leader endorsement mirror the results for trust. As displayed in table 2, female participants also reported significantly endorsing their leaders to a greater extent than male participants did (3.544 versus 2.995). Again the significant difference can be seen in the endorsement scores for the high-power leader (3.333 versus 2.605) and the non-prototypical leader (3.294 versus 2.509). The small difference in endorsement of the low-power leader (3.711 versus 3.546) and the prototypical leader (3.794 versus 3.540) is again non-significant.

Table 1
Empirical Results Regarding Leader Trust

	Males		Females		Mann-Whitney Test		
	N	Mean	N	Mean	U	Z	Sig.
Low power leader	44	3.664	19	3.990	317.0	-1.519	0.129
High power leader	62	3.145	15	3.653	289.5	-2.265	0.024
Non-prototypical leader	56	2.939	17	3.718	212.5	-3.456	0.001
Prototypical leader	50	3.832	17	3.965	398.5	-0.384	0.701
Overall	106	3.360	34	3.841	1,221.0	-2.832	0.005

Note: All variables measured on 5-point Likert-type scales ranging from 1 to 5.

Table 2
Empirical Results Regarding Leader Endorsement

	Males		Females		Mann-Whitney Test		
	N	Mean	N	Mean	U	Z	Sig.
Low power leader	44	3.546	19	3.711	353.0	-0.988	0.323
High power leader	62	2.605	15	3.333	299.5	-2.168	0.030
Non-prototypical leader	56	2.509	17	3.294	298.0	-2.363	0.018
Prototypical leader	50	3.540	17	3.794	352.0	-1.065	0.287
Overall	106	2.995	34	3.544	1,307.5	-2.427	0.015

Note: All variables measured on 5-point Likert-type scales ranging from 1 to 5.

Discussion and Conclusion

Whilst the description of a prototypical leader drawn from our pre-study held little surprise, research on non-prototypicality is scarce and we thus had little premonition about our possible study results. We found the non-prototypical police leader to be described as sensitive, creative, arrogant, charismatic and critical. Whilst one could argue that being sensitive is stereotypically seen as a more female trait (Johnson et al., 2008) and therefore potentially indicative of a mismatch between gender and work identities within the police culture (Veldman et al., 2017), being creative and charismatic can be seen as desirable skills for effective leadership. Charisma as one of the main pillars of transformational leadership is paramount in motivating followers and increasing their investment in a common goal or

vision, with the charismatic leader leading by example (e.g. Bass, 1990). Additionally, leaders' creativity and charisma ratings have been shown to be positively correlated with their engagement with their followers and the organisation at large (Bakker & Xanthopoulou, 2013). The positive leadership characteristics associated with non-prototypical leadership in the police may serve as a link to tentative research, which is at odds with the more dominant findings of prototypical leadership's favourability explained by social identity. In studying the relationship between organisational culture and leadership style in predicting performance, Hartnell et al. (2016) have hinted towards the added benefit of leaders who are dissimilar to their respective organisational culture. Although the majority of studies points towards the disadvantage of non-prototypical leadership, it is interesting to note that charismatic and creative police leaders may have new insights to offer, which are not common in the police organisation and due to being seen as unrepresentative of the police culture may be ignored or even criticized.

In comparing the views of men and women on prototypical leadership within the police, we come to somewhat different results than other research has suggested. In contrasting gender stereotypes and leader prototypes, research has shown that not only are female leaders thought of as more sensitive and male leaders are associated more with agentic traits typically better suited to leaders, but women also expect leaders on the whole to be more sensitive and men expect leaders to be more masculine (Johnson et al., 2008). In our sample, however, both female and male participants described a prototypical leader as male and dominant. Interestingly, the female police officers chose these attributes even more often than their male counterparts. Furthermore, only our male participants chose "sensitive" as a leader trait, albeit sensitivity being descriptive of non-prototypical leadership. "Arrogant" was the only clearly negative trait chosen to describe either form of leader. This is interesting, as this may point towards a different explanation for the general preference for prototypical leaders (e.g., van Knippenberg, 2011). In practice it may not be the leader who is most representative of the group who is labelled prototypical but instead positive and negative traits may be linked to leader prototypicality and non-prototypicality respectively, resulting in more likable individuals being seen as more representative and less likeable leaders being branded as less prototypical. Further, it is notable that our female study participants did not note "arrogant" as a trait descriptive of non-prototypical leaders and instead included "intelligent". Our study design does not allow for a clear explanation as to why female participants generated somewhat more positive descriptions of non-prototypical leaders than male participants did. As maleness was unequivocally seen as prototypical however, it may be feasible that female participants saw themselves as examples of non-prototypical leaders and were therefore more inclined to see non-prototypicality as positive.

This line of reasoning is tentatively supported by our main study, which indicates that the female, sensitive, critical, charismatic, creative, therefore non-prototypical leader was trusted and endorsed significantly more by the female participants compared to the male partici-

pants. Nevertheless this partial result does not support the notion of a same-sex bias, where women favour female leaders over male leaders (e.g., Duehr & Bono, 2006), as the trust and endorsement values of the female participants regarding the prototypical, male police leader were even higher. In fact, the highly significant gender gap regarding the trust in and endorsement of the non-prototypical, female police leader rather reflects the distrust and disapproval of the participating male police officers. This finding underlines the difficult situation of female leaders in police organisations, and reminds us of research by Duehr and Bono (2006), who showed that the shift in gender stereotypes allowing for a more open attitude towards female leaders has been far more obscure in men than women.

The male, honest, cooperative, strong and conscientious, and therefore prototypical, leader, however, was trusted and endorsed equally by male and female police officers. Prototypical leaders are generally seen as more effective and likeable leaders (Hogg, van Knippenberg & Rast, 2012), and our results support this notion in indicating that both genders endorsed and trusted the prototypical, male police leader. This result clearly contradicts the so-called “queen bee” phenomenon (Derks et al., 2011), in which successful female police officers adapt to the masculine work environment, choose not to identify with their gender and contribute to the struggle other women within the organisation face. Female police officers, quite simply, seem to support both female and male leaders. It is promising to see that female officers accept both prototypical and non-prototypical leaders, however, it is unfortunate that the same does not seem to be the case for male officers, who represent the majority of the work force. It would be interesting to see whether male police officers’ scepticism towards these non-prototypical leaders subsides with time and experience or becomes more rigid.

Besides having less favourable attitudes towards the non-prototypical leader, leaders who displayed high levels of power were also trusted and endorsed far less by male than by female police officers. One potential explanation for men’s distrust and opposition towards high power leaders highlights a conceptual complication in our study. We found that leader prototypicality can be captured both by gender and personality traits, but beyond that is intricately connected to the level of power a leader displays. Prototypical leaders are seen as possessing more power, which is in line with the idea that prototypical group members draw the attention of others and act as role models (Hogg, van Knippenberg & Rast, 2012), imbuing them with a form of referent power. In the case of police leadership, however, the reverse also seems to be true; the police culture with its traditionally authoritarian leadership (Silvestri, 2007) may cause leaders who display high levels of power to be perceived as prototypical of the organisation. Therefore, whether or not a leader is described as displaying high or low levels of power may inadvertently hold information on how prototypical the leader is of the organisation. In our pre-study, male participants described the prototypical police leader as being cooperative, displaying high levels of power may have been seen as an antithesis to cooperative behaviour, thus leading to male police officers construing the high power leader as less prototypical. Women in our pre-study, however, more often

noted that prototypical leaders were dominant and not once mentioned cooperativeness, therefore, perhaps women's reaction towards the powerful leader were not as negative since the leader was perceived as acting in a prototypical way.

High levels of power in leaders may be undesirable not only because of the association with worsened trust and endorsement but also because high levels of power tend to lead to higher scores in transactional leadership, whilst police leaders with lower levels of power express more transformational leadership attitudes (Barth-Farkas & Vera, 2014). Transactional leadership, with its strong task-focus lends itself to a bureaucratic organisation, and can be said to be prototypical of police leadership. Modern views on leadership, however, favour transformational leadership with its person-centred focus positively influencing employees' job-performance (e.g., Ng, 2017). The vignettes used to describe the different types of leaders, which we used to manipulate our independent variables of displayed power and leader prototypicality, do not hold clear information on the leadership style used. Therefore, we can only speculate that it may be especially men who react negatively to authoritarian leadership styles within the police. This is interesting as successful female leaders have been shown to lead in more transformational ways and display their power less (Eagly et al., 2003), an attitude which may be preferred by the majority of their male followers. Female leaders who act in agentic ways, thus demonstrating high levels of power and status, have been shown to experience a negative backlash in organisations (Rudman et al., 2012). Considering the framework of our study, these women would be seen as both non-prototypical leaders and high in displaying power and therefore potentially the least likely to be trusted and endorsed by their male colleagues.

The interconnectedness of power and prototypicality in the police organisation points towards one of the limitations of our study; adding additional leader traits and specifically testing vignettes in which female police leaders are described as possessing prototypical traits could improve the construct validity of prototypicality and power. Even though our sample of police officers represents different federal states and a multitude of work experiences within the police organisation, it is relatively limited in the variety of officer rank and age. The validity and power of our research findings, therefore, could be improved upon by use of a more representative sample. Finally, we want to highlight another important limitation of our study. The interpretation of our results suffers from a skewed proportion of female to male participants, as is often the case in police leadership (Archbold, Hassell & Stichman, 2010). Ironically, however, this highlights the importance of researching female leadership within this organisational setting, in which women still find themselves vastly underrepresented. Leader prototypicality describes leaders' representativeness and our ratio of female to male participants illustrates that women do not have numbers on their side when wanting to appear prototypical. When evaluating a female police officer's work or considering her for promotion, our data suggests that another female colleague may be less likely to hold a negative bias, and as women continue to climb the ranks they can not only serve as strong, competent leadership role models but also contribute to the

advancement of a more diverse police force by endorsing non-prototypical leaders. As the police organisation still has a way to go, however, it offers a fascinating context for studying differences between the perceptions of male and female leaders and highlights the continuation of social and organisational barriers to the acceptance of female leadership.

