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## **Human Rights Education - As a Tool for the Reform of the Police**

This article identifies the basic challenges faced by human rights activists when engaging police reform. It pays particular attention to the role of human rights education in such processes; moreover it explores what police and policing are meant to be and look like in a society where pluralism, human rights and the rule of law prevail. Lastly, it outlines the type of training required by a modern-democratic model of police functions.

### **Keywords:**

Human rights, police reform, police training, non-governmental organisations, teaching human rights, education, human rights education, police, police ethics, police training curriculum

## **1 Introduction**

"Everyone has the right to life, liberty and security of person" (Article 3, Universal Declaration of Human Rights (UDHR), 1948); "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this declaration can be fully realised" (Article 28, UDHR, 1948).

Diversity in interpretations and approaches are not only acknowledged components of pluralism but also an essential element of the rights' dimension. They render human rights activism a dynamic, diverse and evolving force. Thus I can not assume that the reader of this article will have the same interpretation, understanding and experience of human rights education as I do, making it necessary before I proceed to explain what I understand human rights education to be.

I interpret human rights education to be a tool and not an end to itself. I do not simply want the teaching about human rights to be introduced in all curricula; but I strive for all educational and training processes to teach and practice concepts, norms, values, attitudes, skills and practices that respect, protect and promote human rights in all professional and technical practices. Moreover, all educational bodies should be structured in line with human rights standards and in a way that ensure that the rights of learners, teachers and other personnel are respected.

Furthermore, this conceives education<sup>1</sup> for both adults and young people as in the "Dakar Framework"<sup>2</sup>:

"Education programmes should be designed to promote the full development of the human personality and strengthen respect for human rights and fundamental freedoms as proclaimed in the Universal Declaration of Human Rights (Article 26). Such programmes should promote understanding, tolerance and friendship among all nations, and all ethnic and religious groups; and they should be sensitive to cultural and linguistic identities, and respectful of diversity and reinforce a culture of peace. Education should promote not only skills such as the prevention and peaceful resolution of conflict, but also social and ethical values".

The "Dakar Framework" refers particularly to primary and secondary education, but what it proposes is equally valid for tertiary and other professional or technical education, such as that of police officers. The "Dakar Framework" calls for all education to intrinsically and continuously facilitate processes for learning about and for human rights<sup>3</sup>.

Accordingly, in the interpretation of HRE used throughout this article a lesson on human rights is not seen as a particular or separate process and therefore called something special such as Human Right Education. This interpretation fully adheres to the Dakar Framework that defines ALL education as having to comply with and teach human rights concepts, values and practical skills for their implementation. Consequently, it is redundant to distinguish between everyday educational processes and "human rights education" lessons; as human rights should be an intrinsic part of any and all teaching and learning processes for both adults and young people.

Hence, I think that 'human rights education' - that campaigning work done to convince the authorities and civil society to integrate the theory and practice of human rights in all forms of education - is not simply desirable, but an obligation. In our case, to improve the functioning and conduct of the police it is not enough to simply legislate and alter structures. It is also necessary to transform the training police officers receive. Therefore, HRE campaigning for the introduction of human rights theory and practices in police training is an essential component of police reform.

This campaigning work calls for various approaches that can be alternated. For example: one approach is to lobby authorities; another is to produce materials showing how human rights can be taught in a participatory fashion. An additional approach is by going to police schools and other training centres. One more is to organise awareness raising activities in the community to sensitise them to the need to reform the police. Yet another one is to organise a diversity of training programmes for civil servants responsible for drafting syllabuses, for educators (teachers, professors, trainers, etc.), and for key professional groups to gather the necessary knowledge, understanding and skills so that they can draft the appropriate legislation, policies and strategies to develop an education which inherently is composed by concepts, norms, values, attitudes, practices and skills that respect, protect and promote human rights.

To make a marked distinction between human rights education and educational processes that integrate human rights, may seem an academic

semantic exercise of little relevance. Nevertheless, a large percentage of success in transforming our social context is having clear objectives. In actual fact the objective is not simply to introduce human rights in the training of police officers, but to transform detrimental policing practices into everyday customs respectful of human rights - thus to positively reform the police.

To reform the police, police officers not only need to learn and understand human rights. They primarily need to learn and know how to implement them in their professional practice and at the same time, they need to experience and benefit from human rights protection in their work place and private life.

