



GOVERNANCE OF THE USE OF FORCE: POLICE SELF-ASSESSMENT GUIDE

About DCAF

DCAF – Geneva Centre for Security Sector Governance is dedicated to improving the security of states and their people within a framework of democratic governance, the rule of law, respect for human rights, and gender equality. Since its founding in 2000, DCAF has contributed to making peace and development more sustainable by assisting partner states, as well as international actors supporting these states, to improve the governance of their security sector through inclusive and participatory reforms. It creates innovative knowledge products, promotes norms and good practices, provides legal and policy advice, and supports capacity building of both state and non-state security sector stakeholders.

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About This Publication

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FOREWORD

The use of force by police or law enforcement agencies has been a controversial and highly debated topic for decades. Recent events involving the alleged and proven excessive use of force underline the need to address this issue further. While the primary goal of law enforcement is to protect and serve the community, the use of force can sometimes be necessary to achieve this objective. However, the use of excessive force can lead to human rights violations. As such, it should be guided by the principles of legality, necessity, proportionality, and by governance processes and structures in which law enforcement institutions are held accountable. This entails establishing a comprehensive and clear framework, implemented through an action plan to improve the governance over the use of police force. Such actions are essential to build legitimacy and strengthening the confidence of communities in police institutions.

In response to the gap on practical guidance on how to strengthen governance over the use of force, DCAF developed the “Governance of the use of force: Police self-assessment guide” (GUoF_PSAG). This Guide builds on more than 20 years of DCAF’s experience working with police institutions and oversight bodies globally as well as the operational experience with different countries in Latin America. The document aims to support police organisations worldwide to identify gaps, highlight good practices, and recognise areas of improvement for strengthening the good governance of the use of force in their daily work. While intended for police institutions, the GUoF_PSAG can also assist oversight bodies to approach the issue of police use of force in a factual and structured way.

The GUoF_PSAG was subject to a peer review process that included subject-matter experts and institutions from diverse backgrounds and regions who provided valuable feedback and contributions. In addition, the process was supervised by an internal steering group to ensure the broad range of DCAF expertise was integrated into the Guide.

The GUoF_PSAG is designed as a practical tool to assist police organisations in conducting an internal structured analysis of the use of force practices within the institution. The self-assessment focuses on the three main pillars of the use of force: Rule of law, Resources, and Accountability.

The self-assessment process is organised in three modules that relate to each of the three pillars of governance of the use of force. Each module contains a short narrative and a set of questionnaires adaptable to different contexts. As a practical tool, the Guide will enable police organisations to draw evidence to design an action plan to strengthen the governance of the use of force.

The GUoF_PSAG should be read in conjunction with DCAF's 2021 publication [Use of police force: A framework to ensure good governance over the use of force](#), as this framework document provides further detail on the key concepts examined in this document.

Ensure that law enforcement officers clearly understand when and how force can be used. A robust use of force framework should outline the appropriate level of force for different situations, such as verbal commands, physical restraint, or the use of weapons. It should also emphasise and provide guidelines on how to de-escalate a situation and use non-lethal force whenever possible. By having clear guidelines (e.g., internal protocols), officers will be better equipped to make informed decisions in high-pressure situations, and they will be less likely to use excessive force.

Increase transparency and accountability. When incidents involving the use of force occur, the public wants to know why and how force was used. A comprehensive framework can provide protocols and training for investigating incidents and help ensure that officers are held accountable for any inappropriate use of force. These actions can help build trust between law enforcement agencies and the communities they serve and strengthen institutional reputation by providing a clear and consistent set of guidelines for the use of force.

Help to protect law enforcement officers. When officers use force, they are putting themselves in harm's way. Officers may face legal or disciplinary actions if their actions are deemed inappropriate. A comprehensive framework can provide officers with the knowledge and skills they need to use force effectively and safely, while also protecting themselves and the public.

Police institutions are the most visible representation of the power of the State. They are entrusted with a broad range of duties to protect and uphold people's rights. To serve this purpose, police are granted special powers which enables them to serve and protect their communities through the provision of social assistance, maintenance of order, and the deterrence of criminal behaviour. In many cases such authority is comprised of the power to use force, elevating law enforcement institutions to a uniquely privileged position. Therefore, it is critical that law enforcement agencies have a clear and consistent set of guidelines for the use of force to ensure that officers are able to fulfil their duty to protect and serve the public while maintaining public trust and confidence.

Establishing a balance between authority and responsibility is central to issues of legitimacy and consent and thus requires a robust governance system. Through the GUoF_PSAG, DCAF seeks to promote the good governance of police institutions, strengthen trust and legitimacy in the police, and ultimately contribute to improving the security of communities worldwide.

Cristina Hoyos, Head of DCAF Latin America and the Caribbean Unit
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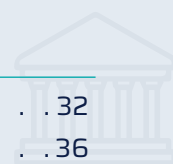
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GLOSSARY

Accountability

A system of internal and external checks and balances aimed at ensuring that police carry out their duties properly and are held responsible if they fail to do so. Such a system is meant to uphold police integrity and deter misconduct and to restore or enhance public confidence in policing.¹

Blue wall of silence

The unwritten rule among police officers to not report on a colleague's errors, misconduct, or crimes. If questioned about an incident of misconduct involving another officer, it would be standard procedure to claim ignorance.²

Check and balances

A system that allows each branch of a government to prevent any one branch from exerting too much power.³

Code of ethics

Statement of the principles on which the organisation's mission, the values underlying its operations, and its general principles of management are based. It is a guide to how police officers (on and off duty) are expected to conduct themselves and mutually act/ behave in given environments. It provides an answer to the question: 'How can we act in the best possible way?'.⁴

Detention

Covers situations where a law enforcement official apprehends or holds an individual against his or her own will, including during or following an arrest. Detention includes situations where an individual is held against his or her will in a vehicle, such as a police car or van. Keeping a person in a police cordon for a prolonged period is also likely to amount to detention.⁵

Effectiveness

When institutions fulfil their respective roles, responsibilities, and missions to a high professional standard.⁶

Good practice

Strategies, approaches, and/or activities that have been shown through research and evaluation to

be effective, efficient, sustainable transferable, and reliably lead to a desired result.⁷

For the purposes of this Guide, good practices meet two additional criteria: they lead to or exhibit coherence with the principles of good Security Sector Governance (SSG); and they serve as reference points for kick-starting an internal reflection on existing practices and developing new ones (when relevant).

Imminent threat

A threat that is reasonably expected to arise within a matter of several seconds.⁸

Indicator

An indicator is an evaluative tool that measures the extent of change.

Internationally recognised guidance

For the purpose of this document, we refer to the international guidance provided by the United Nations, such as the UN Code of Conduct for Law Enforcement Officials (CCLEO) of 1979 and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF) of 1990. Both documents are universal and have been endorsed by international organisations, human rights bodies, and even in the domestic regulations of several States.

Law enforcement agency⁹

Any entity or body that is entrusted or contracted by a state with the prevention, detection and investigation of crime as well as the arrest and detention of criminal suspects or offenders; this includes immigration and other border control agencies. Law enforcement agencies may work at the local, provincial, national, or supranational level. The body or unit of the military or of other security forces will be considered a law enforcement agency when it is conducting law enforcement tasks, whether domestically or in another jurisdiction.

Law enforcement official¹⁰

Any officer of the law, whether appointed or elected, who exercises police powers, especially the powers

of arrest or detention. Where law enforcement powers are exercised by the military, whether uniformed or not, or by state security forces, the definition of law enforcement official includes any officers of such services. Law enforcement officials include immigration officers. The term applies equally to those acting on national territory or extraterritorially.

Legal framework

It refers to the set of laws, regulations and rules that apply in a particular country.¹¹

Legitimate law enforcement objective¹²

Includes police actions recognised in both international and national law, such as protecting members of the public or a law enforcement official against violence, preventing the perpetration of a criminal offence, arresting a person suspected of having committed a criminal offence, or detaining a convicted criminal pursuant to a lawful sentence. It also refers to the duty of law enforcement agencies and officials to facilitate and protect the right of peaceful assembly.

Less-lethal weapons¹³

Weapons designed or intended for use on individuals or groups of individuals which, in the course of expected or reasonably foreseen use, have a lower risk of causing death or serious injury than do firearms. Less-lethal ammunition may be fired from conventional firearms. For the purpose of this Guide, the term less-lethal weapons includes conventional firearms when they are used to discharge less-lethal ammunition but not when they are used to discharge either conventional bullets or other ammunition that would be likely to result in life-threatening injuries.

Openness

The quality of being willing to consider different ideas or opinions.¹⁴

Output

An output is a tangible or intangible result that will contribute to achieving an outcome. An output is within the organisation's control and is achieved through activities.

Participation

People of all backgrounds have the opportunity to participate in decision-making and service provision on a free, equitable, and inclusive basis, either directly or through legitimate representative institutions.¹⁵

Political interference

Government policies and/or measures that bias the impartiality of the security sector and influence their operations in a manner that benefits individual interests over the public interest.

Related equipment¹⁶

Related equipment in the context of the use of force includes personal protective equipment used in law enforcement such as shields, helmets, body armour, and other equipment provided to law enforcement officials to minimise injury.

Responsiveness

When institutions are sensitive to the different security needs of all parts of the population and perform their missions in the spirit of a culture of service.¹⁷

Rule of Law

All persons and institutions, including the State, are subject to laws that are known publicly, enforced impartially, and consistent with international and national human rights standards.¹⁸

Security sector governance (SSG)

Good SSG means applying the principles of good governance to security provision, management, and oversight in a national setting.¹⁹

Good SSG is based on the idea that the security sector should be held to the same high standards of public service delivery as other public sector providers.

The concept of good SSG shows how to make a state's security sector more effective and accountable within a framework of democratic civilian control, the rule of law, and respect for human rights.