References

- Archbold, C., Hassell, K. D. & Stichman, A. J. (2010) Comparing promotion aspirations among female and male police officers. *International Journal of Police Science and Management*. 12 (2), 287-303.
- Ayman, R. & Korabik, K. (2010) Leadership: why gender and culture matter. *American Psychologist*. 65 (3), 157-170.
- Bakker, A. B. & Xanthopoulou, D. (2013) Creativity and charisma among female leaders: the role of resources and work engagement. *The International Journal of Human Resource Management*, 24 (14), 2760-2779.
- Barth-Farkas, F. & Vera, A. (2014) Power and transformational leadership in public organizations. *International Journal of Leadership in Public Services*. 10 (4), 217-232.
- Barth-Farkas, F. & Vera, A. (2017) Leader prototypicality and displayed power in the police: an empirical analysis of the impact on leader endorsement and trust. *Policing: A Journal of Policy and Practice*. pax080. Available from: <https://doi.org/10.1093/police/pax080> [Accessed 16 March 2018].
- Bass, B. M. (1990) From transactional to transformational leadership: learning to share the vision. *Organizational Dynamics*. 18 (3), 19-31.
- Bass, B. M., & Avolio, B. J. (1995) *MLQ Multifactor Leadership Questionnaire, Leader Form, Rater Form, and Scoring*. Palo Alto, CA, Mind Garden.
- Brescoll, V. L., Dawson, E. & Uhlmann, E. L. (2010) Hard won and easily lost. *Psychological Science*. 21 (11), 1640-1642.
- Brown, E. R., Diekmann, A. B. & Schneider, M. C. (2011) A change will do us good: threats diminish typical preferences for male leaders. *Personality and Social Psychology Bulletin*. 37 (7), 930-941.
- Chappell, A. T. & Lanza-Kaduce, L. (2009) Police academy socialization: understanding the lessons learned in a paramilitary-bureaucratic organization. *Journal of Contemporary Ethnography*. 39 (2), 187-214.
- Day, D. V. & Antonakis, J. (2012) Leadership: past, present and future. In: Day, D. V. & Antonakis, J. (eds) *The Nature of Leadership*. Los Angeles, CA, SAGE, pp. 3-25.
- Derks, B., Van Laar, C., Ellemers, N. & de Groot, K. (2011) Gender-bias primes elicit queen-bee responses among senior policewomen. *Psychological Science*. 22 (10), 1243-1249.
- Duehr, E. E. & Bono, J. E. (2006) Men, women, and managers: are stereotypes finally changing? *Personnel Psychology*. 59 (4), 815-846.
- Eagly, A. H., Karau, S. J. & Makhijani, M. G. (1995) Gender and the effectiveness of leaders: a meta-analysis. *Psychological Bulletin*. 117 (1), 125-145.
- Eagly, A. H. & Karau, S. J. (2002) Role congruity theory of prejudice toward female leaders. *Psychological Review*. 109 (3), 573-598.
- Eagly, A. H., Johannesen-Schmidt, M. C. & Van Engen, M. L. (2003) Transformational, transactional, and laissez-faire leadership styles: a meta-analysis comparing women and men. *Psychological Bulletin*. 129 (4), 569-591.
- Hartnell, C. A., Kinicki, A. J., Lambert, L. S., Fugate, M. & Doyle Corner, P. (2016) Do similarities or differences

between CEO leadership and organizational culture have a more positive effect on firm performance? A test of competing predictions. *Journal of Applied Psychology*. 101 (6), 846-861.

- Heijes, C. (2007) Officers at work in a multicultural police force. *Policing: An International Journal of Police Strategies & Management*. 30, 550-566.
- Hogg, M. A., van Knippenberg, D. & Rast, D. E. (2012) The social identity theory of leadership: theoretical origins, research findings, and conceptual developments. *European Review of Social Psychology*. 23 (1), 258-304.
- Johnson, S. K., Murphy, S. E., Zewdie, S. & Reichard, R. J. (2008) The strong, sensitive type: effects of gender stereotypes and leadership prototypes on the evaluation of male and female leaders. *Organizational Behavior and Human Decision Processes*. 106, 39-60.
- Kenney, R. A., Blascovich, J. & Shaver, P. R. (1994) Implicit leadership theories: prototypes for new leaders. *Basic and Applied Social Psychology*. 15 (4), 409-437.
- Koenig, A. M., Eagly, A. H., Mitchell, A. A. & Ristikari, T. (2011) Are leader stereotypes masculine? A meta-analysis of three research paradigms. *Psychological Bulletin*. 137 (4), 616-642.
- Ng, T. W. H. (2017) Transformational leadership and performance outcomes: analyses of multiple mediation pathways. *The Leadership Quarterly*. 28 (3), 385-417.
- Österlind, M. & Haake, U. (2010) The leadership discourse amongst female police leaders in Sweden. *Advancing Women in Leadership Journal*. 30 (16). Available from: <https://journals.tdl.org/awl/index.php/awl/article/download/296/265> [Accessed 16 March 2018].
- Pearson-Goff, M. & Herrington, V. (2014) Police leadership: a systematic review of the literature. *Policing: A Journal of Policy and Practice*. 8 (1), 14-26.
- Podsakoff, P. M., MacKenzie, S. B., Moorman, R. H. & Fetter, R. (1990) Transformational leader behaviors and their effects on followers' trust in leader, satisfaction, and organizational citizenship behaviors. *The Leadership Quarterly*. 1 (2), 107-142.
- Ragins, B. R. & Sundstrom, E. (1989) Gender and power in organizations: a longitudinal perspective. *Psychological Bulletin*. 105 (1), 51-88.
- Rudman, L. A., Moss-Racusin, C. A., Phelan, J. E. & Nauts, S. (2012) Status incongruity and backlash effects: defending the gender hierarchy motivates prejudice against female leaders. *Journal of Experimental Social Psychology*. 48 (1), 165-179.
- Schein, V. E. (1973) The relationship between sex role stereotypes and requisite management characteristics. *Journal of Applied Psychology*. 57 (2), 95-100.
- Schein, V. E. (1975) Relationships between sex role stereotypes and requisite management characteristics among female managers. *Journal of Applied Psychology*. 60 (3), 340-344.
- Schein, V. E. (2001) A global look at psychological barriers to women's progress in management. *Journal of Social Issues*. 57 (4), 675-688.
- Sherman, L. W. (2002) Trust and confidence in criminal justice. *National Institute of Justice Journal*. 248, 22-31.
- Silvestri, M. (2007) "Doing" police leadership: enter the "new smart macho". *Policing and Society: An International Journal of Research and Policy*. 17 (1), 38-58.
- Van Knippenberg, D. (2011) Embodying who we are: leader group prototypicality and leadership effectiveness. *The Leadership Quarterly*. 22, 1078-1091.
- Veldman, J., Meeussen, L., Van Laar, C. & Phalet, K. (2017) Women (do not) belong here: gender-work identity conflict among female police officers. *Frontiers in Psychology*. 8 (130).
- Vera, A. & Koelling, K. (2013) Street cop culture and the aging police force. *European Journal of Policing Studies*. 1 (1), 64-88.

Forensic Analysis of Unknown Materials: a different vision of *questioned documents*

Ana Cristina de Almeida Assis ⁽¹⁾

João Freire da Fonseca

Maria de Fátima Barbosa

Carlos Farinha

Scientific Police Laboratory - Judiciary Police,
Portugal



Abstract

One of the biggest challenges in forensic analysis is the correct identification in terms of class characteristics of unknown materials found in a crime scene or crime scene related. Not only in several cases there is nothing to compare to and establish individualization, but also the mere identification of these class characteristics may allow prosecuting new lines of investigation.

Forensic document analysis comprises the characterization, identification and differentiation of various materials such as inks, paper, glues, coatings, laminates, waxes, among others for which it is necessary to use advanced analytical methodologies.

In the present work, some unknown materials were correctly identified and characterized using techniques such as Fourier Transform Infrared Spectroscopy (FTIR), Scanning Electron Microscopy with Energy Dispersive X-Ray Spectroscopy (SEM / EDX) and High Performance Liquid Chromatography (HPLC), as well as morphology characterization and other physical and chemical characteristics inherent to the suspicious material under study.

Based on some case studies, the significant contribution of this kind of identification to the criminal investigation will be demonstrated.

Keywords:

Questioned documents, forensic analysis, HPLC, FTIR, SEM/EDX

⁽¹⁾ Corresponding author's email: ana.assis@pj.pt

Introduction

Forensic analysis of questioned documents usually aims to evaluate issues related to the authenticity or falsity of the document. The analysis of security features and the analysis of stamp impressions or embossing stamps for the purpose of confirmation of the issuing entity are among the most common performed tasks. Also, the evaluation of tampering, identification and restoration of original inscriptions can be performed so that the alteration of the original text or even the attempt to conceal information can be revealed.

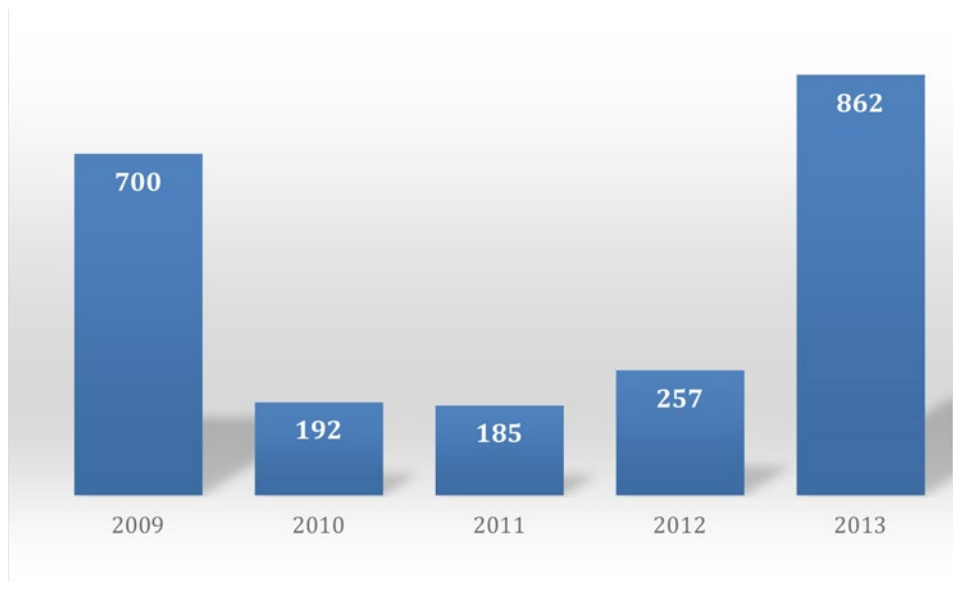
A document is something that attests certain information and therefore, questioned document analysis is not limited to identification or travel documents. It also includes the analysis of numerous different media containing information such as wills, debt statements, employment contracts, show tickets, lottery tickets, and beverage labels, among many others. Given this wide scope, the answer to other types of questions becomes imperative.

Also, if on one side the digital age in which we live makes questioned documents more difficult to counterfeit, on the other it allows criminals an easy access to means that enable the manipulation or production of documents with a very acceptable quality.

Thus, forensic document analysis also aims to answer questions related to the various components used in their production. For this purpose it is necessary to characterize and identify the class characteristics of several materials such as writing inks, printing inks, papers, fibers, glues and polymer materials.

The Questioned Documents section from the Scientific Police Laboratory of the Portuguese Judiciary Police receives an average of several hundred requests for forensic expert examination per year) each of which may include one or more documents and/or comparison materials. Only approximately ten percent of these involve the analysis of document components but these may comprise a much more significant number of items than their statistical weight. Due to documents ubiquity, actions like searches and seizures at the suspect's home or the dismantling of illegal print shops usually produce large amounts of comparison material (see Figure 1).