This analysis of human rights education leads me to break this article into three parts:

- The first section entitled "background" explores the basic challenges faced by human rights activists when engaging in the reform of police training;
- A second section entitled "the role of the police in a democratic society" explores what police and policing are meant to be and look like in a society where pluralism, human rights and the rule of law prevail;
- A third section entitled "getting involved in police training" outlines the type of training required by police officers if the police are to be transformed into a modern-democratic model police service. This section puts forward some ideas on how to get involved in police reform and how to use HRE as a tool in such a process.

For the purpose of this article, I will refer to the relevant UN documents. However, I will mostly rely on the European Code of Police Ethics, adopted by the Committee of Ministers of the Council of Europe (2001). Even though the Code is a European regional document, it is particularly useful as it goes much further than any other international document to describe the functions and structure of the police in a system respectful of human rights. The use of the European Code of Police Ethics should not blind the reader into thinking that this article is a review of European policing practices or reform processes. The origin of a document should not prejudice us on its usefulness, relevance and potential. This article is based on more than ten years experience working worldwide in the reform and training of the police, and is not limited to the European experience.

## 2 Background

When NGOs want to involve themselves in the training of police officers, they commonly face two major challenges: first of all a lack of firsthand experience in policing matters, and secondly a historically oppositional relationship with the police.

These initial difficulties for NGOs in evaluating and designing proposals for police reform, including the modification of training content and practices, are complicated by the fact that international standards do not describe the tasks or the structure of the police in detail. This makes it thorny to define

what one means by 'human rights professional policing or policing compliant with human rights', what this should look like, how should police officers should be trained and most importantly how policing should be done to ensure the respect and protection of human rights.

To spell out what one means by 'human rights professional policing' it is indispensable to have a solid knowledge and understanding of actual policing tasks and the structures needed to make these operational. If one does not bring in such active knowledge of operational policing, one runs the risk of designing proposals that are simple repetitions of international norms - consequently not translating human rights standards into operational skills and behaviour. For example: it is fine to tell police officers that excessive use of force is illegal, but if one does not provide the practical skills of how to arrest; or how to interview a suspect, etc. without using excessive force, police officers, often in many countries with only a few months training, will mostly not be able to put into practice international human rights standards related to their profession, even if they are able to recite the relevant articles by heart. In such cases, the human rights teaching would most probably not result in an improvement of the human rights situation and not contribute greatly to the reform of the police.

For police to (re)act according to human rights standards to potential or actual violent acts it is necessary to have received extensive and realistic practical training. Therefore, it is crucial to look at how human rights standards can be implemented, how their implementation is organised, and what 'best practices' in this respect exist.

The second key challenge for NGOs wanting to become involved in training of police as a vehicle to reform the police is that human rights organisations have historically mostly addressed the police as human rights violators. The police are viewed as behaving unlawfully, or using too much force, or not responding when they should have or as speedily as they should have. Therefore the perceptions each have of the other are negative.

Human rights activists often view the police solely as perpetrators of human rights violations, as Conservative with the capital letter 'C' and as protectors of the interest of the 'establishment', or of the status quo. The police often recognise human rights activists as being in alliance with criminals or political opposition groups, as atheists and as part of the problem.

This requires human rights NGOs and the police to develop a framework for collaboration that will tackle issues of mistrust, transparency and mutual respect. In *Police and NGOs: Why and how human rights NGOs and Police Services can and should work together* (2005) the European Platform for Policing and Human Rights has developed a basic template to help human rights NGOs and police services develop joint projects. In this template the European Platform for Policing and Human Rights suggests that:

"Trust requires transparency and it is important to ensure that both parties understand each other, the work they do, their strategic priorities, their mandate and policies, structure, etc. One way to tackle resistance is to engage in trust-building activities. Suggestions for building trust in both entities could involve informal joint collaborations in small-scale ventures, e.g. making presentations on each other's mission statements, structures and procedures and the work both are engaged in. In addition, invitations

could be issued to attend seminars, conferences and sporting activities that both entities may be organising. Or a meeting can be arranged between the two groups aimed at identifying commonalities rather than differences. At this meeting prejudices and perceived reasons for mistrust between both organisations could be discussed. It is important for the chair of such a session to be a neutral person with experience in mediation".