Transparency

Information is freely available and accessible to those affected by decisions and their implementation.²⁰

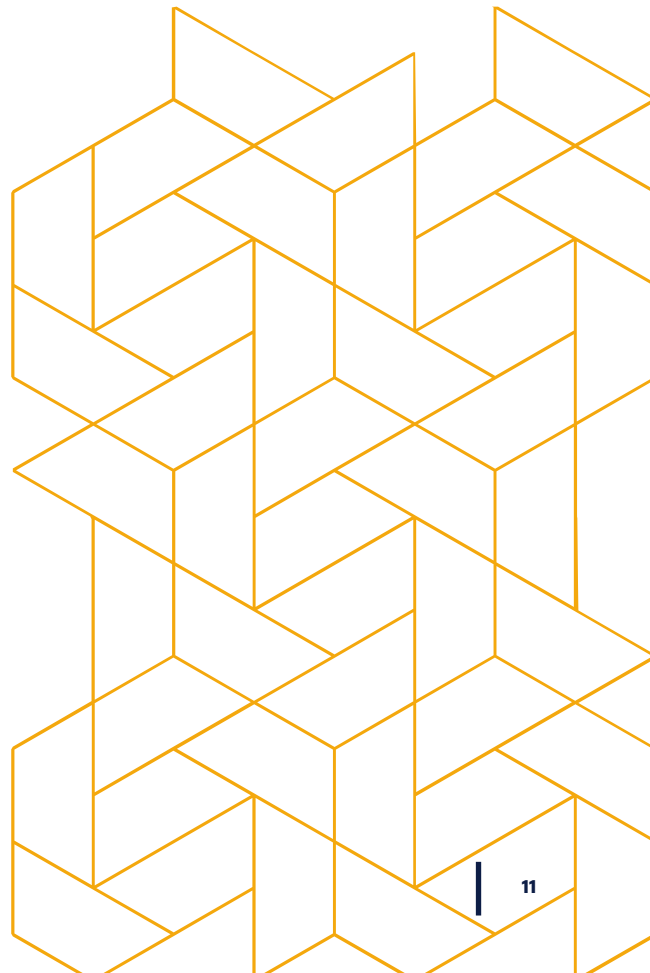
Use of force

Use of force refers to the use of physical means that may harm a person or cause damage to property. Physical means include the use of hands and body by law enforcement officials. It also includes the use of weapons or equipment such as batons, chemical irritants such as pepper spray, restraints such as handcuffs, firearms, and police dogs. The actual

use of force has the potential to inflict harm, cause serious injury, and may be lethal in some instances.

Whistleblower

A whistleblower is a person who reveals wrongdoings or malpractices that are taking place within the police institution. Such disclosure could be made either to the general public or to those who are in a position of authority. A whistleblower report on corruption, mismanagement, illegal activities or any other wrongdoing.²¹





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INTRODUCTION

Overview

The Governance on the use of force: Police self-assessment guide (GUoF_PSAG) aims to assist police organisations in assessing their governance structures, systems, and procedures related to the use of force, with the ultimate objective of achieving greater alignment with international human rights law and current good practices.

In most societies, the police are empowered by the law to use force in carrying out their functions. That power comes with responsibilities and constraints. Since force can be required across the whole range of police functions (from dispute resolution to crime prevention or public order issues), police officers should be compelled to act in accordance with human rights standards. Excessive or arbitrary use of force is not only a breach of human rights, but it also undermines the legitimacy of the police institution, weakens public confidence, and directly impacts the effectiveness of policing.

While there is no single universally agreed-upon definition of the use of force by the police, there is a common understanding that force is the “amount of effort required by the police to compel compliance by an unwilling subject”.¹ The use of force tends to be a

highly controversial issue subject to commentary and examination by a range of external actors. A crucial step for police institutions should be to clearly define what the use of force means in their specific context given that the police uses force across a broad range of functions. The GUoF_PSAG refers to the use of force concerning all police functions.

Ensuring a strong governance system for the use of force by the police involves elements of the wider socio-institutional fabric within which the police operate. It might include independent investigation agencies, oversight bodies, human rights commissions, the courts and the media, among others. Collectively, they represent a system of checks and balances that might be referred to as the mechanisms of external accountability. Such mechanisms are of vital importance in governing police use of force.

However, the primary purpose of the GUoF_PSAG is to focus on the issues that police organisations have agency over. The aim of the Guide is to assist police institutions who are interested in strengthening their internal governance systems through good practice and international learning.² The main aspects of the GUoF_PSAG are illustrated in Figure 1.

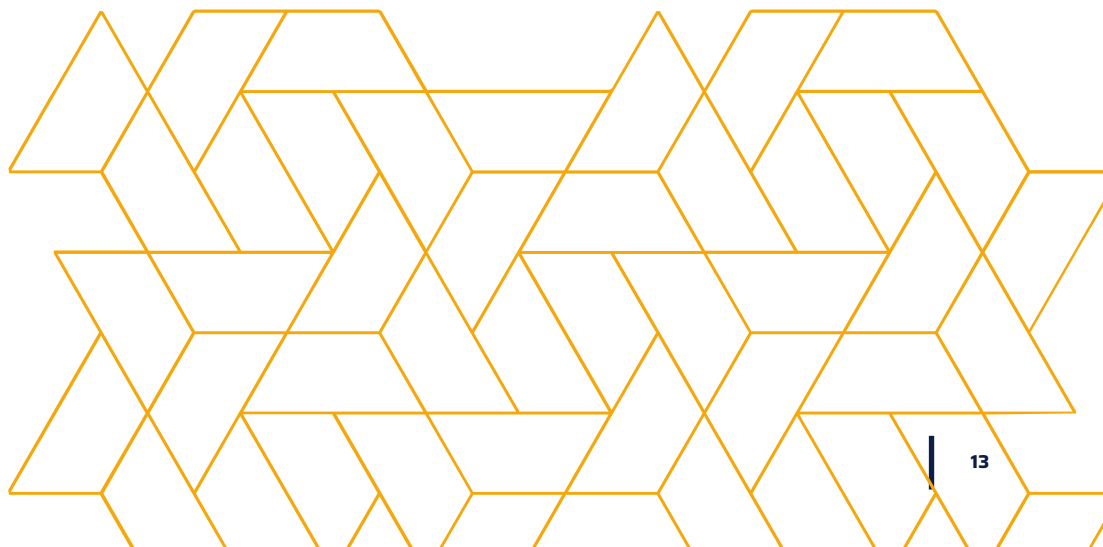


Figure 1: Main aspects of the GUoF_PSAG

POLICE SELF-ASSESSMENT GUIDE

Main aspects



WHAT FOR?

Strengthen the governance of police use of force.



HOW?

Use the Self-assessment modules to review the current practices of the use of force in your organisation. Reflect on what changes are required. Conduct the full assessment or pick the module(s) relevant to your organisation.



WHEN?

Either when going through a police modernisation/transformation process, or simply when the organisation has the institutional commitment to build trust by enhancing the governance over the use of force.



WHERE?

In any police organisation aiming to improve the quality of police service and meet the highest professional and human rights standards.



WHO?

Within the organisation, establish:

- A steering committee for decision-making and overseeing the process.
- A working group to collect and analyse the data, and report on the findings.

This Self-assessment Guide is intended to prompt reflection. This Guide provides no prescription or "silver bullet". The short narratives in each module set a baseline drawn from internationally recognised guidance and good practice. This, in conjunction with the questionnaires, provide police institutions with structure and guidance to reflect upon how to enhance the alignment of their practices, parameters, and systems with the basic principles of the use of force and human rights standards.³

The end notes include examples and further references. However, the definition of what to change or update and how to do it will be specific to each police institution, depending on their context, needs, capabilities, and culture.

This Self-assessment Guide includes references to some elements of external accountability to provide a broader context to some of the issues under discussion. It is widely recognised that an effective accountability system combines elements of both internal supervision and external oversight.

In 2021, DCAF published [Use of police force: A framework to ensure good governance over the use of force](#). The publication highlighted the important role that governance structures and processes play in regulating and monitoring the police use of force. This Self-assessment Guide was designed as a series of practical steps to strengthen the governance over the use of force. Institutions wishing to utilise this Self-assessment Guide are encouraged to read the 2021 publication for a full explanation of the topics addressed in this Guide along with the main principles and human rights compliant practices. This Guide is also aligned with the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (see Annex 1).⁴

The structure of the GUoF_PSAG is based on the three pillars developed in [DCAF's 2021 publication](#):

- **Rule of law:** Defining how the police can use force
- **Resources:** Selecting, preparing, and equipping those who will use force
- **Accountability:** Structures and processes for compliance

These three pillars address the key factors of police operations **BEFORE, DURING, and AFTER** any event involving the use of force. For example, Module B: Resources tackles, among others, issues related to recruitment and training (the “before”), deployment of use of force equipment (the “during”), and occupational health and post-incident support (the “after”).

Structure

As illustrated in Figure 2, the GUoF_PSAG is delivered in 4 Sections which are explained below. Section 3

contains the self-assessment modules. There is a separate module for each of the three pillars of the use of force. Each module contains a set of in-depth questionnaires accompanied by a short narrative that provides a frame of reference for each topic. Police organisations can conduct the whole assessment or prioritise any of the three modules according to their needs. The questionnaires are the core of this Guide. Their purpose is to promote self-reflection against a number of detailed questions. The questionnaires can be used in different ways: in one-to-one type interviews or surveys, to guide a review of documents, or to prompt discussion within focus groups.

In addition, Sections 1, 2, and 4 aim to facilitate the process of conducting the self-assessment and acting on the corresponding self-assessment findings. The GUoF_PSAG is organised as follows:

Section 1: Sets out a proposed methodology for carrying out a self-assessment.