Figure 1 — Number of analyzed documents/materials per year in the Questioned Documents section from the Scientific Police Laboratory of the Portuguese Judiciary Police, which include the analysis of inks, printing devices, papers, among others.



These analyses may provide a direct correlation between the document and the place where it was produced or altered. The complexity and degree of difficulty of these analyses rises when the correlation to the suspect or the crime scene is carried out through the characterization and or identification of materials. The main purpose of this paper is to illustrate two of these cases in which advanced analytical techniques were used to achieve the intended result.

EXPERIMENTAL

Instrumentation

The samples were optically examined using a Zeiss Discorery.V12 microscope to identify any significant morphological characteristics. The Foster+Freeman Video Spectral Comparator (VSC) 5000 was used to study the absorbance/fluorescence reaction from suspicious material.

A high-pressure gradient system was used, consisting of an Agilent 1100 liquid chromatograph with diode array detector and manual injection system equipped with a 20 μ l loop. Separation was performed on a C₁₈ Alltima column (7 \times 53 mm i.d., 3 μ m) protected by a 7.5 \times 4.6 mm i.d. guard column. The mobile phase, consisting of a mixture of aqueous

phase (containing tetrabutylammonium hydrogen sulfate (TBAHS) and citric acid-1-hydrate) and acetonitrile, was delivered at a flow rate of 2.0 mL min⁻¹. ChemStation for LC 3D systems software was used for data acquisition and processing.

FTIR spectra were collected in transmission mode using a ThermoNicolet FTIR spectrophotometer (standard resolution 0,5 cm⁻¹) coupled to a Nicolet Continuum model microscope with a MCT (mercury–cadmium–telluride) detector (spectral range 11700–600 cm⁻¹, D* 4,7E10, R_y 750V/W). Under an optical microscope some particles were removed from the suspect material, using a scalpel. In order to obtain a suitable thickness the samples were placed into a Thermo Spectra-Tech compression micro-cell with a 1.8 x 1,8 mm diamond window working area. The IR spectra were obtained in the absorbance format at 8 cm⁻¹ resolution and 75 scans in the range of 4000–650 cm⁻¹. ThermoNicolet OMNIC software was used for data acquisition and processing.

SEM-EDX analyses were performed with a Zeiss EVO 50 coupled with an IncaX-sight EDX system from Oxford Instruments. The EVO 50 is a thermionic emission SEM (0–30keV) with a tungsten filament and is equipped with both SE and BSE detectors. The EDX system uses a SiLi detector with a resolution of 133eV at 5,9keV. Samples were carbon coated.

Reagents

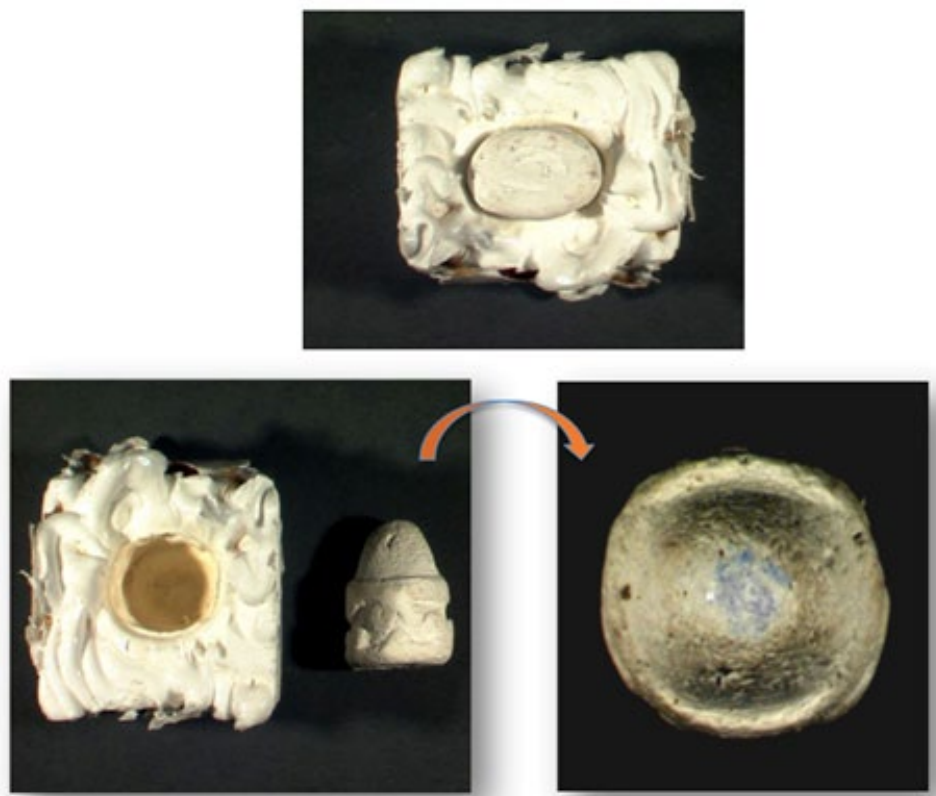
All solvents and chemicals used were analytical grade: methanol (≥ 99.9 % - gradient grade for liquid chromatography) from Merck, water for chromatography from Merck, acetone p.a. (≥99.8 %) from Merck, acetonitrile (≥99.9 % - gradient grade for liquid chromatography) from Merck, Crystal Violet certified (dye content 91 %) from Aldrich, tetra-n-butylammonium hydrogen sulfate for synthesis (≥98 %) from Merck and citric acid monohydrate p.a. (99.5–100.5 %) from Merck.

Results and discussion

Case 1 — Determination if a certain object can be used to erase / delete / tamper data documents / checks.

During the criminal investigation of a documents' falsification case, a gypsum object with traces of an unknown blue substance was found in the house of a bank checks counterfeiting suspect.

Figures 2, 3, 4 — Images of the analyzed objects, magnified 2x and 6x (last image) and obtained with natural lighting.



The characteristics of the seized items suggested that they probably could belong to a set of molding tools. The tip of one of the objects showed traces of a blue colored substance, resembling ink (see Figures 2-4).

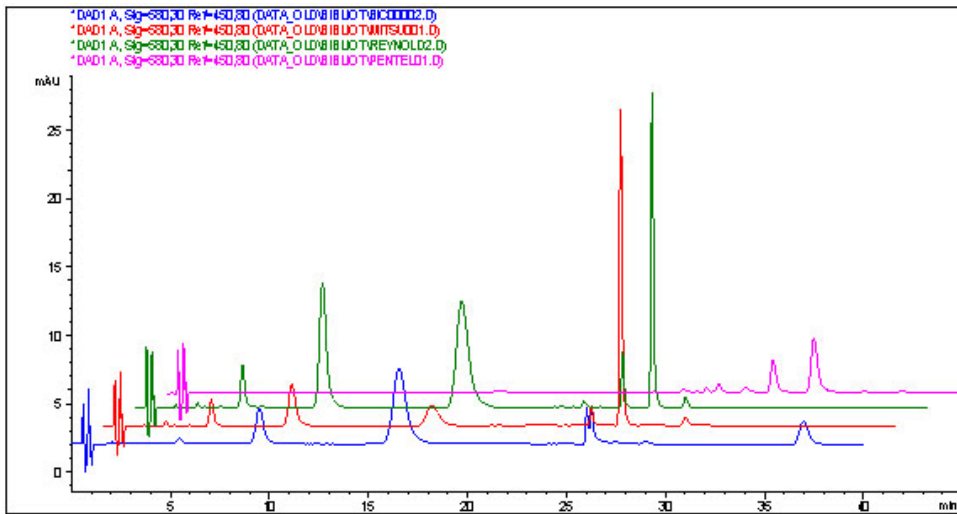
Taking in account the observed morphology, it was necessary to use a chemical analysis technique that allowed the correct identification of the class characteristics of the substance in question.

Despite the scarcity of the traces under analysis, high-performance liquid chromatographic (HPLC) method has been used. The suspicious sample was dissolved in a methanol/acetone solution and analyzed by ion pair chromatography using standard reversed phase columns.

This technique was selected considering the probability that the sample included widely different components (mixtures of acidic and basic analytes). The mobile phase consisted

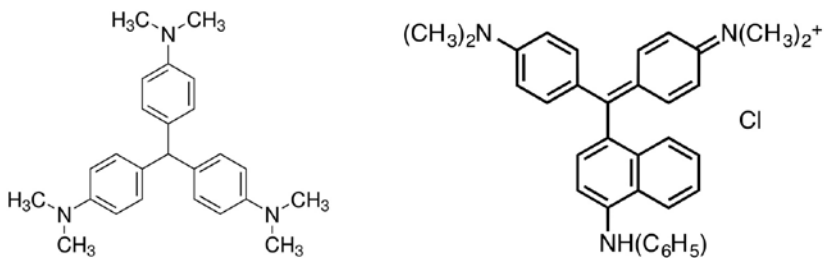
in a buffer solution, to which an ion pair reagent (tetrabutylammoniumhydrogensulfate and Citric acid-1-hydrate) was added at low concentration. The obtained chromatogram was compared with our library (see Figure 5) allowing us to conclude that the blue colored substance deposited on the object in question had similar class characteristics to some components usually present in ballpoint pen inks.

Figure 5 — Chromatograms of some blue ballpoint inks brands existing in the Portuguese market (Mitsubishi – red line, Reynolds – green line, Bic – blue line, Pentel – pink line).



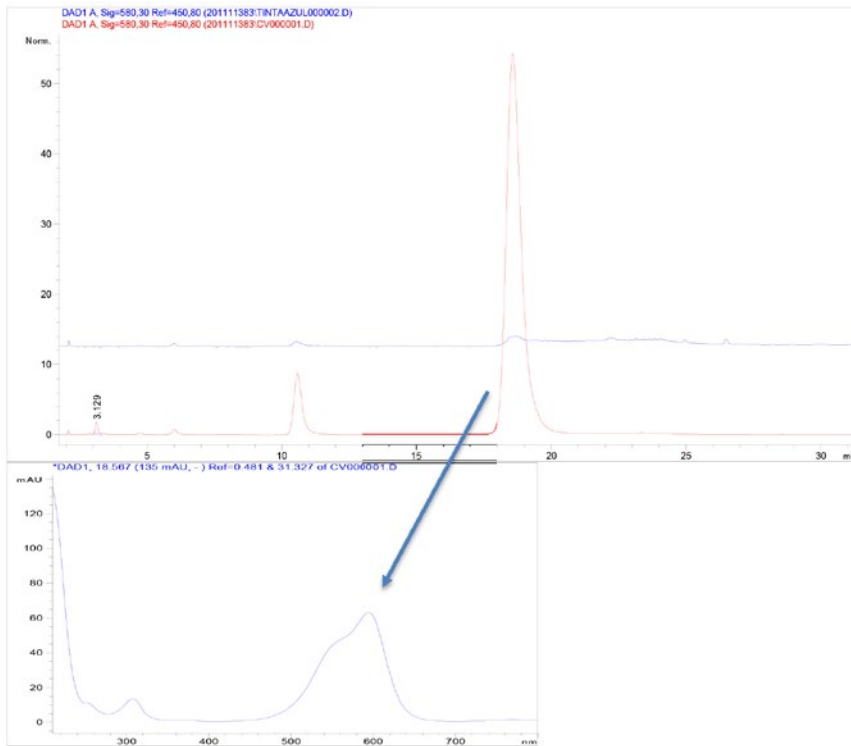
These type of inks are generally constituted by dyes (eg. Crystal Violet- see Figure 6, Victoria Blue B- see Figure 6, Phtalocyanine, Methyl Blue, Methylene Blue Trihydrate, Acid Blue 1) dissolved or in suspension in solvents (eg. fenoxiethanol) and resins (eg. polyvinyl acetate - PVA and polyvinyl chloride - PVC).