The full text of the document 'Police and NGOs: why and how human rights NGOs and police services can and should work together' can be found at <http://www.epphr.dk/>

Influence can best be asserted if there is respect, willingness to improve and there is a firm interest and commitment on the part of the police to improve their practices. Therefore, such processes of trust and confidence building are essential if NGOs are to succeed in affecting and altering the course of policing. Otherwise collaboration with the police and other related agencies may run the risk to be no more than rhetoric decorated with some human rights platitudes. At worst this process can and has been abused by police bodies.

Indubitably, it is very complex process embarking on police reform and it can take a long process of negotiations and interaction for NGOs to get the police to engage. This is particularly arduous in countries with highly militarised police agencies and closed governments. In these countries, the struggle for human rights has never been an easy road.

### 3 Gottfried Mergner: Reflections on Paulo Freire

"In the exercise of his [her] rights and freedoms, everyone shall be subject only to those limitations as are determined by law solely for the purposes of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society" (Article 29, 2nd paragraph UDHR, 1948).

As mentioned earlier, one potential basic problem for NGOs when first engaging with the police might be a lack of in-depth understanding of what the functions of the police are, what should be its role and structure in a democratic society. Thus, I will briefly look at the origin of the concept of police and then proceed to define its role and its functions within a human rights framework.

The word 'police' derives from policy, which originally meant civil administration. It would appear that the first force so-named was the Marine Police, set up in 1798 to protect merchandise at the Port of London, England. The verb policing "to keep order by means of police" emerged in 1841 and it came to encompass those functions of the State to protect against whichever threat (Online Etymological Dictionary).

International instruments refer to the police as "law enforcement officers", which is unsatisfactory terminology as it does not cover the full range of police functions. The police are that organised body of officers whose particular duties are the detection and prevention of crime, the preservation

and when necessary restoration of good order, and the provision of assistance in emergency situations. It is true that to carry out these functions they enforce the laws, but in actual fact the delivery of their daily duties involves them mostly in the provision of assistance to people who are confronting some type of emergency (Crawshaw et al. 1998).

Here it is important to underline that the modern concept of police places its role at the service of the public. Hence, the difference between a police "force" and a police "service"; the use of the term "force" is used to denote a militarised police at the beckon of the government in power, while the term "service" denotes a more democratically organised institution at the service of the community.

The preamble of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990) states that "the work of law enforcement officials is a social service", where they play "a vital role in the protection of the rights to life, liberty and security of the person, as guaranteed in the Universal Declaration of Human Rights." The preamble continues reinforcing this concept by stating that "the use of force and firearms by law enforcement officials should be commensurate with due respect to human rights". In fact, any durable democratisation process requires this transition (reform) from "police force" to "police service" to take place.

According to the European Code of Police Ethics (2001), police are a public body, established by law, which should always function in accordance with national law and international standards. What is more, even though police have special powers and accountability mechanisms, police officers are subject to the same legislation as the general public.

As the two roles of the military and the police are made more distinct, and the police are becoming a more democratically accountable body, there is a generally reduced acceptance for militarised police agencies. The key element here is that the police are now seen to need to be accountable to civilian and not (para)-military authorities. Under the premise of a service-oriented police, increasingly the role and existence of military police forces, such as the Gendarmerie in France or the Carabineros in Chile or La Guardia Nacional in Spain, are being questioned.

To fulfil their duty to preserve order and security the police are granted special powers. The commentary of article 1 of the UN Code of Conduct for Law Enforcement Officials (1979) characterises them by having "the power to exercise police powers, especially the powers of arrest and detention". The European Code of Police Ethics (2001) goes further as it refers to "public police forces or police services or to other publicly authorised and/or controlled bodies with the primary objectives of maintaining law and order in civil society, and who are empowered by the State to use force and/or special powers for these purposes".

It is also important to point out that the police also have functions for which no special powers are required. In many countries, particularly in countries with an established pluralistic system, civilian personnel with or without any police training carry out many administrative tasks within the police.

The European Code of Police Ethics (2001) describes the objectives of the police as maintaining public tranquillity, law and order; to protect and

respect fundamental rights and freedoms; to detect, prevent and combat crime; and to provide assistance to the public. This Code also provides the scope in which police can act; even though, as mentioned before, it does not describe in detail how policing should be done. Nevertheless it supplies a human rights framework with which the police can use their powers lawfully and fairly when carrying out their tasks.