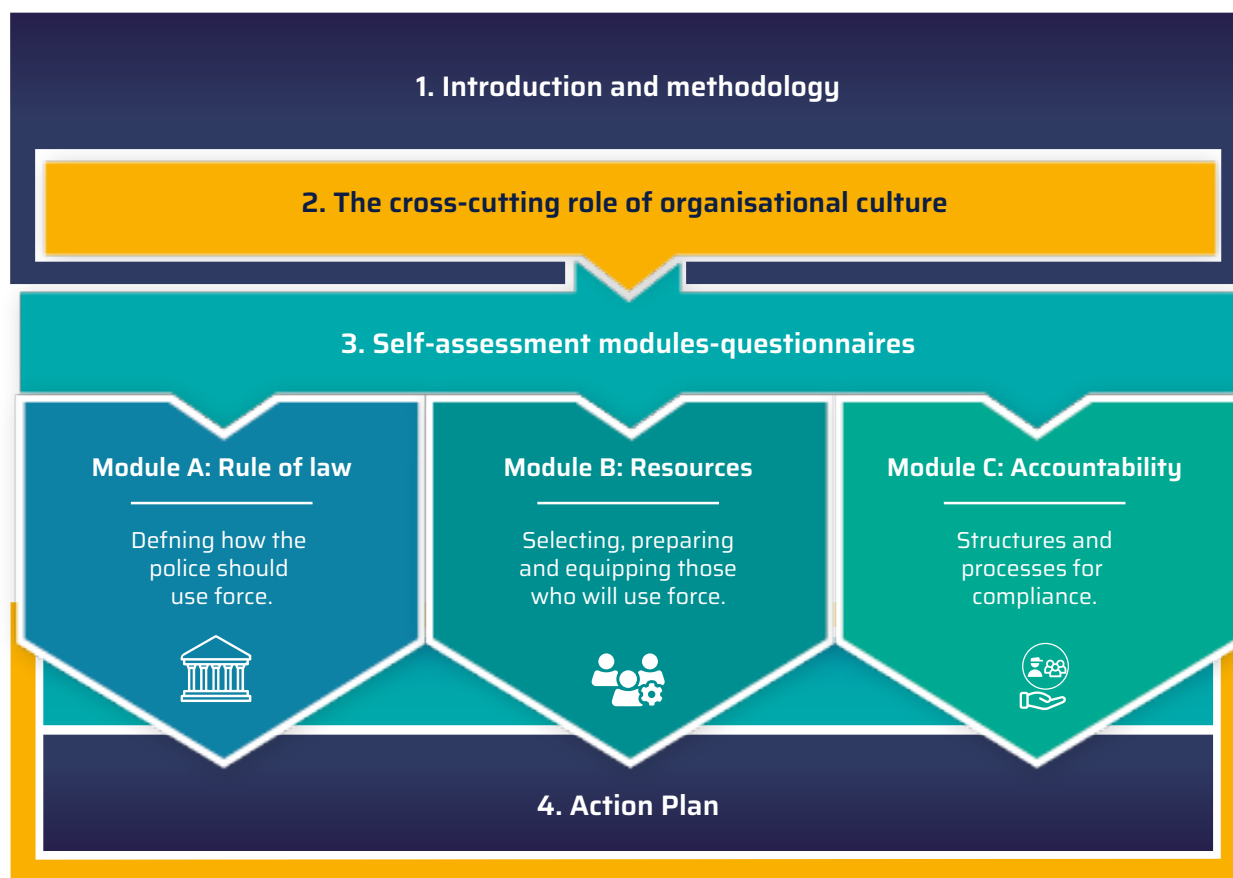
Section 2: Examines the role of organisational culture, particularly as it applies to police organisations and the influence of culture on both attitudes and practices relating to the use of force.

Section 3: Includes **Modules A, B, and C** which relate to the three pillars of governance, as discussed in the 2021 publication [Use of police force: A framework to ensure good governance over the use of force](#): Rule of law, resources, and accountability. These modules purposely come after the section on culture (Section 2). The issues that are examined and promoted within these three modules are intended to counteract potential negative influences that organisational culture may have.

Section 4: Provides advice and suggestions on how to develop an organisational action plan, to respond to the findings and recommendations of the self-assessment process.

Examples of international good practice are included throughout the GUoF_PSAG, most of them included as End notes (See pages 147 - 172).

Figure 2: Structure of the GUoF_PSAG



What is not in this Guide

This Guide is not a compilation of all existing documents and sources on the subject but rather provides a practical tool based on international standards and recognised good practice. It is not a guide to the policing of public assemblies nor a set of instructions on custody and detention. However, both policing assemblies and custody settings are specifically covered to reflect the attention that these policing responsibilities receive in the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

This Guide is not a manual nor a tool to analyse specific incidents involving the use of force by the police. The concept of police accountability requires

that every such event should be reviewed and investigated. Fulfilling that obligation contributes to the good governance on the use of force. This Guide has a more holistic focus as it aims to generate a comprehensive analysis of police institutions, enabling them to assess organisational structures, policies, processes, and mechanisms related to the use of force.

The Guide intends to prompt self-reflection to more closely align police use of force with human rights standards and international good practice. Ultimately, this Guide aims to help the establishment of a governance system that assists in minimising the occurrence of individual incidents of inappropriate use of force and when incidents do occur, they are rigorously reviewed and acted on accordingly. Figure 3 overleaf shows how to use the GUoF_PSAG.

Figure 3: How to use the GUoF_PSAG



METHODOLOGY

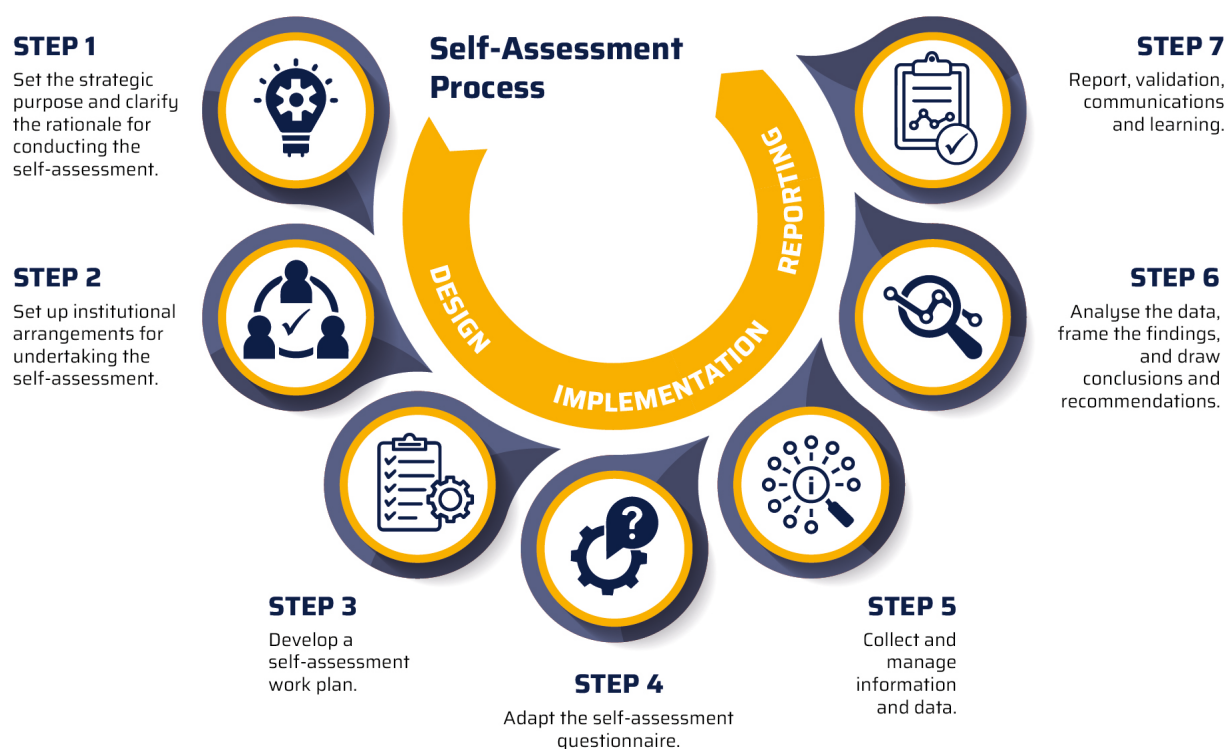
This section sets out the critical steps in the process of preparing for and undertaking the self-assessment. As previously mentioned, this Self-assessment Guide is intended to be read in conjunction with the [2021 DCAF Framework publication](#) which defines the three pillars of governance to ensure that police use of force remains compliant with the protection of human rights (Rule of law, resources, and accountability).

Conceived as an internally-led organisational initiative, the self-assessment process is designed

to help promote a culture of reflective learning that leads to institutional strengthening.

As recommended in Section 4, the findings of the Self-assessment should inform further action plans to tackle gaps on the governance of the use of force (see Figure 4 for the self-assessment process). The GUoF_PSAG was created to be relevant and adaptable to different operational contexts, regardless of political or socio-economic conditions, including countries affected by conflict.

Figure 4: Steps to conduct the police self-assessment



1. Strategic purpose – rationale for conducting the self-assessment

A key incentive for undertaking an organisational self-assessment on the use of force is a recognition of the impact that the use of force has on police legitimacy and effectiveness. Effective policing requires public trust, which is hard to maintain and attain when facing recurring incidents involving the misuse of police force. This Self-assessment Guide will aid self-reflection and help identify areas of policy,

guidelines or operational practice that need to be addressed to secure and maintain public confidence.

Conscientiously conducting this self-assessment is in the best interest of police institutions as it will enable them to autonomously act on the findings and make changes that are likely to substantially improve their relationship with the communities they serve.