Figure 6 — Hexamethyl-para-rosaniline chloride (Crystal Violet) and Victoria Blue B dyes structures.



In order to obtain a more robust result, the peaks within the chromatogram needed to be assigned to a known component so, in this case, we injected one dye and assigned the peaks in the chromatogram based on the retention time of this standard. The analysis was performed with a selective detector, diode-array (spectral range 11700-600 cm^{-1} , D* 4,7E10, R γ 750V/W), which assists in identification by producing UV-VIS spectra, using Crystal Violet dye (see Figure 7).

Figure 7 — Chromatogram of the standard dye (red line) and the suspicious sample (blue line) and the UV-VIS spectra of Crystal Violet dye.



A qualitative identification of the component hexamethyl-para-rosalinine (Crystal Violet) was possible and, therefore, the analytical results allowed us to conclude that this substance had similar class characteristics to a ballpoint blue ink.

These results and the abrasive properties of the object lead to conclusion that the object in question could in fact have been used to erase data in bank checks. This kind of tampering is very common and involves the superimposition and/or addition of features, obliteration and insertion of new entries or signatures not only of bank checks (see Figure 8) but also in other various types of documents such as invoices and contracts.

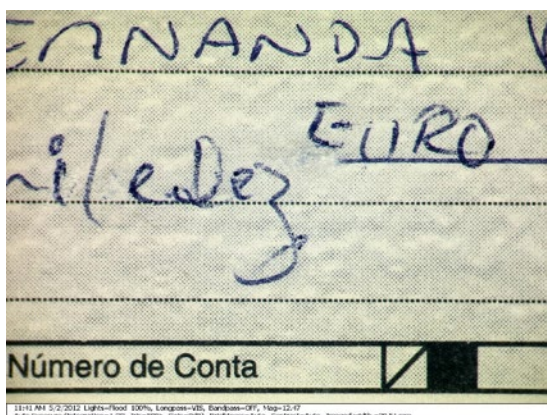


Figure 8 — Partial image of a check, enlarged and obtained with white light, where traces of mechanical erasure in the document filling are visible.

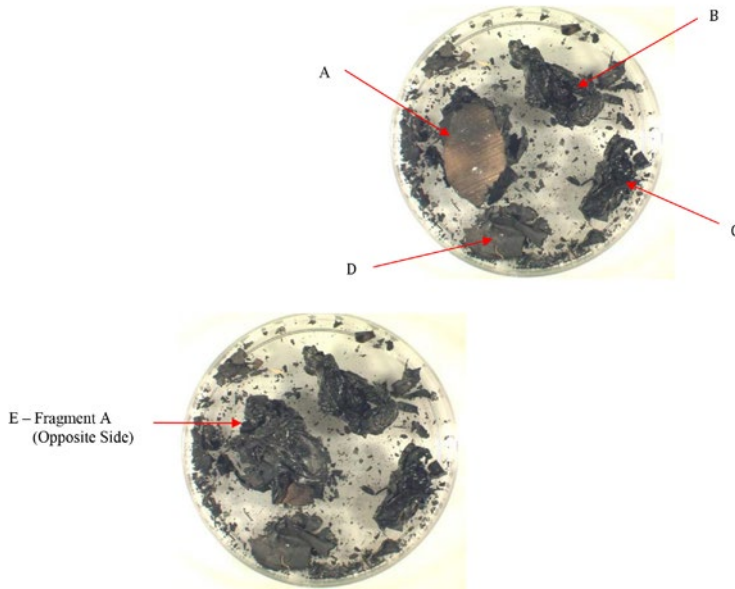
Case 2 — Suspicious material found in a fire. In this particular case it was important to find out if it is part of a newspaper.

Some partially charred material of suspicious origin was found at the fire starting point in a burned forest area. In the course of the investigation a person admitted to have been responsible for starting the fire and confessed to have done it with a newspaper. However, other elements pointed that this confession was not genuine. Thus, it was important to determine if the material had indeed or not class characteristics that could be correlated to newspapers. The material was properly packed and sent for analysis (see Figure 9, 10).



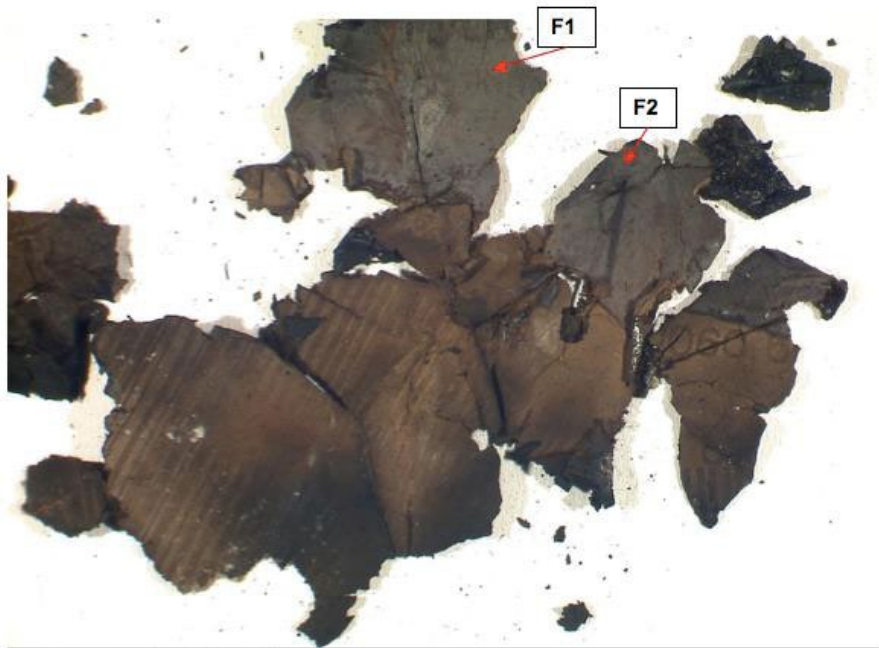
Figure 9 — Enlarged image of the material sent for analysis, obtained with natural illumination.

Figure 10 — Enlarged images obtained with natural light, where the various constituent fragments of the material in question (A, B, C, D and E) are visible.



The partially charred material was humidified in a specific camera so that the various constituent parts could be separated. Different structures were observed corresponding to different types of materials (see Figure 11).

Figure 11 — Image magnified 5x and obtained with white light, where the fragments A, D and F are visible, after the material has been humidified and disaggregated. F1 and F2 belong fragment F.



The observed morphology led to the suspicion that the pattern of stripes and numbers observed in fragment A could have been a barcode (see Figures 12-13).



Figure 12 — Image of fragment A magnified 18x and obtained with white light, after the material has been humidified and disaggregated, in which traces of numbering are visible.

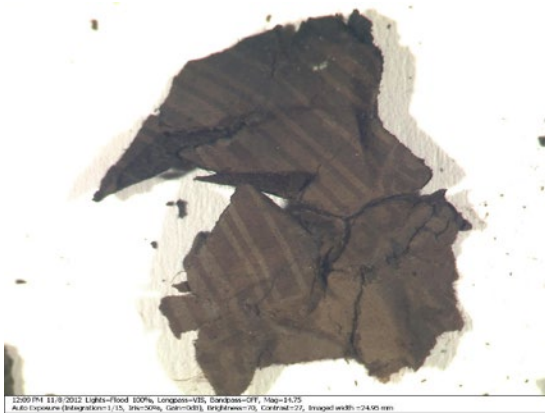


Figure 13 — Image of fragment D magnified 15x and obtained with white light, after the material has been humidified and disaggregated, in which traces of a numbering and stripe pattern are visible.

Due to the condition of the sample it was not possible to restore the original characters or reading of the code. Once traces of characters in some of the fragments were found, the absorption and fluorescence reactions were studied by illuminating these materials with different light sources: UV, IR and visible light in an attempt to find more traces of the original characters (see as an example, Figure 14 where traces of printed characters are displayed).

Figure 14 — Image of fragment F1 magnified 15x and obtained with green light (bandpass: 445-590 nm and longpass: 648 nm).



The analysed material was compared with several portuguese newspapers, including Expresso, Diário de Notícias, Diário Económico, Público, Record, Correio da Manhã and Le Monde Diplomatique (portuguese edition). The measurement of the barcodes height revealed that the observed barcode height was different from the height of the barcodes in the mentioned newspapers (see Figure 15 and Table 1) so further analyses needed to be performed.

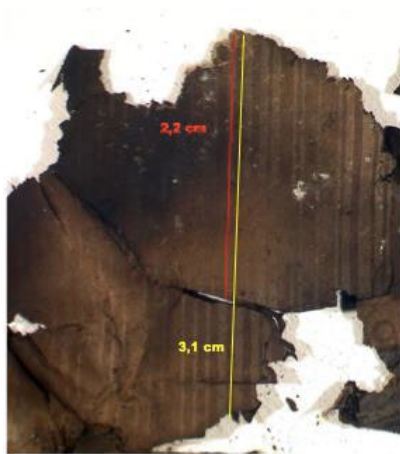


Figure 15 — Image of fragment A magnified 8x and obtained with white light, in which the heights of the stripe pattern are visible.

Table 1

Maximum height of barcodes contained in some of the major newspapers existing on the Portuguese market

Newspaper	Barcode maximum height (cm)
Correio da Manhã	1.2 ± 0,1
Record	1.5 ± 0,1
Expresso	0.8 ± 0,1
Público	0.8 ± 0,1
Diário Económico	0.8 ± 0,1
Diário de Notícias	1.6 ± 0,1
Le Monde Diplomatique (portuguese edition)	1.0 ± 0,1

A controlled burn of Expresso, Diário de Notícias, Diário Económico, Público, Record and Correio da Manhã newspapers was carried out. Analysis of the burned papers and the charred material was performed by Fourier Transform Infrared Spectroscopy (FTIR). The infrared spectra of the observed materials and the ones for comparison, obtained by transmittance using a diamond cell, were compared with those contained in the available databases (Sprouse Polymers by Transmission, Coatings Technology, Aldrich polymers, Aldrich

Condensed Phase, Polymer Additives and Plasticizers, Rubber Compounding Materials, Commercial Materials Polypropylene Additives, Commercial Materials Painter Minerals, Synthetic Fibers Library e Hummel Polymer and Additives). Using these infrared spectral libraries, as well as standard structural diagnosis techniques, the type of material was assigned to the different fragments in analysis. Nevertheless, we should mention that IR analysis just gives an indication of the material present in the samples.