There are three main areas in general, during investigation and during detention. This human rights framework was very clearly summarised by Anita van de Kar in her presentation of the European Code of Police Ethics at the First Conference of Police and Human Rights Coordinators hosted by the Council of Europe on 14th -15th April 2005 in Strasbourg, France.

In general the police shall respect everyone's right to life; not tolerate any act of torture; use force only when strictly necessary and to obtain a legitimate objective (necessity and proportionality); verify the legality of intended police actions; and carry out orders of superiors, except when clearly illegal (Kar 2005).

Investigations shall be based on reasonable suspicion of crime; there shall be presumption of innocence until proven guilty by a court; and the suspect shall be informed of accusation and allow information to prepare defence. The police shall be adaptable to the special needs of vulnerable persons (children, minorities, etc.); carry out fair interviews and keep a record of them; as well as organise witness protection; provide support to victims without discrimination; and when required provide interpretation throughout the police investigation (Kar 2005).

The deprivation of liberties (detention) shall be as limited as possible; a custody record kept at all times; the police shall provide information on charges and the procedure; as well as safety, health, hygiene and nourishment. The deprivation of freedom shall be notified to a third party, access to legal counsel shall be given; and the separation of persons arrested ensured (e.g. men/women; juveniles/adults) (Kar 2005).

The European Code of Police Ethics (2001) is so far the only document dedicated to police conduct that mentions explicitly the structure of the police. In part IV, Art. 12, it states "The police shall be organised with a view to earning public respect". This implicitly calls for more open and accountable structures and functioning.

The Code proceeds to stipulate that police personnel in uniform shall normally be easily recognisable; that it shall enjoy sufficient operational independence from other state bodies; and that all police personnel shall be personally responsible and accountable for their own actions or omissions. It goes further by calling for the police to be organised in a way that promotes good police/public relations and, where appropriate, effective co-operation with other agencies, local communities, non-governmental organisations and other representatives of the public, including ethnic minority groups. The police should also be ready to provide objective information on their activities to the public.

The European Code of Police Ethics also establishes that "The police organisation shall contain efficient measures to ensure the integrity and proper performance of police staff, in particular to guarantee respect for individuals' fundamental rights and freedoms..." (Article 20) and "Effective measures to prevent and combat police corruption shall be established in

the police organisation at all levels" (Article 21).

Aside from the recommendations of any regional or international code of police ethics, the structure of the police may vary according to different aspects. For example it may be centralised with top-down decision-making processes emanating from the centre/ the ministry of interior. It can be decentralised with decision making taking place at the local levels by local authorities, with varying degrees authority and responsibilities.

The level of separation or integration of tasks will also play a role in the actual structuring of the police. In some cases some police officers will have to do all functions. In others some will specialise. The permutations between integration and specialisations throughout police services is great and there is no one ideal formula. Nevertheless it is seen as preferable to strike a balance between the two. However more often than not the socio-political context and resources available influence or dictate the choices made.

Another aspect that will influence the operational structure of the police will be the chosen style of policing or philosophy. These vary greatly and the debate about which one is more effective will continue to go on as long as policing tasks are needed and depending on the many different contexts and realities. I will not go into detail in analysing them, but briefly will provide a list of those most commonly referred to. Uildriks and van Reenen (2003) identified in their study of post-communist countries four major styles: crisis policing, authoritarian policing, democratic policing and human-rights oriented policing, but one also finds other approaches widely used in Europe, USA and many other countries such as community policing<sup>4</sup>, intelligence-led policing and problem-oriented policing.

Regardless of the style and structure of a police agency, the interaction between the police and the public often takes place in situations of stress or emergency without supervision; therefore a set of four main basic principles have been developed to evaluate if the performance of the police fall within international human rights standards. These are concisely presented below.

Proportionality requires the exercise of control in the use of force as the force used should be in proportion to the seriousness of the offence and the threat posed.

Legality requires that the use of force should be legitimate. This means that it should be used only when necessary and only as long as it is needed. Self-defence is a situation when force can be legally used, but when the threat ceases so should the use of force.

The principle of accountability requires the ability to identify who or what was responsible for taking a particular action and therefore be obliged to answer for one's actions to an authority that may impose disciplinary action.