Understanding the practical reality of the use of force and the issues that influence police officers to either misuse force or turn a blind eye to the behaviour of others is essential to strengthening all aspects of a governance system.

Thanks to the modular structure of this Guide, police organisations have the option to prioritise and conduct either a full review or a topic-specific assessment according to their needs and available resources. The extent of the self-assessment will be determined by the characteristics of each organisation, including context, political will, resource capacity, specific needs and time frames. The Self-assessment will provide them with

crucial insights on actions that can be taken before, during, and after the use of force to ensure human rights compliance. Those actions are key to preparing officers to make real-time decisions in line with domestic legal frameworks and international recognised guidance.

Designing and implementing a self-assessment process sends a clear signal of leadership commitment to improving the quality of police services and meeting the highest professional and human rights standards. Developing and implementing subsequent action plans (see Section 4) will further assure interest groups, other government entities, and civil society of a continued commitment to institutional strengthening.



2. Institutional arrangements required for undertaking a self-assessment

Start by ensuring the availability of the organisational authority, structures, and capacities to properly manage the self-assessment process. The success of such leadership endeavours requires both high-level and distributed facilitators, those individuals who have the capabilities to guarantee that the appropriate measures are being taken to conduct the self-assessment. It also requires a mix of technical and relational capacities to ensure that the high-level and distributed facilitators are able to implement actions clearly, accurately, and efficiently.

The self-assessment process should be overseen by a leadership group, often a Steering Committee (SC) made up of a small group of senior officers from different parts of the organisation. As the main decision-making body, the SC is responsible for overseeing the entire process. Most likely the SC will report to the Inspector General or to an official at the ministerial level. The roles and responsibilities of the SC should

be set out in a brief Terms of Reference (TOR). A technical Working Group (WG), with functions distinct from the SC, should be created. WG members will be responsible for designing, implementing, and reporting on the self-assessment process. The SC, therefore, has an important coordination and validation role, while the WG is responsible for the technical tasks associated with conducting the self-assessment.

As WG members will be primarily responsible for design, implementation, and reporting, their roles and responsibilities will also need to be set out in a brief TOR (including the team's structure and key technical roles, such as data collection, analysis, and reporting). The WG should also have a designated Team Lead to act as liaison with the SC. This will provide clarity and complementarity between the SC and the WG and among different WG members and will foster a shared sense of purpose and a common commitment to self-assessment processes.



3. Develop a self-assessment work plan

An important initial task for the WG will be to draft and agree on a work plan. The work plan will

draw on the TOR for the WG. It will set out the main activities, resources, and timeline required to complete the self-assessment. The time required to complete the assessment will depend on the number of modules the organisation engages with, and the time that the WG and SC members can dedicate to this process.

The work plan is likely to include the following time-bound activities and deliverables:

- Tailoring the self-assessment question framework
- Collecting information and data against the self-assessment questions
- Undertaking analysis of the data, co-producing findings and conclusions
- Report drafting and framing conclusions and recommendations

- Ensuring effective communications for learning and uptake

While a Team Leader may have overall responsibility for all the aforementioned activities and deliverables, individual WG members may be responsible for one or more, depending on required competencies.

The SC should focus on the recruitment of WG members with the right mix of skills. In the case of capacity deficits, the SC may request external technical assistance, ensuring members receive training and on-the-job coaching to embed new self-assessment capacities. The SC will also need to decide on optimum WG numbers, and make sure that the WG is delivery-focused and not overly administrative. Consideration will need to be given to the level of effort required to complete the self-assessment, ensuring that WG members are not constrained by other work commitments.



4. Tailor the self-assessment question framework

As previously mentioned, police organisations can either conduct a full assessment

(e.g., the three pillars), or choose the module(s) according to their needs and available resources.

The WG will need to tailor the assessment question framework - comprised of **12 questionnaires** found in **modules A, B, and C** - to their context. The scope and contents of the final question framework will be influenced by a range of factors, including strategic priorities set by the SC, and data availability and quality.

Pragmatism is advised as there are likely to be data management risks associated with trying to implement an overly comprehensive self-assessment. The SC may want to limit the number of questions used to assess each pillar, focusing on variables that it considers most relevant.

It is recommended to conduct a risk analysis to identify the factors that may hinder the self-assessment process, understanding that risks will be different for each police organisation. It is important that the WG is prepared to manage, mitigate, and control risks and their impact.



5. Collect and manage information and data

The SC will also need to agree on principles and rules governing the self-assessment,

including protocols for the management, storing, and sharing of information in accordance to the data protection regulations of their context. The WG members will need authority to access information from across the organisation. The SC can play an important role in creating the right authorising environment, ensuring effective communications and buy-in across the organisation.

The data collectors can employ a variety of methods to source a mix of qualitative and quantitative data required to address the questionnaires (Box 1).

Some data will be available in administrative records and periodic reports. Other information may consist of the views of police staff concerning prevailing practices and different opinions voiced by other relevant actors, depending on the extent of external stakeholder engagement.

The data collection will require engagement with colleagues from various departments and units, and potentially external stakeholders. Hence, the WG members will need good relational skills.⁵

The WG members will need knowledge and skills to design and use different data collection tools, and a grasp of the ethics and protocols associated with undertaking this type of assessment: respect the principles of informed consent, confidentiality, and participant anonymity.

Box 1. Typology of data collection methods

1. Desk research, including reviewing organisational policy documents and collecting statistics from secondary sources (national or organisational surveys)
2. Mining data/statistics from administrative records including internal reports
3. Focus group discussions, including collective interviews
4. In-depth interviews
5. Expert panels, sometimes made up of external opinion-formers
6. Observation/site visits

Consideration will also need to be given to identifying and mitigating some of the associated risks, for instance, the non or irregular availability of data, the inability to disaggregate data, and challenges on guaranteeing a balanced gender ratio among participants.

The WG will need practical tools to collect and manage the information or hard data. They need to be confident that the data will be organised in a manner that facilitates efficient analysis.



6. Undertake analysis and frame findings and conclusions

Information needs to be collated and analysed in a structured and consistent manner. This starts with

a consistent format for notetaking during interviews. The interviews should be conducted by experienced staff, with abilities to lead interviewees to further elaborate on their answers if necessary. Interview data will need to be systematised and transferred to an 'evidence log', organised by codes and categories. Whenever possible it is important that emergent findings are

triangulated. There is always a risk of intentional or accidental bias in participant responses (e.g., social desirability bias) that can be detected and solved by triangulation. Single-point findings are also risky as they seldom provide sufficient grounds on which to base a broader conclusion. In order to generalise, findings need to occur consistently multiple times across sources. Emergent conclusions should be 'co-produced' with the SC to guarantee that the eventual report contains recommendations that have high-level support.



7. Report, validation, communications, and learning

The WG will need to agree on a format for the self-assessment report with the SC. This may be revisited during implementation but is likely to consist of the elements listed in Box 2.

The WG may consider producing a draft outline of the report, structured around key thematic findings. These can then be iterated with the SC prior to developing a more detailed draft report. Attention should be paid to report accessibility. Diagrams often have far more explanatory power than large bodies of text. The authors should use annexes where appropriate.

The SC will also need to give some thought as to how the report's conclusions and recommendations will be communicated to internal and external stakeholder groups, and to what end. It is important that the organisation's senior leadership validates and signs off the self-assessment findings and recommendations prior to the drafting of the action plan for the effective implementation of any actions. This includes determining the extent to which the leadership balances internal communication of findings at the department level with the use of other platforms to flag findings to specific groups that may cut across departments. This will constitute part of a broader strategy to promote organisational learning and shift organisational culture, tacitly challenging prevailing institutional norms.

It is up to the police organisation how much they want to share with external stakeholders. However, validating the self-assessment findings with external stakeholders, including representatives from civil

Box 2. Self-assessment report sub-headers

1. Executive Summary
2. Introduction
3. Methodology
4. Limitations
5. Findings
6. Lessons
7. Conclusions
8. Recommendations
9. Annexes

society and the community, NGOs, lawyers, media, academia, and the business community may help increase robustness and legitimacy. Police organisations should also consider engaging with groups who might be particularly impacted by the use of force, for example, women, youth, and minority groups. External stakeholders can help to build trust in the process and the institution and consider external perspectives, resulting in a comprehensive action plan.

The recommendations may also lead to the production of a series of short internal policy briefs, catalysed by the robust evidence surfaced from the self-assessment, intended to engage on specific policies, for instance, to inform adaptations to existing regulatory frameworks. Such initiatives may also be integrated into an action plan similar to the one provided in Section 4. In this way, the self-assessment can be seen to be just one part of a broader strategy to deliver institutional transformation outcomes.



2. The cross-cutting role of organisational culture

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THE CROSS-CUTTING ROLE OF ORGANISATIONAL CULTURE

The three key pillars around which the Guide is built (Modules of Rule of law, Resources, and Accountability) provide a holistic approach to addressing actual and potential gaps and flaws in police officers' behaviour when resorting to force.

Police officers' behaviour is a result of multiple factors that go beyond formal rules and procedures which relate to cultural aspects. Culture significantly impacts how police use force.

This section offers an overview of the main factors that influence culture aiming to raise awareness about where potential issues lie.

While there is no definitive recipe to create or change organisational culture, the three modules in section 3 provide guidance and concrete action to promote a culture that encourages police officers to act in accordance with international human rights law.



1. Defining organisational culture

Police officers' behaviour is influenced by informal elements such as the work environment, peers, and organisational culture. Culture is defined as the collective values, beliefs, attitudes, and knowledge which can manifest in common behaviour patterns within a society.¹ Culture, however, is not static. It constantly evolves, in some cases, due to the emergence of new challenges and constraints.²

Organisational culture comprises "the formal environment and norms that characterise a

specific organisation, as well as the informal behavioural and social phenomena that occur among individuals in an organisation".³

The police, just like other organisations, have an internal set of rules and shared expectations which guide behaviour. This organisational culture involves values, belief systems and attitudes that set acceptable parameters for how to act, influencing its members' behaviour and decision-making.



