

## 8. Police

### *Key definitions: who are the police and what makes them different from other security providers?*

In most places, the police are the uniformed forces responsible for public safety and law enforcement within the national territory. Often this responsibility is divided between several agencies according to geographical units (local, regional, provincial or nationwide), thematic jurisdiction (specific kinds of crimes), or administrative (control of a centralized force compared to branches that operate autonomously). Police in democracies are not usually military forces even though they do have military-style traditions including drills, elements of discipline, ranks, insignia, uniforms, and in some countries increasingly use military tactics, weapons and equipment. In some countries, some police forces may have a dual military status (gendarmerie type-forces), or the military maintains its own police force (military police) whose jurisdiction is limited to military affairs, installations and personnel. Like the military, police should fulfil their duties without political influence, yet in non-democratic political contexts, police may be subsumed within a politicized military or used as a quasi-intelligence agency for surveillance of the population

Regardless of the political context, a defining feature of policing is that police officers engage in regular contact with the public and for this reason they are sometimes known as the face of the state: public attitudes about the legitimacy or credibility of a government can fluctuate with the treatment they receive from uniformed representatives. At the same time police deal directly with the public across a range of situations, and often under difficult and stressful circumstances. Policing is an exceptionally difficult job where an officer may at any time be asked to respond to all kinds of situations which may range from offering helpful assistance to managing potentially life-threatening crises. Professional officers require skills in mediation, de-escalation, communication and use of non-lethal force when dealing with the public. The complexity of policing also makes high quality reporting on policing challenging.

### *Key issues for reporting on the police*

**Positive relationships with the public?** The relationship between police and the communities they serve directly influences their ability to fulfil their mission. Police depend on positive trustful relationships with the public so that they can secure cooperation, when necessary and also information. Reports of crime from the public are the primary way that police are alerted to a crime, and can help identify and apprehend criminals. If the public does not trust the police, or fears them, the police will not have access to the information they need to do their jobs. For this reason, professional police can get to know the people of the communities in which they work and build relationships with community leaders and authority figures (for example, schools, religious institutions or community groups). Police also need to ensure they are creating trust and providing safety for all people regardless of their gender, ethnicity, religion or other identity trait.

#### → Journalists can ask:

- ✓ What active measures are police taking to increase contact and communication with the public?
- ✓ Have these approaches changed? What effects are these efforts having and how are they being tracked over time?
- ✓ What makes communities or people of particular identity groups reluctant to collaborate with the police force?
- ✓ What encourages communities or people of particular identity groups to collaborate with the police force?

- ✓ What is the history of police relationship with various public groups and communities?
- ✓ Have specific incidents or histories influenced the relationship between the police and people of specific identities (e.g., gender, ethnicity, religion, etc)?
- ✓ What do police representatives have to say about building positive public relationships?
- ✓ What views do civil society groups (including traditional authorities and community leaders) have about police behavior?
- ✓ Have police been investigated by independent oversight authorities and, if so, what became of recommendations that resulted?

**Protecting fundamental rights?** Part of the role of the police is to guarantee public order, whether during large scale public events, or when people choose to exercise their legitimate rights to peaceful public protest. In such situations, police are required to protect the fundamental rights of the public, including the right to lawful protest, but they are also required to take action to protect the safety of crowds as well as public and private property. Such measures can involve preventing opposing groups from meeting each other, or channeling public movement away from certain areas or into others. Sometimes these tactics involve a show of force that is intended to be as intimidating as possible without becoming life-threatening, which is why police use shields and body armor, and non-lethal weapons for public order policing. In these situations, it is critical to protect the legitimate rights of the public while avoiding or defusing confrontations that can be dangerous to all concerned, especially when a confrontation with police may be part of the objective of a protest movement as a matter of political action.

→ **Journalists can ask:**

- ✓ Do police have access to appropriate guidelines and training on how to protect human rights in the course of their duties?
- ✓ Have police been provided with the necessary equipment to manage public order safely? (e.g., police who cannot protect themselves from a threatening situation may feel compelled to respond with an inappropriate level of force).
- ✓ Have adequate plans been made in advance to protect public safety in relation to specific events or conditions?
- ✓ Have existing guidelines and regulations been followed in every case?
- ✓ How are incidents of complaint or failure investigated and what action is taken as a result?
- ✓ Is there any evidence of inappropriate political influence affecting police behavior (whether through action or inaction)?
- ✓ How have protesters or crowds behaved in confrontations with police?
- ✓ Is training on appropriate behavior necessary for civil society exercising their legitimate right to protest or media covering the events?
- ✓ What precautions were taken on all sides to avoid or de-escalate confrontation and what more could have been done?
- ✓ Where confrontations have occurred, what processes exist for making complaints against police behavior?
- ✓ Does the public feel police are safe, reliable and trustworthy?
- ✓ Does the public feel police complaints mechanisms are safe, reliable and trustworthy?