The principle of necessity requires that the use of force has to be absolutely necessary. Care should always be taken not to cause injury or death. Only if there is a direct threat to life the use of deadly force can be justified.

These four principles are commonly know in English as PLAN from the first letter of each one, and should be an essential part of the knowledge and practice of any police officer.

Finally yet importantly, influencing police performance is the type or the lack of equipment they have access to and the investigative skills they possess. More often than not, with the exception of industrialised countries, police officers have limited access to equipment be it for the purpose of gathering intelligence or to protect themselves or others in situations of danger. This is a structural issue that implicates both an organic reform of the police and a transformation of the teaching curriculum.

Often when the police only have access to a deadly weapon and have not been trained to use negotiation skills, physical restraint techniques, and overall are not in good physical shape they will more easily resort to the use of deadly force. Their investigative skills or lack of them will also influence how they will use force to gather intelligence or evidence.

Therefore, access to non-deadly equipment and training on alternative restraint skills and investigation techniques go hand in hand with respect for human rights. This should be considered when analysing operational and structural aspects of policing, and consequently should be an integral part of the professional education and training of police officers. However a note of caution needs to be added as non-deadly weapons are not necessarily in line with human rights standards, and can become instruments of torture or humiliation. Therefore their use has to be closely regulated and monitored.

#### 4 Getting Involved in Police Training

To successfully implement any human rights reform in any institution requires the transformation of the pre- and in-service training provided. Therefore, HRE campaigning for the introduction of human rights values, concepts and practices in all the training of police officers regardless of rank is an intrinsic element to the overhaul of a police force into a police service. Below I will explore the type of training required by police officers if the police are to be transformed into a modern-democratic police service. Hopefully, this analysis of the required training will assist activists to developed the components and the demands of their HRE campaigning work. I also touch on some of the challenges and tasks that NGOs could undertake to make such modification a reality.

The chosen philosophy and the police style will greatly influence the type of training police officers will receive. However the European Code of Police Ethics (2001) provides us with some initial benchmarks on the basic standards to consider when recruiting, training and retaining<sup>5</sup> police officers. It stipulates in Article 22 that "Police personnel, at any level of entry, shall be recruited on the basis of their personal qualifications and experience, which shall be appropriate for the objectives of the police". It goes more in depth in Article 23 by stating that "Police personnel shall be able to demonstrate sound judgment, an open attitude, maturity, fairness, and communication skills, and where appropriate, leadership and management skills. Moreover, they shall possess a good understanding of social, cultural and community issues" and Article 24 which requires that

"Persons who have been convicted for serious crimes shall be disqualified from police work." Here it is important to remark that the Code allows for individuals convicted of minor felonies a second chance and therefore the chance to apply to join the police.

The Code promotes police training based on the values of a pluralistic society, the rule of law and human rights. Training should encourage openness towards the public. It upholds the application of "Practical training on the use of force and limits with regard to established human rights principles ...[which] shall be included in police training at all levels" (Art 29). Moreover "Police training shall take full account of the need to challenge and combat racism and xenophobia" (Art 30).

A first step before getting involved in the training of police officers is to analyse the police using a human rights framework. This step leads to an understanding of the human rights-related problems related to the objectives of the police in the country, its principles, its legal basis, its position within the criminal justice system, its operational style(s), structure and training programme(s). This remains a non-negotiable must if aiming to develop a long term transformation affecting of police training and the performance of the police overall.

As stated at the beginning of this article it is not enough to train about human rights. The operational practices of policing, the structures and the culture of the police all need to be touched upon and when necessary improved so as to comply with human rights. Thus proposing to introduce human rights into the training of police officers implies an overhaul of the police in its entirety. This process cannot be achieved without the commitment and involvement of political leadership, the Criminal Justice System and the high and middle ranks of the police command per se. Here we may have identified an important consideration; how to secure political will and support to undertake this long-term reform of police agencies - ensuring the transformation from "force" to "service".