2. The impact of organisational culture on policing practices

Research demonstrates how organisational culture influences the behaviour of individuals.⁴

This influence can be positive by reinforcing values in line with good practice, or detrimental by reinforcing dynamics that contravene good governance and respect for human rights and international law.

It is important to identify the formal and informal structures that influence the norms by which police officers abide. Formal structures are built around laws, codes of conduct, standard operating procedures, and the hierarchical rank structure. Informal structures include the accepted values, shared expectations, gender norms, and peer pressure transmitted in daily interactions and exchanges.⁵

Police culture is embedded in vertical and horizontal levels across the organisation. It can be found in the organisation's recruitment and training of new police officers, in career development and promotion processes, and also within the leadership. In many cases, these formal and informal structures dictate divergent and contradictory norms, which give rise to what sociology refers to as 'role conflict', characterised by differences between the community's expectations of the police's role and certain police behaviours.⁶ Organisational culture is not homogeneous. There are different subcultures within the organisation based on specific police contexts (e.g., Patrol Officers vs Specialised Units, Urban vs Rural), which can largely influence how some groups function regarding the use of force.

Figure 5: Formal and informal structures of police culture.



Police culture is often conveyed through storytelling, which is a way of communicating and affirming working norms, expectations and a coping strategy that brings meaning, coherence, and integrity to officers' work.⁷ For instance, in the police environment, "displaying courage in the face of threat is widely valued."⁸ The nature of the role frequently leads to encounters where police officers 'test' their courage and require reliance on their colleagues. As a result, their sense of isolation from external observers who they feel can't possibly understand the challenges they, as police officers, face expands.

Organisational cultures (or subcultures) based on traits such as stereotyping, cynicism or suspicion can undermine transparency and accountability with tacit codes such as the 'blue wall of silence', which can conceal misconduct.⁹ This impacts communities' trust and confidence in the police and the way they relate to each other. "The link between a flawed police culture and unconstitutional force shows that such abuses are not just the result of the acts of an individual (the bad apple theory) they are the 'natural consequence' of a culture 'that encourage[s], permit[s], or acquiesce[s] to the use of unconstitutional excessive force.'¹⁰ Approaches to governance on the use of force, therefore, require recognising and engaging with the influence of culture. Other traits associated with police culture and subcultures that undermine police legitimacy are also related to gender and discrimination issues. For example, police environments where confronting physical threats is widely regarded as 'tough' work traditionally associate such work with masculinity. Having an increasing number of female officers in those contexts represents a profound threat to

this notion of policing. Indeed, evidence shows that female officers are less likely to use force during encounters with individuals compared to their male colleagues.¹¹

Police culture can embrace different mindsets: a guardian mindset or a warrior mindset¹² (also referred to as restraint vs military paradigms).¹³ The former has a mission of protecting the community. In contrast, the latter follows a war-like approach, which creates the perception of dealing with "an occupying force, detached and separated from the community."¹⁴ This is relevant for the use of force as it largely determines the practical approach taken towards the use of force. For instance, where an organisation is distant from the communities it polices, the focus is on enforcing compliance as communities are often perceived as suspect. In such cases, arguments about officer safety are more likely to justify the use of police force.

Police organisations should be mindful of how "culture influences the acceptance or rejection of certain behaviour and how members of the organisation see the outside world. Police culture can refer to the 'us versus them' attitude attributed to police organisations almost everywhere, whereby 'them' can variously mean 'society at large', 'criminals' or even 'senior police officials'. It also can refer to police attitudes towards using their discretionary powers, especially where the goal or end (protecting society from criminals) is thought to justify the means (for example, unlawful searches, excessive use of force, and untruthful testimony). Finally, it can refer to the strong feeling of loyalty towards and solidarity with fellow officers, which goes beyond what is normally encountered among personnel."¹⁵



3. Addressing culture

Transforming cultures is not a minor endeavour. Police organisations should undertake this challenge with realistic objectives and a clear understanding that change happens gradually. This recognition is vital to avoid creating false expectations that undermine change efforts. The governance of police use of force is built upon values¹⁶ compatible to international human rights standards and the conscious understanding of the community around. Such values must be compatible with the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.¹⁷

A positive police culture can provide moral support and generate team spirit within the organisation, which is necessary for an effective policing role and fulfilling tasks.

Countering aspects such as the ‘blue wall of silence’ requires a holistic approach which this guide advocates. While implementing measures such as programs of ‘protected disclosure’ (also known as ‘whistleblower programs’) can help, authentic and sustainable change is only brought about by systematically addressing policies, human resources management, and accountability mechanisms.

1. Leadership through values

The police leadership has a crucial role “in determining and communicating agency culture: their behaviours demonstrate to other officers what is acceptable and what is not.”¹⁹ Those behaviours are part of the organisational culture, which is also known to influence officers’ conduct directly.²⁰ Most individuals who are drawn to join a police organisation share some of the organisation’s characteristics and values (e.g., “a call to uphold the law” or “serve the community”²¹). The organisation selects those candidates considered to be ‘good fits’, while those who ‘do not fit’ end up leaving the organisation over time.²² Police leadership must be aware of the critical role they play as they have the ability to influence both the written and non-written norms of the organisation.²³

Police culture may also provide officers with practical perspectives on how to exercise their duty and justify a range of working practices not taught in training school. Police organisations should be aware of such informal practices and identify those which can strengthen policing and those which may be detrimental to the governance of the use of force. The former can be included in training curricula and lesson-learned processes. The latter can be countered through a combination of actions to ensure coherence between internal protocols and guidelines, leadership through values, and internal and external accountability mechanisms.

In sum, police organisations must be mindful of the impact of ‘culture’ and seek to engage its positive aspects while mitigating behavioural patterns which undermine organisational goals and values. Addressing the potentially negative impact of culture on policing involves three key activities:¹⁸

1. Leadership through values
2. Internal and external mechanisms of accountability
3. Accountability to communities

Leadership within police agencies must guarantee that their organisational culture is not in conflict with the guardian (or restraint) mindset by signalling conflicting values resembling a warrior (or military) mindset instead.²⁴ Further, evidence shows how a “coercive, top-down leadership model” deters highly educated people from joining the police department.²⁵ This represents an issue in attracting and retaining quality recruits. Implementing regular mechanisms of dialogue with communities, with the participation of the Senior Leadership,²⁶ can allow for constructive engagement with communities at national and local levels. This can help to demonstrate how the institutional culture embraces formal rules and reflects the beliefs, values and expectations of the communities being served.

2. External and internal mechanisms of accountability

Police organisations should be subject to a range of external checks and balances to ensure compliance with their formal mandate and professional standards.²⁷ This exercise would benefit police members as it provides a space to communicate practical challenges and address specific issues. Internally, they should incorporate transparency and accountability as pillars of their organisational culture by implementing systems to monitor and supervise police officers' behaviour. Evidence shows that failure to hold police officers accountable for misconduct conveys a message of institutional tolerance or implicit approval for such behaviours. The message could be further misinterpreted and generate the perception that the institution fails to respect the law and/or institutional policies.²⁸

When designing or adjusting accountability mechanisms, it is essential to consider how the nature of police

work often leads to situations including detachment, secrecy, estrangement, and distrust of the public ('us vs them' attitude), as well as forging close bonds of camaraderie and loyalty between police officers, which in some cases can conceal misconduct undermining police accountability.²⁹ Further, as part of their mandate, the police are required to undertake activities such as law enforcement, maintaining public order, setting restrictions on certain freedoms, conducting searches, and making arrests. Altogether, these situations and tasks might create conditions that expose police officers to circumstances where there is a higher likelihood to commit violations to regulations.³⁰

Police organisations can mitigate this risk by fostering a police culture that values and recognises achievements and help to counter police distancing and isolation from the public and encourage transparency and accountability.

3. Accountability towards the people

Placing transparency and accountability at the core of police culture will strengthen the trust and confidence of the public and bridge the gap between police and the communities being served. Closeness with the public reinforces the guardian mindset, enhances collaboration, and improves the effectiveness of policing and the well-being of police officers, who will be better prepared to fulfil their mandate.

The police are a mirror of society.³¹ Policing involves frequent contact with the communities that are being

served. However, the organisational culture may "separate officers from thinking of themselves as members of the public".³² The communities are more likely to cooperate with officers they consider 'good and trustworthy police'.³³ When police and communities work closely together, they can address issues more effectively and transform negative behaviours and relationships. This is part of the concept known as community policing, which emphasises community partnerships, problem-solving, and organisational transformation.³⁴