The fibers observed in fragment A presented similar spectral class characteristics to cellulose (see Figures 16 and 17).

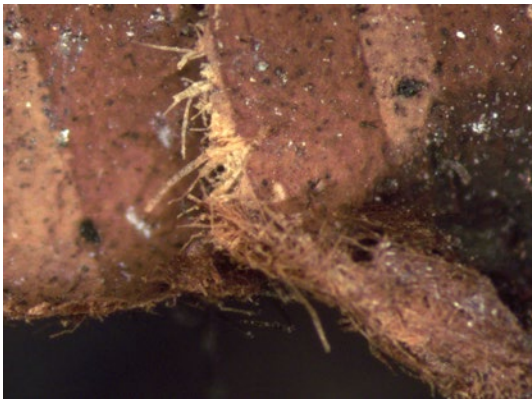
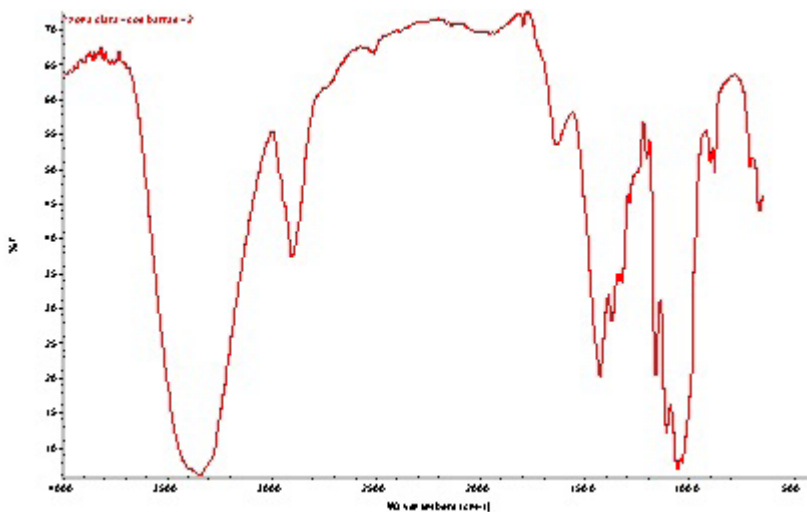


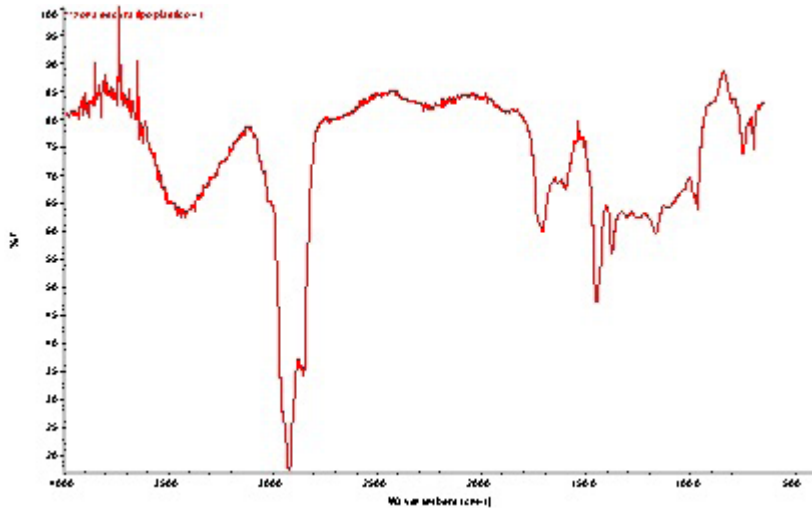
Figure 16 — Image magnified 30x and obtained with white light, in which some constituent fibers of fragment A material are visible.

Figure 17 — Transmittance spectrum of the constituent fibers of fragment A

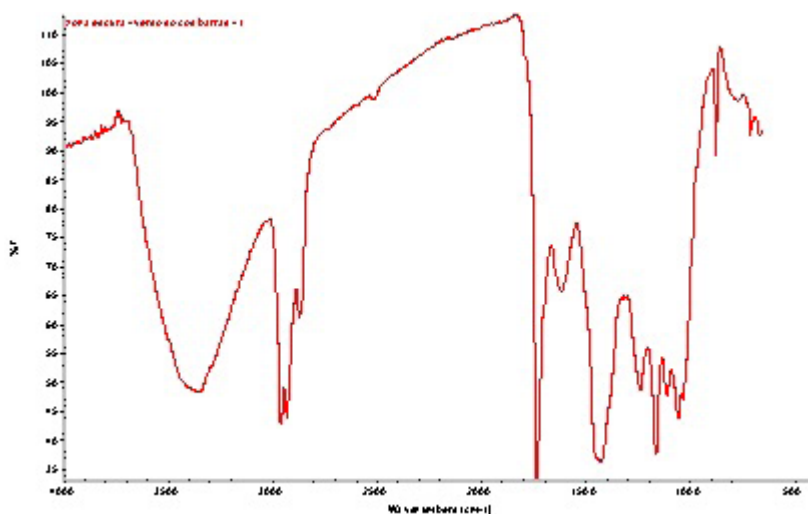


Fragments B and C presented similar spectral class characteristics to the resins and oil bases usually present in plastics, for eg. dimethylnaphthalene formaldehyde resin.

Figure 18 — Transmittance spectrum of the constituent material of fragments B and C



Fragment D had the spectral class characteristics of some minerals and pigments, such as iron oxide and aluminum silicate. Fragments F1 and F2 had similar spectral class characteristics to those of aluminum silicate. These compounds have a wide range of applications, in particular widely as components of ink systems, due to their electrical and optical properties and can be used as an additive to titanium dioxide white pigment. The back of fragment A had spectral class characteristics similar to those of certain acrylic polymers used in adhesives, coatings and inks, such as the poly(2-ethylhexyl acrylate).

Figure 19 — Transmittance spectrum of the constituent material of the back of fragment A

Based on the optical and spectroscopic analysis, it was concluded that the fragments of the suspicious material had different morphological and spectral class characteristics from the newspapers burned for comparison (Record, Correio da Manhã, Diário de Notícias and Expresso).

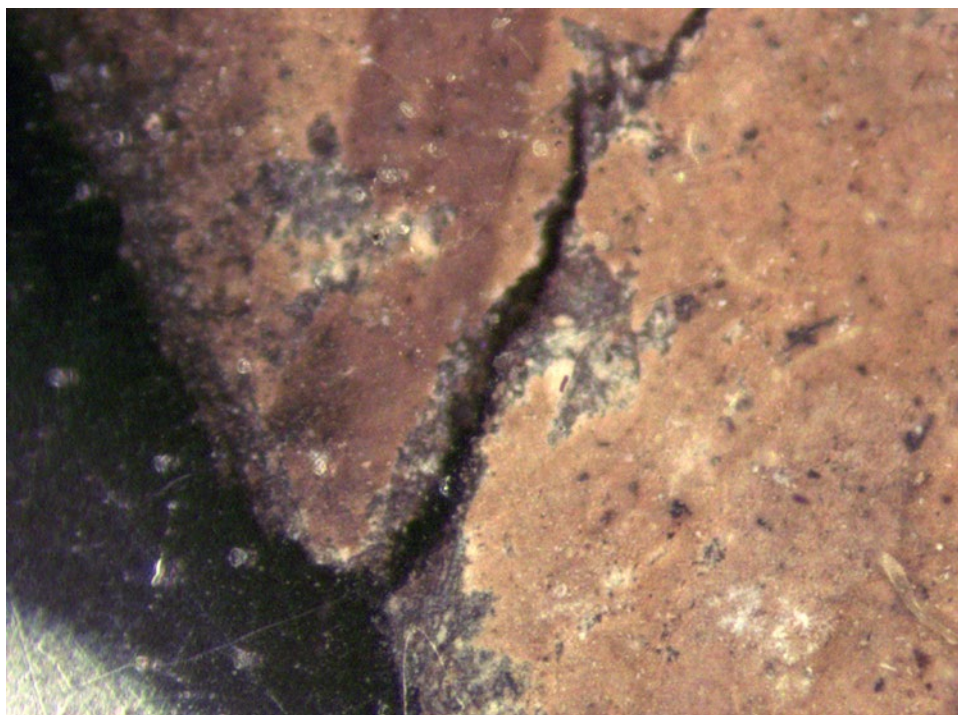
In order to obtain more information to characterize these fragments we also used Scanning Electron Microscopy with Energy Dispersive X-ray Spectrometry (SEM-EDX). This is one of the most powerful tools a forensic scientist can use to classify and discriminate evidence material due to its ability to simultaneously examine the morphology and the elemental composition of objects. Also, by the variation of the accelerating voltage, in-depth elemental composition information can be obtained.

The analysis was performed at 25kV using a beam current of 707pA (EDX detector resolution 133eV at 5,9keV) and revealed that fragment A had a different elemental composition from the newspapers burned for comparison (Record, Correio da Manhã, Diário de Notícias and Expresso). While this fragment was mainly composed by aluminum (Al), silicon (Si), chlorine (Cl), calcium (Ca) and titanium (Ti), the burned newspapers' samples included essentially aluminum (Al), silicon (Si) and calcium (Ca) (see Table 2). Due to matrix nature of the samples, no quantitative analyses were performed.

Table 2

Elemental analysis of suspect and comparison materials obtained by SEM-EDX

Samples	Elemental Analysis				
	Al	Si	Cl	Ca	Ti
Suspect material (coating)	✓	✓	✓	✓	✓
Suspect material (fibrous zone)	✓	✓	---	✓	---
Diário de Notícias Newspaper	✓	✓	---	✓	---
Expresso Newspaper	✓	✓	---	✓	---
Record Newspaper	✓	✓	---	✓	---
Correio da Manhã Newspaper	✓	✓	---	✓	---

Figure 20 – Image magnified 40x and obtained with white light, showing the coating of the material from fragment A

Titanium can be produced in the form of titanium oxide and is used as a white pigment in the production of inks and paper. This molecule is quite resistant due to the oxide which acts as a protective layer on the titanium surface, allowing it to support high temperatures.

Considering all the above results, it was concluded that the partially charred material in question consisted essentially of paper fragments and polymeric material fragments. The performed observations and analysis suggests that at least some of the type of material found at the fire starting point, had class characteristics that could be correlated to adhesive tag(s) and also that they were different from what would have been the result of the burning of newspapers.

Conclusions

The justice system acts directly on the crime prevention and fight, therefore it requires the unequivocal discovery of the material truth of the facts, the identification of the offenders and their relationship to crime. Based on this need, it is necessary to apply all available means to ascertain this material truth. Forensic science acts accordingly. In western judicial systems, the technical and scientific conclusions of a forensic expert analysis provide evidence to the court.