Currently police reform process are taking place in many countries worldwide; however, these are most often instigated by foreign governments or donor agencies seeking to introduce more compliant human rights practices of governance and in some cases also to address corruption and endemic violence which affect them too. Donor countries and the business community are putting pressure to address corruption and develop greater accountability by State agencies. For example: Eastern and Central Europe as countries strive to access the European Union, USA anti-drug programmes in Colombia and other Latin American Countries, or EU initiatives in Northern Africa to stop the flow of illegal immigrants, or countries such Nigeria and Angola. Such initiatives do not always have widespread support from the local counterparts, but are received as intrusive and alien to the indigenous culture and their way to govern. Thus as much as possible it is needed to generate local/internal support within the political spheres, government, the criminal justice system and amongst the general public, so as to galvanise long term commitment to police reform and the integration of training that integrates human rights.

Another consideration to be taken in this context is that the police are most commonly under the control of the Ministry of the Interior for public order matters and under a Prosecutor when investigating a crime. Consequently,

when looking at introducing human rights practices and values into policing it is fundamental to consider the influence played by the judiciary and the State apparatus. The police do not function in a vacuum and their reform cannot be successfully achieved if it does not involve other key players. For example, if judges admit evidence that has been collected with dubious methods or Ministers place undue influence in the execution of policing tasks hampering objectivity and impartiality, it will be difficult to be effective in getting police officers to improve their practices and follow human rights standards. Again, it is important to have galvanised support to ensure that police reform does not take place in isolation and it goes hand in hand with the reform of the entire Criminal Justice System. Undoubtedly, for NGOs this will be a long term campaigning process as such reforms cannot and will not be achieved overnight.

The views of the general public are also important as they influence politicians, particularly when electoral processes are imminent. This brings us to a third consideration about the role of the public -- its views on policing, and the standing the police have in the public's eye. All these factors will also play a role in the process of reforming the police and its practices. In situations where there are high levels of violence and criminality the police will probably suffer from low professional esteem and will feel isolated, if not outright fear or hatred. It is important to take these factors into consideration when approaching the police to propose human rights training, and when developing and delivering training courses.

The topic of democratic accountability of the police is also another area where there is a lack of standards and practice. Only recently, a couple of countries established more independent and accountable police supervisory bodies<sup>6</sup>, though their success and true independence are yet to be evaluated. Any reform of the police syllabus needs to bear in mind the complex position police occupy in a pluralistic and democratic society, and the particular responsibilities that follow. Police officers need to understand the prerequisite for their accountability as they hold special powers which allow them to use force and in some cases even deadly force.

This brings us to consider how and where to introduce human rights in the study programme. There is a perpetual discussion on this topic, which it is not solely limited to the training of police officers, but to educational curricula for any other social or professional group: should it be done through a specialised subject or be integrated throughout the programme?

When it comes to the police it becomes easier to resolve the controversy. There is no doubt that human rights in the training of police officers need to be simultaneously taught as a separate topic (which introduces the history of human right, their development, international, regional and national frameworks, the mechanisms for their protection and the role of the police in respecting, protecting and promoting human rights, including police accountability). Human rights need to be an integral component of the technical training received, so that officers are aware of how to respect human rights in the delivery of their duties, and can make the link between a conceptual knowledge of human rights and their implementation when 'on the beat'.

Some officials and police officers may argue that junior police officers do not need to be burdened with knowledge of international and regional

human rights standards. I would strongly disagree as the level of exhaustive treatment of the subject can be regulated according to the need. Moreover any police officer working with the public needs to have a solid knowledge and understanding of the fact that he or she function within a human rights framework. This knowledge is necessary to ensure they understand and relate to their own responsibility to respect, protect and promote human rights.

Furthermore, if the police are to have "efficient measures to ensure the integrity and proper performance of police staff, in particular to guarantee respect for individuals' fundamental rights and freedoms" (Article 20 European Code of Police Ethics, 2001), it is fundamental that all police officers regardless of rank acquire knowledge, understanding and empathy of human rights values and standards.

It is essential that police officers are shown how the human rights framework enhances their protection and professional esteem by establishing thorough processes which place them at the core of a functioning, plural and democratic system. Moreover, their education and the training should provide the socio-emotional development to enable police officers to deliver assistance in emergencies, as well as preventing and detecting crime whilst respecting, protecting and promoting human rights.

At this point, I propose a list of questions that could be taken into account when evaluating a police training curriculum. These questions could be used as part of a needs assessment to ascertain where and how the police vision, mission, function, structure and consequently the training programme need to be transformed. They could be the basis for formulating a proposal for the reform of the police so as to integrate human rights concepts values and practices into their educational syllabus as well as their everyday policing.