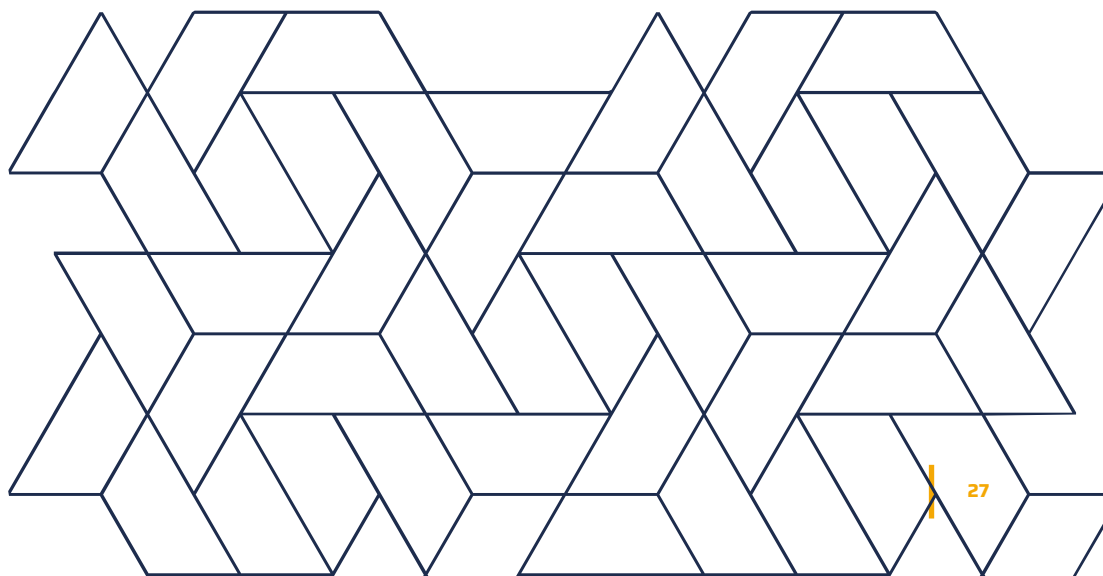
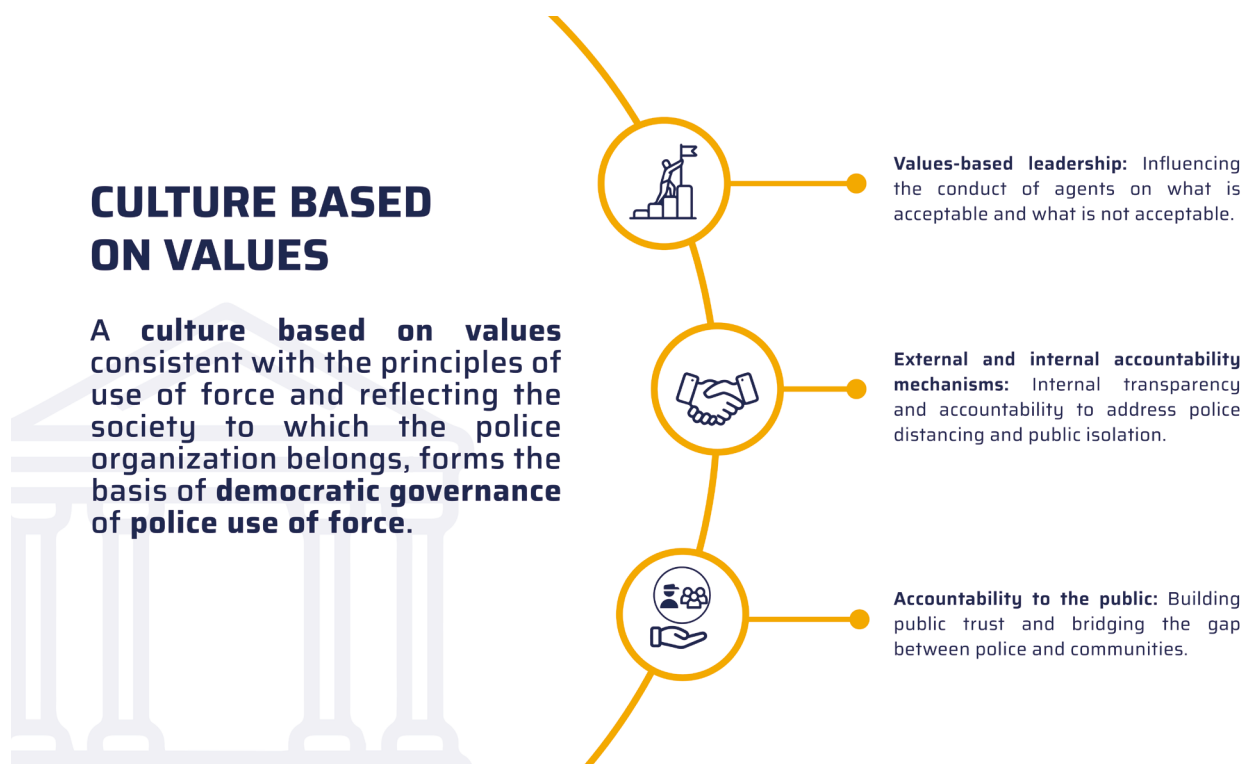


Figure 6: Addressing police culture



4. Conclusion

All the aspects encompassed in the three governance pillars developed in this Guide: the Rule of law, Resources, and Accountability are expected to contribute to a positive organisational culture that enables police officers' decisions and actions to adhere to the international use of force principles. Only a coherent combination of rules, recruiting, and selection practices, training, and accountability mechanisms allows for the construction of a culture that restrains the use of force when it is not compliant with legal principles.³⁵ Since "[b]ehavio[u]r is more likely to conform to culture than rules",³⁶ norms and policies will fall into a vacuum if they are not embedded in the organisational culture.

For example, if police training prioritises control over communication (instructing officers to take control of civilian interactions at all costs), force is more likely to be used when it is not justified.³⁷ Likewise, when the accountability mechanisms are limited or not enforced, unlawful use of force is much more likely to prevail. Promoting an environment that welcomes staff input and encourages feedback at all levels helps reduce barriers across the organisational structure and between the organisation and the community. This enables police members to relate positive values and use of force principles to the operational requirements of routine policing.

Box 3. Organisational culture: Bottomline

1. Organisational culture involves values, belief systems and attitudes that set acceptable parameters for how to act, influencing the behaviour and decision-making of police officers regarding the use of force.
2. Organisational culture is not homogeneous: There is a range of subcultures within the organization as well as specific features of each police context.
3. The role of organisational culture on the use of police force:
 - Behaviour is more likely to conform to culture than rules.
 - Standards and policies fall short if they are not integrated into the organisational culture.
 - Impact on communities' trust in the police and how they behave towards each other.
4. Police organisations must be mindful of the impact of 'culture' and seek to engage its positive aspects while mitigating behavioural patterns which undermine organisational goals and values.
5. Police leadership must be aware of the critical role they play as they have the ability to influence both the written and non-written norms of the organisation.
6. A police culture that values and recognizes achievements and effective policing can help counter police distancing and isolation from the public and encourage transparency and accountability.
7. Placing transparency and accountability at the core of police culture will strengthen the trust and confidence of the public and bridge the gap between police and the communities being served.



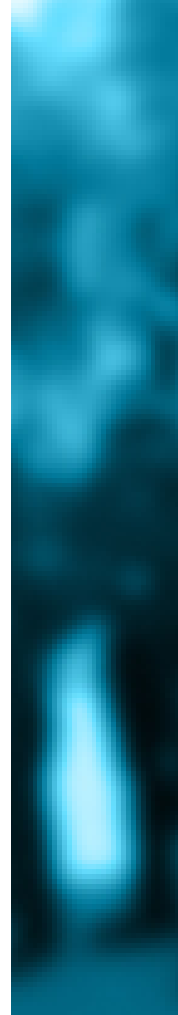
3. SELF-ASSESSMENT MODULES-QUESTIONNAIRES

This section includes modules A, B, and C which address to the three pillars of governance of the use of force: Rule of law, Resources, and Accountability. Police organisations have the option to conduct the full self-assessment which includes the three modules, or select the pillar(s) that may be more relevant to their needs and organisational context.

Each module contains a short narrative and a set of in-depth questionnaires which together provide a frame of reference to assess that police use of force remains compliant with the protection of human rights. Each narrative section is accompanied by additional resources to reflect on international good practice and learn from practical examples of police organisations that have worked across the three pillars of the use of force in different regions of the world.

The questionnaires are the core of this Self-assessment Guide. Their purpose is to promote self-reflection against a number of detailed questions that touch upon relevant aspects of each pillar of the use of force. The questionnaires can be used in different ways: individual interviews or surveys, to guide a review of documents, or to facilitate discussion within focus groups. For further information on each module, please consult DCAF 2021 publication [Use of police force: A framework to ensure good governance over the use of force.](#)

Please refer to section 1 for the suggested methodology for conducting the self-assessment, and to section 4 for the guidelines for designing and implementing an action plan.



3. Self-assessment modules-questionnaires

Module A: Rule of law

Rule of law

1. Political factors	32	3. Internal policy and guidelines	32
2. Legal framework	32	Questionnaires	36



The '[Use of police force: A framework to ensure good governance on the Use of Force](#)' promotes the idea that a robust governance system is essential in securing legitimacy and maintaining public support and cooperation of the people with the police organisation. In most societies, the police are granted a unique authority to fulfil their mandate of preserving order, deterring criminal behaviour, and upholding the rights of communities. This includes using force in exceptional circumstances, and even then, under the principles of legality, precaution, necessity, proportionality, and non-discrimination.

Regulating how police operationalise this authority helps to provide an appropriate balance between the rights of individuals and the power of the police.

DCAF's good governance framework is built on three key pillars. The first is entitled Rule of law which explains when and how the police can use force. This module discusses three elements of the Rule of law that are relevant for the governance of the use of force.