The analytical results obtained in both cases described herein show the added value that a forensic expert analysis can have in criminal investigation. In the first case, it allowed to correlate the materials seized from the suspect to the crime of forgery of checks. In the second case, the possible characterization of the charred materials, in conjunction with other evidence, led to the investigation of the real arson's suspect.

References

- Almeida Assis, A. C.; Barbosa, M. F.; Valente Nabais, J.M.; Custódio, A.F. & Tropecelo, P., (2012) Diamond cell Fourier transform infrared spectroscopy transmittance analysis of black toners on questioned documents. *Forensic Science International*, 214 (1-3), pp 59-66.
- Andrasco, J. (1996) Microreflectance FTIR techniques applied to materials encountered in forensic examination of documents. *Journal of Forensic Science*, 41 (5), pp 812–823.
- Andrasco, J. (2001) Changes in composition of ballpoint pen inks on aging in darkness. *Journal of Forensic Science*, 47(2), pp 324-327.
- Andrasco, J. (2001) HPLC Analysis of Ballpoint Pen Inks Stored at Different Light Conditions. *Journal of Forensic Science*, 46(1), pp 21-30.
- Chen, H-S., Meng, H.-H.. & Cheng, K--C. (2002) A survey of methods used for the identification and characterization of inks. *Journal of Forensic Science*, 1, pp 1-14.
- Ezcurra, M., Góngora, J., Maguregui, I. & Alonso, R. (2010) Analytical methods for dating modern writing instrument inks on paper. *Journal of Forensic Science International*, 197, pp 1-20.
- Hofer, R. (2004) Dating of Ballpoint Pen Ink. *Journal of Forensic Science*, 49(6), pp 1-5.
- Lyter, A. H. III, (1982) Examination of Ball Pen Inks by High Pressure Liquid Chromatography. *Journal of Forensic Science*, JFSCA, 27, pp 154-160.
- Zadora, G. & Brožek-Mucha, Z. (2003) SEM–EDX—a useful tool for forensic examinations. *Materials Chemistry and Physics*, 81 (2–3), pp 345–348.



The Working Group Against Hate Crimes: a unique good practice in Hungary

András L. Pap (1)

Centre for Social Sciences, Hungarian Academy of Sciences for Legal
Institute for Sociology, Slovak Academy of Sciences
Faculty of Law Enforcement, National University of Public Service,
Hungary



Abstract (2)

The essay provides an overview of a unique and innovative cooperative initiative by an NGO-coalition to monitor and strengthen law enforcement responses to hate crimes and to identify new tools in the fight against hate incidents in Hungary. The Working Group Against Hate Crimes, in close collaboration with national and local police, conducts research, delivers opinions on legislation, develops curricula, designs training and education modules, and partakes in regular case-analysis with officers.

Keywords:

Hate crimes, Hungary, NGO

(1) Correspondence email: pap.andras.laszlo@uni-nke.hu

(2) Based on the presentation to the 2017 CEPOL Research and Science Conference “Innovations in Law Enforcement”.

Inspired by the energizing discussions on the subject matter at the Budapest CE-POL 2017 Research and Science Conference, the following few pages will introduce a unique Hungarian good practice, a novel NGO-coalition initiative working in close and successful collaboration with all participants of the criminal justice system: police, prosecutors and judges.

It needs to be added that with Hungary's determined and widely documented drifting into illiberalism (Pap 2017) with a subsequent anti-NGO, especially anti-human rights NGO rhetoric and policies (HHC 2017, Zalan 2017, Independent 2017) on behalf of the government such cooperation becomes more and more a rarity. Events like the conference organized under the auspices of the NGO-coalition in November 2017 ⁽³⁾ in collaboration with the National University of Public Service with the participation of almost 100 law enforcement officers, prosecutors and judges are exceptional in Hungary.

The *Working Group Against Hate Crimes* (Gyűlölet-bűncselekmények Elleni Munkacsoport, GYEM) was formed in January 2012, when five Hungarian human rights NGOs joined forces for a more effective approach against hate crimes. There has been a fluctuation among some members, currently four of the founders are active:

- Amnesty International Hungary, the Hungarian chapter of the international NGO fighting for the recognition of human rights;
- Háttér Society, a support provision NGO fighting for equal rights and social acceptance for LGBTQI people;
- the Hungarian Helsinki Committee, an NGO aiming to protect human rights and constitutional values, and ensure justice for the oppressed, refugees and detainees;
- and the Hungarian Civil Liberties Union (TASZ), an NGO fighting against undue interference and misuse of power, and striving to educate citizens about their basic human rights and to ensure their enforcement.

Besides the representatives of these organizations, individual academic experts (such as the author) also take part in the work of the working group. ⁽⁴⁾

The Working Group is not a legal entity, it is hence ineligible for applying for separate funding, which makes its achievements particularly noteworthy. The Working Group's principal objective is to fight hate crimes.

⁽³⁾ <http://gyuloletellen.hu/aktualitasok/konferencia-meghivo-hatekony-allami-valaszok-gyulolet-buncselekmenyekre>

⁽⁴⁾ See the website: <http://gyuloletellen.hu/munkacsoport>

According to its strategy ⁽⁵⁾, to achieve this, it follows the following goals:

- Establishing a more effective legal and institutional framework for state responses to hate crimes;
- encouraging victims to initiate legal proceedings;
- creating a social environment rejecting hate crimes.

Its activities are, thus, manifold:

- The Working Group regularly delivers opinions on draft laws and makes proposals to strengthen state responses to hate crimes.
- The Working Group conducts research to better understand the phenomenon of hate crimes and to identify new tools in the fight against hate incidents. Its members actively contribute to academia. Its members and the Working Groups itself is active in monitoring and preparing (shadow) country reports. For example, it prepared a submission for the UN Universal Periodic Review (UPR) of Hungary in April 2016 (GYEMUPR 2016).
- The Working Group develops curricula and conducts training programs for professionals dealing with hate crimes. Several of its activities have, for example been included in the European Union Agency for Fundamental Rights' (FRA) 2017 annual report. (FRA 2017: 82, 85)
- The NGOs participating in the working group provide legal advice and representation free of charge for victims of hate crimes before authorities and courts.
- The Working Group also fosters good professional relations with NGOs, the police, the public prosecutor's office, other authorities and the judiciary. It is noteworthy that despite the fact that some member NGO's are active in representing clients against the police, and for example all of the successful hate crime-related cases before the European Court of Human Rights which found Hungary in violation of the European Convention on Human Rights have been argued by Working Group members, this non-confronting approach and activity works well, and the very authorities that are opposing parties in legal proceedings are open and appreciative in several parallel relations.

The Working Group provides an example for constructive criticism in relation to law enforcement authorities, defying the stereotype that human rights NGOs are opponents and obstacles to policing. For example, in the above mentioned UPR submission, the Working Group calls for the improvement of police officers' working conditions and financial position:

"On 1 January 2012 a special hate crime network at the National Police was established to effectively tackle hate crimes in Hungary. Police officers in every county were appointed to

⁽⁵⁾ http://gyuloletellen.hu/sites/default/files/gyem_strategia_final_2016_2019.pdf

coordinate the hate crime related investigations, but none of them operate in full time, this sort of work is an additional task for them without any further resources allocated. Appointment to a hate crime officer does not depend on special hate crime related expertise... (the Working Group) calls on the government of Hungary to take effective measures to provide compensation and extra time for them to carry out their duties” (GYEM UPR 2016).

As a result of the Working Group’s lobbying efforts, for example, in the new Criminal Code that entered into force in July 2013, the provisions on hate speech and hate crime explicitly protect groups based on sexual orientation, gender identity and disability, and the law still penalizes preparation of hate crimes.

Between 2012 and 2014 the Legal Defense Bureau for National and Ethnic Minorities, a former member of the Working Group, implemented a project in partnership with the Hungarian Helsinki Committee and Háttér Society titled “Creating a National Hate Crimes Strategy and Action Plan”. During the project, the organizations held open forums for members of vulnerable groups (Roma, LGBT, migrants) in order to receive up to date and genuine information from those who are the most frequent victims of hate crime in Hungary. The Working Group conducted over 25 in depth interviews with police officers, prosecutors, judges and victim support officers, and held 10 public forums with the members of potential victim groups. Personal interviews were conducted with stakeholders (police officers, prosecutors, judges, victim support officials, representatives of ministries) to gain information relating to hate crimes. Working Group meetings were also set up with participants from NGOs and government agencies to discuss a national strategy and action plan combating hate crimes. The Working Group gained information also through needs assessment interviews conducted by the Hungarian Helsinki Committee between February-April 2015 in the framework of the EU funded project titled „Increasing the Capacity of Law Enforcement Authorities to Tackle Racist Crime, Hate Crime and Homophobic Crime through Experiential Learning. The interviews provided information from the target groups of judges, prosecutors, police officers and legal professionals.

Furthermore, the Working Group

- translated the investigation guidelines of the International Association of Chief of Police (IACP) to Hungarian. (IACP 2013) The Working Group also assessed the implementation of the UN recommendations for Hungary related to the issue of hate crimes;
- developed a set of recommendations on reforming data collection and guidelines on the data protection aspects of the bias motivation indicator guidelines the Working Group assembled for the police, (Indikátorok, 2017) and a compilation of the hate-crime related case-law of the European Court of Human Rights (Borbála et al 2016);

- assembled a collection of law enforcement problems in hate crime procedures in Hungarian and in English (GYEM Problems 2016) ⁽⁶⁾;
- wrote a comprehensive commentary to the Hate Crime provision of the new, 2012 Criminal Code (Dorottya et al, 2013);
- organized professional conferences in collaboration with the Law Enforcement Subcommittee of the Hungarian Academy of Sciences, the Hungarian Association of Police Science and the Faculty of Law Enforcement of the National University of Public Services;
- continuously develops and facilitates training programs: it has trained 60 prosecutors, 25 defense lawyers and more than 600 police officers, including all members of the front line police hate crimes network, and police chiefs of Budapest districts. At several instances, following consultations, law enforcement agencies had actually revised legal classifications in several cases. Working Group members hold regular meetings and engage in case-analysis with members of the special hate crime network; engage in proactive communication with the coordinator of the group.

News on the work of the Working Group appear frequently in the media, just as members, who continue to provide legal representation (in domestic and international litigation), as well as improving victims' support by communicating proactively with state and NGO victim support services. The Working Group's website is regularly updated, containing member organizations' cases and press releases on activities and positive developments.

Also, the Working Group maintains a collection of domestic hate crime case-law, along the monitoring and maintaining of an up to-date database on hate crimes in the media. The number of visitors to the website constantly increases, just as the number of requests from victims (seeking advice of legal representation) to the Working Group and its member organizations, and the scope of protected groups covered gradually expands. Stories of cases with a positive outcome for the victim also regularly appear on the website. The research of the Working Group includes underreporting.

The Working Group adopted and published its bye-law, has an annual operational plan (reviewed every three months), and reviews its strategic goals annually ⁽⁷⁾ and sends newsletters every three months to the increasing number of subscribers.