What are selection criteria for new recruits? Do these allow for the inclusion of women and people from minority groups?

How attitudes towards human rights considered during the recruitment?

How are these attitudes harnessed throughout the training programme?

What role do they play in career development?

What is the institutional culture in the police school or academy (militarised or democratic)?

How long is the training? Is it enough, if not how much longer should it be?

Is there a basic, initial training? An intermediate and an advance training programme?

Is there a fair balance between theory and practical skill learning including in examinations?

Is it there a period of internship in a police station as part of the course?

What is the teaching style used?

Who are the police trainers? What qualifications do they have in terms of the content matter and the pedagogic skills?

Do members of civil society participate or contribute to police training, including human rights NGOs?

Are human rights and legal standards linked to the practical skills training or just simply memorised?

How are the principles of Proportionality, Legality, Accountability and Necessity learned?

How is the training on the use of force and firearms done?

How is the use of non-lethal techniques learned? How are de-escalation tactics taught?

Are there the conditions and equipment for officers to practice?

How are negotiation and communication skills taught?

How is the treatment of crime victims and vulnerable groups taught?

What training is done on how to respond to incidents of domestic violence, racism and xenophobia?

Is in-service training provided? What does this comprise of and how often is it offered?

Is there a continuous certification procedure to ensure that technical and other skills with regard to the use of force and fire arms are kept up to date, as well as knowledge of new relevant legislation?

How are performance in training and career development (promotion) linked?

Here it is important that we reaffirm that "human rights training for police" and the "training for the police" should be one, and the same thing. If we have succeeded in our HRE campaigning work to integrate human rights overtly and implicitly in all the training of all police officers, we would no longer need "special" human rights courses. Human rights should be an integral unquestionable and very important part of the police curricula. Therefore, the questions above are both looking at operational policing aspects as well as more explicit human rights knowledge-based content. In all these years of debate, it would seem that the most difficult conceptual leap that we have struggled to make is how to come to terms with the impossibility of clinically separating the teaching of human rights with practical teaching, for example, human rights theory and how to use deadly force. They might be dealt in two different class environments (e.g. one in a classroom, the other the shooting range or gym), but nevertheless if the link in the mind of the trainer and the trainee is not overtly grasped and practically exercised our human rights education campaigning efforts have yet not totally succeeded.

Besides looking at the generic points raised above, it would be necessary to consider each subject in the present curriculum and to make the necessary changes and additions.

## 5 Conclusion

To conclude I would like to emphasise that NGOs depending on their capacity, expertise or access to expertise on policing matters, available financial resources, plus the local context on which they operate can take

and use in whatever order might be more appropriate for them any, all or none of the suggestions presented above. I have not pretended to produce an inflexible formula on how to best approach police reform and within that how to use HRE campaigning to effectively transform the police into more accountable and human rights compliant body. On the contrary, I only hope that the propositions presented in this article are applied and that in the process adapted to the different realities and local complexities.

## Notes

<sup>1</sup>Through this article, I use education and training interchangeably even though I am aware that for many there is a marked difference as education is perceived to be a more conceptual based learning process, while training is a more skill based learning process. Overall, I am not sure about the utility of this differentiation as both should work on the content, attitudinal and skills spheres, working towards the full development of the individual and the community.

<sup>2</sup>The Dakar Framework for Action on Education for All emerged during the World Forum on Education for all, Dakar, Senegal, 2000.

<sup>3</sup>"About" meaning the content and "for" the skills and attitudes and skills to respect, protect and promote human rights.

<sup>4</sup>Reviewing multiple materials on community policing it is not difficult to conclude that there is no agreed definition of community policing and therefore there are many interpretations and versions of it. Some see it as a magic potion; others worry that it can lead to the development of civilian vigilante groups with little or no accountability.

<sup>5</sup>Only police officers who behave within the human rights framework should be retained by the police. Those who display attitudes and behave in violation of such framework should be reprimanded and eventually, if there is no improvement, dismissed.

<sup>6</sup>The Office of the Police Ombudsman for Northern Ireland and the Independent Complaints Directorate (ICD) in South Africa could be two of the most interesting case studies on this topic.

<sup>7</sup>For brevity in this list I will refer only to training and not education, but both learning processes should be considered.

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