1. Political factors

As an agent of the State, the role and disposition of the police will be determined by the government. It is recognised, for example, that "the presence of a military rather than civilian ethos within a police organisation contributes significantly to the number of human rights violations".¹ Member States of international conventions are responsible for setting the agenda to create and oversee a complete framework that ensures compliance

with the highest standards on the use of force.² Police act under the authority of the government in power, and the specifics of this relationship are unique to each country. The security situation and the operating environment can often influence them. This ranges from overt political direction to arrangements where the police are granted a high degree of operational independence, usually accompanied by accountability mechanisms.³



2. Legal framework

National governments use legislation to set the tone for the nature of operational policing, particularly with regard to the use of force. Regardless of the domestic arrangements governing how police forces are organised,⁴ international frameworks are clear on 1) the requirement for States to ensure their domestic legislative structure complies with these standards, and 2) that

police officers are not exempt from criminal liability for unlawful acts committed in the course of their duties.⁵

The incorporation of international standards and the fulfilment of legal obligations has been endorsed and recommended by various regional courts and human rights bodies.⁶



3. Internal policy and guidelines

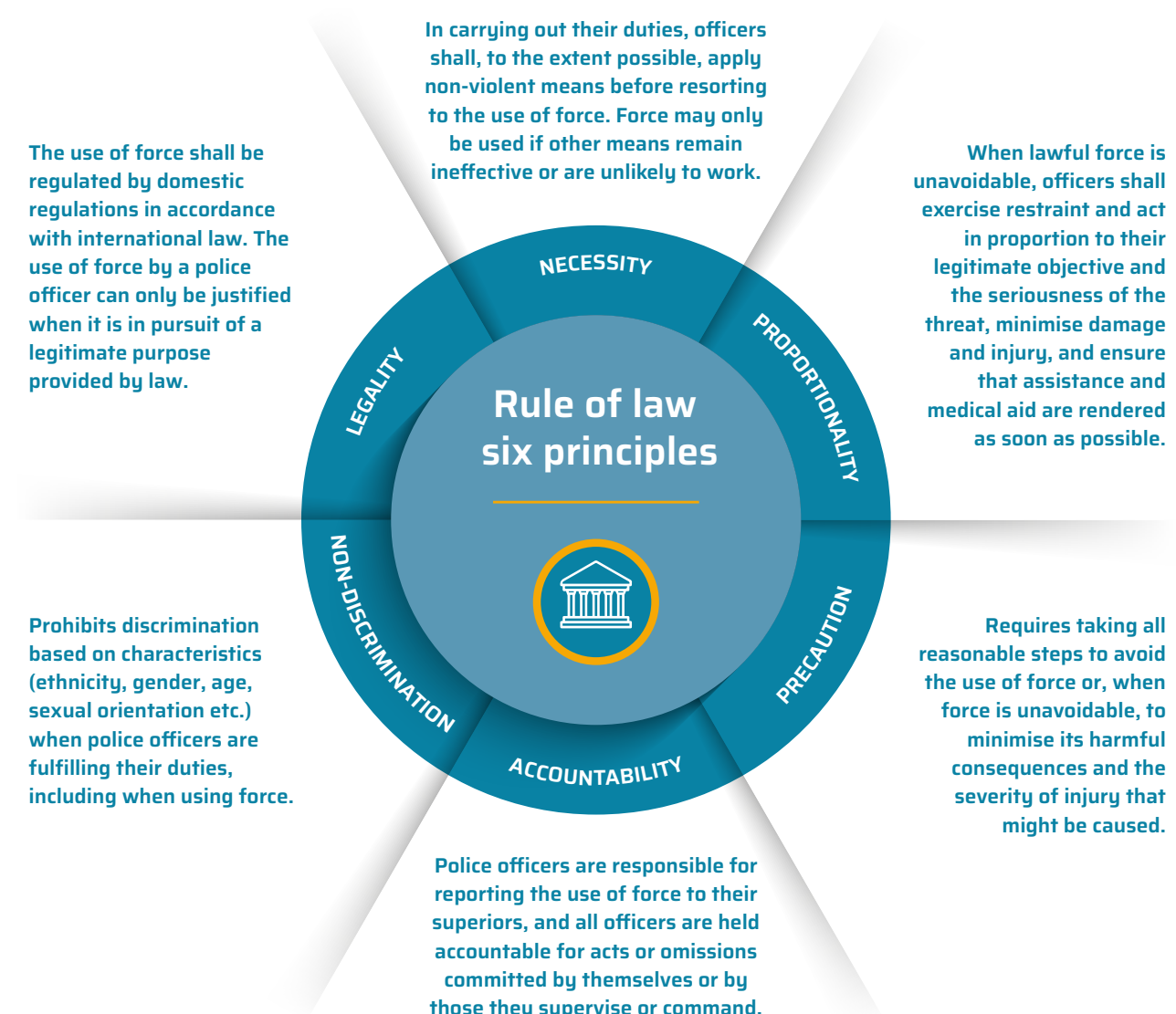
Whereas the legal framework delineates the rules governing police use of force, internal policy and guidelines also provide direction about when such force can be used and how it should be used. Their objective is to provide guidance to police officers that is operationally achievable, meets human rights standards for the application of force, and ensures that individual officers are responsible for their own conduct and the conduct of those they command and supervise.

The first two of these elements clearly lie outside of the remit of the police. The police are subject to and not determinant of political direction and legislative control. Nevertheless, while the police cannot independently make changes to the legal framework, they often play a role in consultative processes or reviewing the existing framework and assessing its relevance and coherence. In some cases, the police can also develop proposals to improve the legal framework alignment with good international practices and to address the needs of the local context more effectively.⁷

While this module will focus primarily on the issues that the police organisations have agency over, such as policy, doctrine, and operational procedures, attention is also drawn to the role police institutions play in influencing a clear legal framework that provides proper guidance and delimitation of police powers, as well as accountability mechanisms to address any potential misbehaviour. Domestic regulations should be in harmony with internationally recognized norms and good practices, and no exceptional circumstances should be invoked to diverge from those.⁸ The legal framework should be complete, understandable, and accessible for both police and the general public. Laws should be subject to periodic reviews by independent bodies.⁹ Further, internal policy development should include communities' input and participation. Policy documents and operating procedures should be publicly accessible unless there are clear grounds for restricting publication.

Institutional policies, doctrine, and standard procedures create the 'internal rules' which guide police officers in their use of force. Technical information on 'how' to apply force or use certain types of equipment is likely to be found in tactics manuals. But even before force is applied, officers are required to exercise judgement as to whether force is required and discretion about the type and level of such force. Operational policing can be extremely challenging. In their daily duties, law enforcement officials face a wide variety of situations. Sometimes these require instantaneous decisions involving complex judgements about proportionate responses, often in highly stressful and dangerous circumstances. In such cases, police officers need to be supported by a policy framework that enables them to make the best possible decisions. At a minimum, the police organisations' internal guidelines need to incorporate the following fundamental principles describe in figure 7:¹⁰

Figure 7: Fundamental principles for police internal guidelines on the use of force¹¹



3. Self-assessment modules-questionnaires

Module A: Rule of law

These principles are widely recognised as key to a human rights compliant framework. Police organisations should therefore ensure that their use of force policy development is supported by specialist legal advisors.

Beyond these general principles which apply to the use of force by police in any operational context, additional considerations/restrictions must also be incorporated into policy and guidelines for other specific circumstances, such as:

- **Use of Firearms:** Firearms shall only be used under the ‘protect life’ principle. In effect, police should only use firearms when they or a third person are under imminent threat of death or serious injury and after a warning has been issued.¹² This strongly affirms the principle of proportionality, that potentially lethal force may only be used to avert a potentially fatal threat.¹³
- **Policing of Assemblies:** In recognition of the positive obligation of States to facilitate peaceful assemblies, the police should avoid using force where possible in such contexts. In the case of violent assembling of groups or crowds, dispersal should be achieved by force to the minimum extent necessary.¹⁴
- **Custody or detention:** The fact that a person is lawfully deprived of their freedom does not confer any greater power on police to resort to the use of force.¹⁵ The confined environment of detention facilities carries higher risks for excessive or otherwise unlawful use of force. Therefore, particular precautions and supervision requirements should be embedded in operational guidelines to prevent such abuses.¹⁶ According to the European Court of Human Rights a lawful arrest can only be a valid reason for endangering a human in situations of absolute necessity.¹⁷

A police organisation’s policy framework on the use of force must establish not only the parameters within which force can be used but also provide frontline officers with a mechanism to assist them in determining operational actions that are legal, necessary, and proportionate. Such a policy not only helps officers make

better decisions but also protects both the individual and the organisation in the aftermath of an incident.

The [DCAF 2021 Good Governance Framework publication](#) refers to the importance of having an ‘operational model’ for the use of force to guide officers. In many countries, these models often take the form of a ‘continuum of force’, in which a subject’s resistance levels are matched with specific police tactics and weapons. However, the rigidity of such models and their role in encouraging escalatory use of force are being increasingly questioned. More often, policy approaches emphasise a de-escalation approach, defined by the US Department of Justice as “the strategic slowing down of an incident in a manner that affords an officer more time, distance, space, and tactical flexibility during dynamic encounters on the street”.¹⁸

The Police Executive Research Forum (PERF) in the US has endorsed an approach which encourages a more nuanced decision-making model¹⁹ where officers are trained to evaluate the totality of a situation. For example, officers are advised to look beyond the fact that a suspect has a knife and to assess the actual threat posed by the knife at that particular time. The inclusion of decision-making models in police training and protocols allows for the identification of issues and generate adequate solutions effectively. As shown in the previous example, everyday policing requires the ability to discern between ‘symptoms and causes’ as this determines the range of options available on how to respond to a situation. Assessing the chain of events complements the process by systematising everyday learning, which can then be disseminated within the institution.²⁰ PERF has endorsed this approach as a way to structure and support officers in their decision-making.²¹ Their research led to critical recommendations to incorporate into policy frameworks (see Box 4).

The inclusion of decision-making models in police training and protocols allows for the identification of issues and generate adequate solutions.²² This is not to say that there are no situations where the police force may be required. There are situations where a decision-making approach also helps police officers to act in line with the principles of necessity, legality, proportionality, precaution, non-discrimination, and accountability.

Box 4. Main elements of an effective decision-making policy

- The formal adoption of a critical decision-making model involves the following key steps:
 - Collecting information
 - Assessing the situational threats and risks
 - Considering the applicable legal powers and agency policy
 - Identifying options and determining the best course of action
 - Acting, reviewing, and re-assessing the situation
- Policy and training curricula should emphasise the sanctity of human life.
- Organisations should adopt a policy of de-escalation as the preferred tactical approach.
- The prohibition of high-risk tactical approaches such as shooting at or from moving vehicles (unless under exceptional circumstances).
- The prohibition of lethal force against persons who pose a danger only to themselves.