⁽⁶⁾ The cases, processed with a standardized method are published in anonymized form on the website of the Working Group. Based on the analysis of the cases, the following typical issues were identified: under-classification, failure to take police, failure to take investigative steps, restricted access to a legal remedy.

⁽⁷⁾ The Working Group has a staff member ("whacker") in charge of monitoring the completion of tasks.

References

- Borbála, I., Jovánovics, E. & Kirs, E. (2016) *Az Emberi Jogok Európai Bíróságának joggyakorlata a gyűlölet-bűncselekmények kapcsán folytatott büntetőeljárások tárgyában*. Budapest: GYEM. Available at http://gyulotellen.hu/sites/default/files/gyem_ejbjoggyak.pdf.
- Dorottya, Á., Dombos, T., Jovánovics, E., Toth, M. B., Pap, A. L. & Udvari M. (2013) Közösség Tagja Elleni Erőszak -Alternatív Kommentár, *Fundamentum* (4):79-92. Available at <http://fundamentum.hu/sites/default/files/fundamentum-13-4-10.pdf>
- FRA (2017) Fundamental Rights Report 2017, European Union Agency for Fundamental Rights (FRA).
- GYEM Problems (2016) Law enforcement problems in hate crime procedures The experiences of the Working Group Against Hate Crimes in Hungary, available at http://gyulotellen.hu/sites/default/files/ejk_casesummary.pdf
- GYEM UPR (2016) Working Group Against Hate Crimes (gyem): submission to the UN Universal Periodic Review of Hungary, September 2015, available at <http://gyulotellen.hu/sites/default/files/gyemupr2016.pdf>
- HHC (2017) Authorities terminated cooperation with the HHC, Hungarian Helsinki Committee, available at <https://www.helsinki.hu/en/authorities-terminated-cooperation-agreements-with-the-hhc>
- IACP (2013) Rendőri Vezetők Nemzetközi Szervezete (IACP) A gyűlölet-bűncselekmények kezelése: rendőri irányelvek a nyomozáshoz és a megelőzéshez, International Association of Chiefs of Police: Responding to Hate Crimes: A Police Officer's Guide to Investigation and Prevention, available at http://gyulotellen.hu/sites/default/files/iacp_gyulotetbcs_hu.pdf
- Independent (2017), UN condemns Hungary's new law targeting foreign-funded NGOs for 'chilling effect' on freedoms and scrutiny, retrieved from <http://www.independent.co.uk/news/world/europe/hungary-foreign-funding-ngos-law-bill-un-condemns-viktor-orban-george-soros-open-society-foundations-a7739491.html>
- Indikátorok (2017) Előítélet-indikátorok, available at http://gyulotellen.hu/sites/default/files/gyem_indikatorlista_haromolozopos_vegleges.pdf
- Pap, András L. (2017) *Democratic Decline in Hungary*, Routledge.
- Zalan, E. (2017) Hungary's NGOs to fight crackdown law. In: euobserver, 13 June. Retrieved from <https://euobserver.com/beyond-brussels/138215>

A Contemporary Concept of Management of an Anti-Corruption Authority

Rumen Valchev Ganev
Krasimira Venelinova Vasileva (1)

Internal Security Directorate of the Ministry of Interior,
Bulgaria



Abstract

During the last decade good governance became a paradigm, allowing the values and standards of democracy, human rights and the rule of law to be applied in practice. It is included as an European citizens right in the current Treaty on the Functioning of the European Union and in the Charter of Fundamental Rights of the European Union, and it contains, in a direct or a synthesis form, most of the other rights. As a guiding principle in the administrative practice of EU, good governance obliges institutions in the Union to respect certain principles and rules of conduct in their relations with the public. Based on a review of the concept of good governance at European and national level, the authors present an innovative model of good governance and its practical involvement in the governance of the Internal Security Directorate of the Ministry of the Interior. This model includes: basic principles, a development cycle and good governance of the Directorate. They were developed taking into account the very specific jurisdiction, functions and responsibilities of the Directorate as an anti-corruption body of the Mol of Bulgaria.

The made analysis shows that good governance is applicable in the strictly regulated internal security administration and its implementation contributes to increasing the efficiency of the work of the ISD-Mol as an anti-corruption authority. The inclusion of good governance is a response of the ISD-Mol of its present and future requirements as an anti-corruption body, respecting the principles, legality, values and norms of the society.

Keywords:

governance of an anti-corruption authority, good governance – principles, cycle, functions.

(1) Corresponding author's email: KVasileva@mvr.bg

INTRODUCTION

A highly appropriate model is the key to good results in each area, and especially when the objective is to overcome one of the ulcers of our society – corruption. The European Commission admits that the solution to some problems related to corruption lies solely within the competence of the Member States (European Commission, 2014). Ensuring the management of the police structures to meet the guidelines of the contemporary development of our country as a full-fledged member of the European Union and NATO, as well as to respond to the new challenges to ensure security and fights against crime, requires applying and adapting modern tools, which ensure *good governance* and as a consequence achieving a good quality.

Good governance became a paradigm during the last decade, allowing the values and standards of democracy, human rights and the rule of law to be applied in practice (European Council, 1991 ⁽²⁾). However, it does not depend on centrally imposed decisions but on creating and adapting of working models in the administrative units, which regulate each other and thus provide the preconditions for a sustainable development of the country.

EUROPEAN DIMENSION OF GOOD GOVERNANCE

First definitions of *good governance* are found in the European Council Resolution from 28 December 1991 of Human Rights, Democracy and Development. There are recorded the basic principles that characterize it: serious economic and social policies, democratic decision-making, adequate government transparency and financial accountability, creating an environment conducive to market development, taking measures to combat corruption, and respect for the rule of law, human rights and freedom of the press and expression.

Good governance is announced and in UN official documents:

- Code of Conduct for Law Enforcement Officials ⁽³⁾;
- The Role of Good Governance in the Promotion and Protection of Human Rights ⁽⁴⁾;
- UN Convention Against Transnational Organized Crime ⁽⁵⁾;
- UN Convention Against Corruption ⁽⁶⁾,

Developing the concept of good governance the European ministers of the member states of the Council of Europe declared in 2005 that "effective democracy and *good governance*

⁽²⁾ Resolution of Council and Member States, meeting within the European Council at 28.11.1991

⁽³⁾ Resolution 34/169 of 17 December 1979 of UN

⁽⁴⁾ Resolution 2005/68 of Human Rights Council of UN

⁽⁵⁾ Adopted by the UN General Assembly: 15 November 2000, Resolution 55/25

⁽⁶⁾ Adopted by the UN General Assembly: 31 October 2003. Resolution 58/4

at all levels are essential for preventing conflicts, promoting stability, facilitating economic and social progress, and hence for creating sustainable communities where people want to live and work, now and in the future" (Council of Europe, 2005). They agree on 12 principles of *good governance* (Committee of the Ministers of Council of Europe 2008), which are included in the European Strategy for Innovation and Good Governance at Local Level (Council of Europe, 2007).

Within the framework of the governance process, the European Commission puts a particular emphasis on the concept of *good governance* (Commission of the European Communities, 2001) and includes five European principles in its basis: openness, responsibility, accountability, efficiency & effectiveness, consistency & coherence. They support democracy and the rule of law in the EU Member States and should be applied at all levels of governance.

The *good governance* concept was announced as a key in the administrative practice of the European Union and requires Union institutions to follow certain rules of conduct in their interaction with the public. Article 15 of the current Treaty on the Functioning of the European Union promotes *good governance* in the work of the Union's institutions, bodies, offices and agencies, while ensuring the principle of openness and the participation and inclusion of civil society (European Commission, 2012). Article 41 of the Charter of Fundamental Rights of the European Union lays down the right of every person to have his or her affairs handled impartially, fairly and within a reasonable time by the administration (EU, 2010). The inclusion of *good governance* in this fundamental document in the form of a human right is unprecedented in the history of Europe.

Good governance is laid down as a necessary requirement for all levels of public administration in European Union. Its principles are established as a mandatory condition for the development of administrative units in the Member States.

GOOD GOVERNANCE AND THE MINISTRY OF INTERIOR OF REPUBLIC OF BULGARIA

On the basis of the recommendations made by the European Commission through the main instruments and mechanisms at the disposal of the EU to prevent and combat corruption, and also by relying on the European experience, the Ministry of Interior /Mol/ of Republic of Bulgaria developed and adopted a National Strategy for Preventing and Countering Corruption in the Republic of Bulgaria, 2015–2020, an Integrated Strategy to Prevent and Counter Corruption and Organised Crime and a Concept to Prevent and Counter Corruption within the Mol, 2016–2020. These establish the principles of *good governance* as one of the key priorities in order to achieve genuine and lasting results in preventing and countering corruption within the structures of the Mol of Bulgaria.

THE MODEL OF GOOD GOVERNANCE OF THE INTERNAL SECURITY DIRECTORATE OF THE MINISTRY OF INTERIOR

Since 2007 the Internal Security Directorate /ISD/ of the Ministry of Interior is a main structure of the Ministry and a police authority, responsible for prevention, counteraction, detection and investigation corrupt practices and crimes carried out by or with involving Mol officials. In order to modernise its governance and to respond to its new needs, requirements and policies, a model of *good governance* was developed and implemented in the period 2015-2016. It consists of the following items: main principles, development cycle and functions.

- The main principles of the *good governance* of the Internal Security Directorate of the Ministry of Interior

Taking into account the specific requirements as the Mol police authority to fight corruption and the expectations of society, as well as the specific features of *good governance*, the following were established as the leading principles in the governance of the ISD-Mol:

1. *Rule of law and human rights* – The Internal Security Directorate functions in compliance with the Ministry of Interior Act, the Ministry of Interior Rules of Procedure, existing legislative acts and strategic documents of the Mol on law enforcement and the protection of classified information and personal data, existing legislative acts and strategic documents of the European Union concerning internal security, fight of the EU against corruption, as well as those concerning the protection of human rights and the rights of EU citizens.
2. *Subordination, coordination and coherence* – A structure of hierarchical sequence of subordination, coordination and coherence has been established in ISD-Mol. It consists of sectors, departments, leadership. Figure 1 represents it. The Director of the Directorate is directly subordinate to the Minister of the Interior.

Figure 1 — The pyramid of subordination, coordination and coherence in the ISD-Mol



3. *Effectiveness and efficiency* – The set up structure and the introduced governance organization in ISD-Mol allow for a decision-making process to ensure that appropriate actions are carried out to efficiently and efficiently use the available human and material resources in order to create impact.
4. *Competence and responsibility* – The implemented ISD-Mol policy ensures the selection of adequate employees with the necessary competences, permanent training and participation in seminars and conferences aim at enhancing and updating their professional knowledge and skills, as well as creating a sense of responsibility and integrity.
5. *Sustainability and long-term orientation* – The ISD-Mol relies to achieve long-lasting results through the implementation of preventive measures /audio and video surveillance, integrity testing/ and systematic analysis and evaluation.
6. *Publicity and transparency of governance* – The ISD-Mol prepares and submits regular public reports under its authority.
7. *Control and accountability* – The established ISD-Mol governance organisation promotes not only registering occurrences, but also adequate and precise response. The implemented controls consist of internal control within the institution, internal control within the departments and sectors and external control.