**Appropriate use of force?** Police hold the power to deprive people of rights and even their

### Box 19 Practical example: “What went wrong with The UPPs?”

In Brazil, the Globo news network decided to create a dedicated reporting capacity to cover police efforts to clear the favelas of Rio de Janeiro ahead of the Olympic Games. This reporting laid bare a litany of police abuses but also explained the challenges police faced in attempting to confront heavily armed and violent gangs. In this story (see link below) a columnist for O Globo analyses the use of Police Pacification Units (UPPs) to quell gang violence in the favelas and the need to shift to a more community focused approach. The author also raises questions about the political context of policing policies and the support police received from Brazil's military. This is an example of security sector journalism that focuses on the public service role of police, their use of force and their ability to protect fundamental rights in a democratic context.

Sources: “What Went Wrong With The UPPs?”, September 2014, <https://www.rioonwatch.org/?p=17973>; “O que deu errado nas UPPs?”, September 2014, <https://oglobo.globo.com/opiniaao/o-que-deu-errado-nas-upps-13821890>

lives under very specific legal circumstances, and exercising these powers with discretion and care is an essential part of professional policing. This means that there needs to be clear rules and detailed training for officers on when and how force may be used legitimately and to what degree. This is often not the case and many examples of abuse and misuse of force in policing stem from this kind of failing. In other cases, use of force by police may indicate a political or even a corrupt or criminal motive, for example, when uniformed officers are ordered by political authorities to suppress certain opponents or are bribed to misuse their authority for private gain.

#### → Journalists can ask

- ✓ Is the use of force in policing adequately defined in law?
- ✓ Are national guidelines on the use of force aligned with international and regional standards, such as the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and other relevant international norms and standards? (See Further Resources)
- ✓ Is police training transmitting these expectations to officers?
- ✓ What measures exist to hold police accountable for excessive use of force?
- ✓ What can the public know about instances of use of force, including deadly force, by the police?
- ✓ Are instances of police use of force isolated incidents occurring legitimately in the course of police duties?
- ✓ Is there a discernable pattern to the use of force (e.g., against whom, where, when, by whom)?
- ✓ What is the reaction of police hierarchy and political leadership to instances of use of force?
- ✓ Have officers been investigated or sanctioned for their actions?
- ✓ Are complaints mechanisms in place that allow for fair investigation of a case (e.g., internal review mechanisms, independent complaints authorities)?
- ✓ Are complaints mechanisms and investigators sufficiently independent both of police and of political pressure?
- ✓ What do government authorities, parliamentarians and independent oversight bodies, such as national human rights institutions and civil society activists have to say about the police use of force?

- ✓ What have been the experiences of affected individuals, groups or communities?
- ✓ What do police personnel (in service or retired) have to say about the use of force and standards of training, equipment, leadership and institutional culture in the police?

#### **Box 20 Practical example: “Prominent Tanzanian journalist killed in scuffle with police”**

In 2012 the Tanzanian TV journalist, Daudi Mwangosi, was killed by police following a confrontation over the assault and arrest of another journalist at an opposition party gathering. The opposition party gathering had been declared illegal under a ban on political demonstrations and in their efforts to disperse the crowd police used force inappropriately, beating people in attendance, firing tear gas at the crowd, and detaining a journalist without charge for photographing the event. Mwangosi's killing was witnessed by several bystanders and also photographed. Police authorities at both local and national levels initially denied responsibility. Media coverage of the killing drew global public attention, including statements of condemnations by the Director-General of UNESCO, the General Secretary of the International Federation of Journalists, and the Committee to Protect Journalists. Under pressure, the Home Affairs Minister announced a special commission to investigate Mwangosi's killing. The police officer responsible for Mwangosi's death was ultimately jailed for 15 years on a charge of accidental death based on a confession. This example demonstrates how security sector reporting can draw attention to dangerous use of force by police. It also shows the usefulness of security sector reporting in explaining how inappropriate use of force can result from both political factors (since the ban on protests police were enforcing was likely politically motivated), as well as poor training and police incompetence (the death was caused by a tear gas canister fired at close range). Further local and international coverage of official responses to the death informed the public that this was not an isolated incident, and highlighted failures in accountability and control of the use of force at the highest levels of police management and political authority.

Sources: “Daudi Mwangosi”, September 2012, <https://cpj.org/data/people/daudi-mwangosi/>

“Tanzania: State to Probe Mwangosi's Death”, September 2012, <https://allafrica.com/stories/201209050852.html>

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A journalist runs past federal officers after during a protest against racial injustice in front of the Mark O. Hatfield U.S. Courthouse, Portland, Oregon 2020 © Nathan Howard / Getty Images.