- *Good governance* cycle for the development of the Internal Security Directorate of the Ministry of Interior

Consistent processes with specific objectives and results laid down determine the *good governance* cycle for the development of the Internal Security Directorate-Mol. It is presented at Figure 2 and, for a clear primary main goal, it includes the interdependence of the set specific objectives, the decisions taken with a view to reaching these objectives, the action taken in order to implement the decisions, reporting on what has been achieved, analysis of the results, the summary and the proposal for upgrading the objectives with enhanced elements.

Figure 2 — *Good governance* cycle for the development of the ISD-Mol



- *Good governance* functions of the Internal Security Directorate of the Ministry of Interior

They consist of:

- *Forecasting* – A system has been implemented in ISD-Mol for the genuine assessment of the state of affairs – strengths, weaknesses and resource capability /weekly, monthly, annually/. Possible risks caused by the criminal environment, changing criminal activities, the legislation, citizens, society, social and cultural changes are assessed.

- *Planning* – A process has been established for the analysis and justification of actions aimed at reaching the specific objectives, taking into account the impact of external and internal factors.
- *Decision taking* – A strict organisation has been established in order to find optimal solutions while maintaining the necessary coordination and coherence, ensuring the practical realization of the Directorate's work is effective and sustainable.
- *Organisation* – This includes the organisational structure of the Directorate with its hierarchically structured sectors and departments, as a sustainable and optimally working mechanism.
- *Managing the development of human resources* – ISD-Mol implements continuing training and improvement policy, targeted at the officials and allowing the successful to be even more successful ⁽⁷⁾.
- *Control* – A monitoring and assessment system has been implemented, which also allows taking adequate and timely corrective action in case of difficulties in achieving the specific and long-term objectives set.
- *Accountability and transparency* – A system has been implemented for daily and regular horizontal and vertical accountability and transparency within the jurisdiction of the decisions taken.

As a whole the *good governance* of the Internal Security Directorate-Mol is a response to the present and future requirements for an anti-corruption authority, responsible to develop an adequate policy of decision-taking by including and taking into account the interests of all stakeholders, while respecting the principles, laws, societal values and rules.

⁽⁷⁾ At the National Annual Competition of the Bulgarian Government for a Learning Administration for 2017, ISD-Mol is nominated at the third place from all of the country - <http://www.ipa.government.bg/en/node/798>

ANALYSIS

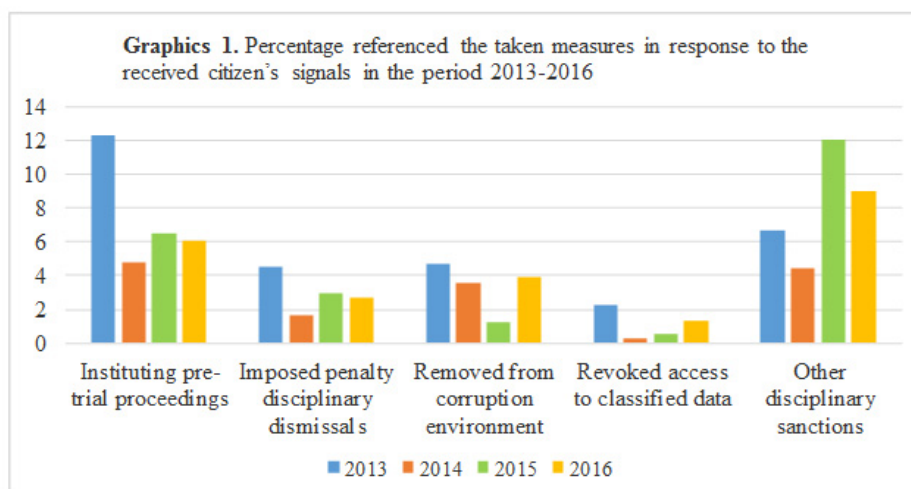
The Internal Security Directorate-Mol is the interface between the citizens, society and the Ministry of Interior, maintaining a *24-hour Open line*. Table 1 presents statistics of received and processed citizen signals concerning infringements by Mol officials.

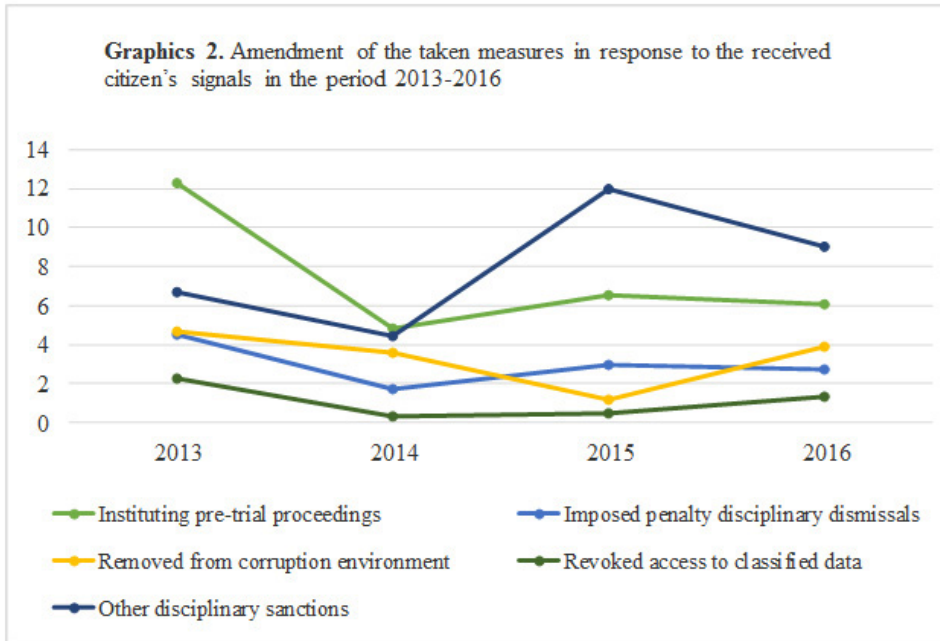
Table 1.

Number of cases of taken measures in response to the received citizen's signals in the period 2013-2016

Measure	2013	2014	2015	2016
Received signals	578	859	897	1094
Instituting pre-trial proceedings	71	41	58	67
Imposed penalty disciplinary dismissals	26	14	27	30
Remove from corruption environment	27	31	11	43
Revoked access to classified data	13	3	4	14
Other disciplinary sanctions	39	38	108	98

Graphics 1 and 2 show the results of processed signals and the relevant imposed sanction: instituting pre-trial proceedings, disciplinary dismissals, remove from corruption environment, revoked access to classified data /Law for the Protection of the Classified Information/ and other disciplinary sanctions.





Data show:

- Increase in the number of received signals during the analysed period.
- Low performance of the ISD-Mol in 2014.
- Actions taken by the ISD-Mol in 2015-2016 to introduce the organization and the principles of *good governance* contribute to greater effectiveness and better performance in detecting crimes by Mol officials, and the received signals and processed led to imposing the relevant sanctions.
- 2016 is the year with the greatest number of received signals by telephone and e-mail, and an overall decrease in the number of persons held liable and sanctioned, which shows that the preventive measures taken by the ISD-Mol are effective.
- No complaints have been submitted by citizens, who submitted a signal via the Open line, regarding the services provided by the ISD-Mol, which means that the principles of *good governance* have led to a positive result.

CONCLUSION

For the Internal Security Directorate of the MoI, *good governance* concerns taking and applying decisions and it is not just about reaching the right decisions, but doing so through the best possible process. It is about taking optimal decisions about the effective and efficient management of public resources concerning activities that ensure security and the human rights, prevent abuse and corruption by MoI officials, while adhering strictly to the rule of law and the democratic principles. The citizen-oriented work of the ISD-MoI and its governance, oriented towards innovation and improvement have earned the public trust.

The conclusion can be drawn:

- The *good governance* is the appropriate contemporary concept of management of an anti-corruption authority.
- The introduction of *good governance* in the Internal Security Directorate of the Ministry of Interior contributes to improving the effectiveness of the work done by its capacity of an anti-corruption authority.

References

- Commission of the European Communities (2001) European Governance. *A White Paper*. COM (2001)428, p.4. Brussels. Retrieved from: http://europa.eu/rapid/press-release_DOC-01-10_en.htm
- Committee of the Ministers of Council of Europe (2008) *The 12 principles for good governance at local level, with tools for implementation*. Retrieved from: <https://www.coe.int/en/web/good-governance/12-principles-and-elope>
- Council of Europe (2005) *Third Summit in Warsaw*. Retrieved from: http://www.strasbourg.re.mfa.gov.pl/en/council_of_europe_in_brief/third_summit/
- Council of Europe (2007) *Strategy for Innovation and Good Governance at Local Level*. Retrieved from: http://www.coe.int/t/dgap/localdemocracy/strategy_innovation/
- EU (March 2010) Charter of Fundamental Rights of the EU. *Official Journal of EU*. (2010/C 83/02). Brussels.
- European Commission, (2012) *Consolidated version of the Treaty on the Functioning of the European Union*. Luxembourg. Retrieved from: http://europa.eu/eu-law/decision-making/treaties/index_bg.htm
- European Commission (2014) *EU report on the fight against corruption*. 38COM3.2.2014. Brussels.
- European Council (1991) Human Rights, Democracy and Development. Commission Directive. *Official Journal*. Article 5.
- European Council (1991) *Resolution on Human Rights, Democracy and Development*. Retrieved from: http://archive.idea.int/lome/bgr_docs/resolution.html




EUROPEAN LAW ENFORCEMENT RESEARCH BULLETIN

ISSUE 17

WINTER/SPRING 2018



Introduction by the Executive Director

Detlef Schröder

Editorial

Towards a Holistic Understanding of the Prevention of Violent Radicalisation in Europe

Dominic Kudlacek, et al.

Local Ownership and Community Oriented Policing: The Case of Kosovo

Thomas Feltes, Robin Hofmann

EUPOL Afghanistan: Civilian Policing in a War Environment

Thierry Tardy

Political Change, Organisational Fluidity and Police Training: The South African Case

Elrena van der Spuy

Female Leaders in a Male Organisation: An Empirical Analysis of Leader Prototypicality, Power and Gender in the German Police

Faye Barth-Farkas, Antonio Vera

Forensic Analysis of Unknown Materials: a different vision of questioned documents

Ana Cristina de Almeida Assis, João Freire da Fonseca, Maria de Fátima Barbosa, Carlos Farinha

The Working Group Against Hate Crimes: a unique good practice in Hungary

András L. Pap

A Contemporary Concept of Management of an Anti-Corruption Authority

Rumen Valchev Ganev, Krasimira Venelinova Vasileva