MODULE A QUESTIONNAIRES

LEGAL FRAMEWORK

This Self-Assessment Guide is primarily focused on those governance issues that the police have agency over, for example, standard operating procedures, training curriculum, or policy. While the police are subject to legislation rather than being the architects of it, there are often mechanisms for police organisations to contribute to or comment on the development of laws through consultations.

The purpose of this questionnaire is to assist self-reflection on whether the police have the capabilities, space and/or opportunities to contribute to ensuring that the legal framework is complete and aligned with international laws, standards, and good practices, as well to the operational reality of each context.

STRUCTURE AND EFFECTIVENESS

1. What regulations (laws, decrees, acts, ordinances) comprise the legal framework governing police use of force?¹

Please explain

2. Does the police organisation consider this legal framework complete, clear, unambiguous, and enforceable?

☐ YES

☐ NO

3. Has the police organisation incorporated this legal framework into internal policy, training materials and standard operating procedures in an understandable and relevant way to operational police officers?

☐ YES

☐ NO

4. How consistent is the national legal framework with international law and regional and international human rights standards?

Please explain

4.1. How are the fundamental principles of legality, precaution, necessity, proportionality, non-discrimination, and accountability reflected in the legal framework?²

Please explain

4.2. Is the regulation on the use of **lethal weapons** (firearms) consistent with international guidelines?³

☐ YES

☐ NO

4.3. Is the regulation on the use of **less-lethal weapons** consistent with the international guidelines?⁴

☐ YES

☐ NO

4.3.1. Does the law and regulations specify the conditions for the use of **less-lethal weapons** and related equipment?

☐ YES

☐ NO

4.3.2. Does the law limit the use of **less-lethal weapons** to minimise the risk of injury?

☐ YES

☐ NO

5. Does the legal framework governing police functions require the police to provide specific guidance, instruction, training, and support on the use of force to all law enforcement officials?

☐ YES

☐ NO

6. Are law enforcement officials exempt from criminal liability for unlawful acts committed during their duty?

☐ YES

☐ NO

6.1. Do legal provisions ensure entitlement to refuse unlawful orders?

☐ YES

☐ NO

3. Self-assessment modules-questionnaires

Module A: Rule of law

TRANSPARENCY AND ACCESSIBILITY

1. Does the process of developing/updating legislation regarding the use of force take into account police input?

☐ YES

☐ NO

2. Is the existing legal framework accessible for police officials and civil society?

☐ YES

☐ NO

3. How often is the legal framework reviewed by competent, independent, and impartial administrative and judicial authorities? Does the review comprise suitability and compliance?

Please explain

4. Is the police institution able to provide the executive and legislative authorities with sound and objective recommendations on how to strengthen the legal frameworks' alignment with international norms and good practices? Please consider features such as objectivity, political independence, confidence and freedom of speech, and human resources.

☐ YES

☐ NO

Please explain

COMPLIANCE

1. What are the mechanisms to ensure compliance with the legal framework on the police use of force?

Please explain

2. What are the sanctions to be imposed if a member of the police institution fails to comply with the laws on the use of force?

Please explain

3. Is non-compliance with the existing legal framework related to the use of force treated as an offence?

☐ YES

☐ NO

3.1. If so, is the offence treated as disciplinary and/or criminal?

Please explain

4. Does the police institution consider that the accountability mechanisms, stipulated by the legal framework, satisfy public expectations and are coherent with operational reality?

☐ YES

☐ NO

5. Does the legal framework include a detailed oversight process for designated actors/institutions?

☐ YES

☐ NO

MODULE A QUESTIONNAIRES

POLICIES AND INTERNAL GUIDELINES

The objective of this questionnaire is to assess internal policy and guidelines that provide direction about when the police can use force and how it should be used. Internal policy and procedures aim to provide guidance to police officers on what is operationally

achievable, set high standards for the application of force, and ensure that individual officers are responsible for their own conduct as well as the conduct of those they are commanding and supervising.

POLICY OVERVIEW

1. Do the police organisation's policies and internal guidelines align with the national legal framework on the use of force?

☐ YES

☐ NO

2. Are internal policies and guidelines on the use of force:

2.1. Consistent with international human rights standards of conduct for law enforcement officials?⁵

☐ YES

☐ NO

Please explain

2.2. Subject to sanctions if police officers fail to comply with

☐ YES

☐ NO

3. What are the mechanisms in place to ensure that officers know, understand, and internalise policies related to the use of force?

Please explain

4. Do all police officers receive induction training in the following areas?

☐ The domestic legal framework

☐ Human rights relating to the use of force

☐ Non-violent means: verbal communication and persuasion techniques

☐ Use of de-escalation strategies to stabilise or reduce the threat

☐ Stress management/control of emotions

☐ Recognising vulnerable persons (including intellectual/developmental disabilities or alcohol/drugs dependencies)

☐ Use of defensive equipment

☐ Less-lethal weapons and equipment

5. Does delivery of the training include scenario-based judgemental assessments on when the use of force is: legal, necessary, and proportionate?⁶

☐ YES

☐ NO

6. Do specialised units (public order/firearms teams) receive additional training on the tactical use of force?

☐ YES

☐ NO

7. Is there an ongoing retraining/refresher requirement for training courses relating to the use of force?

☐ YES

☐ NO

7.1. If yes, how often is the requirement?

Please explain

7.2. Is there a pass or fail element to the training?

☐ YES

☐ NO

7.3. Is there an accreditation process in place where only officers who successfully pass the training are entitled to carry specific equipment or operate in roles requiring the use of force?

☐ YES

☐ NO

POLICY CONTENT

1. Do the policy/guidelines define the requirement for officers to consider the following key principles⁷ before any use of force?

☐ Precaution

☐ Proportionality

☐ Legality

☐ Accountability

☐ Necessity

☐ Non-discrimination

2. Do guidelines require the consideration of de-escalation strategies before the use of force?

☐ YES

☐ NO

3. Are officers required to consider a person's specific characteristics, such as age, mental capacity, influences of drugs or alcohol, and/or language barriers, when determining whether the use of force is appropriate?

☐ YES

☐ NO

3. Self-assessment modules-questionnaires

Module A: Rule of law

4. Do the policies require that officers consider the degree to which they could accomplish their objective without using force (e.g., arrest at a later date or time) in light of the severity of the suspected offence?

☐ YES

☐ NO

5. Do the policies impose a duty on police officers to do any of the following:

☐ Identify themselves as officers

☐ Give clear instructions about the requirements for complying before using force

☐ Give clear instructions about what is required to comply, before using force (unless doing so would create a significant risk of injury to any person)?

6. Do the policies require officers to reduce the degree of force used as a threat diminishes, and to stop using force once the subject is under control or no longer poses an imminent threat of serious injury to other(s)?

☐ YES

☐ NO

7. Do the policies require that if force is necessary, then assistance and medical aid are rendered to any injured person at the earliest opportunity?⁸

☐ YES

☐ NO

8. Do the policies require that police officers report any use of force to a supervisor as soon as it is practicable (including verbally or by completion of a written report)?

☐ YES

☐ NO

9. Do the policies require that an officer intervenes to prevent that misuse of force by a fellow officer?

☐ YES

☐ NO

10. Do the policies require that an officer, who witnesses another officer engage in what they know to be unauthorised force, report the use of force to the observing officer's immediate supervisor (or another designated reporting entity) as soon as possible?

☐ YES

☐ NO

FIREARMS

The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials create special provisions and additional considerations in respect of:

- Firearms
- Assemblies
- Custody/Detention

National legislation must define the circumstances and the level of threat at which police officers may resort to regarding the use of firearms. Compliance with the international framework requires upholding the 'protect life principle'.⁹ Police policy and guidelines should support this principle by further restricting individual officer discretion, ensuring firearms are only used in cases of 'absolute necessity'.

1. Do the organisation's policies prohibit officers from using firearms unless such force is absolutely necessary to protect the officer or a third person from an imminent threat of death or severe injury?

☐ YES

☐ NO

2. Do the policies prohibit officers from using firearms solely to protect property or against a person who poses a risk of harm only to themselves?

☐ YES

☐ NO

3. Do the policies consider each firearm discharge as a separate use of force that must be specifically justified?

☐ YES

☐ NO

4. Do the policies require officers to give a verbal warning and identify themselves as police officers before discharging a firearm when possible?

☐ YES

☐ NO

5. Do the organisation's policies prohibit officers from firing warning shots?

☐ YES

☐ NO

6. Do the policies prohibit officers from shooting at or from moving vehicles unless there is an imminent risk of death or serious injury to an officer or someone else where that risk is unavoids by other means, such as by avoiding the path of the vehicle?

☐ YES

☐ NO

7. Do the policies prohibit shooting through a door, window, or in other circumstances in which the target is not clearly in view?

☐ YES

☐ NO

8. Do the policies consider drawing and pointing a firearm at a person to be a use of force?

☐ YES

☐ NO

International human rights law guarantees the right to peaceful assembly. This right can only be restricted if it is strictly necessary and only for legitimate reasons. It is a positive duty of public authorities, including police, to facilitate, and protect

peaceful assemblies and to enable people to exercise their right to assemble peacefully. These obligations place further considerations on the police to avoid the use of force, or where that is not practicable, to restrict such force to the minimum extent necessary.¹⁰

1. Does the police organisation have a specific policy/standard operating procedure to guide police officers in upholding the right to freedom of peaceful assembly?

☐ YES

☐ NO

2. Do these guidelines require police to facilitate peaceful assemblies, irrespective of whether all notification requirements have been met?

☐ YES

☐ NO

3. Do the guidelines require the police to implement a single, clear, and transparent command structure for the policing of assemblies?¹¹

☐ YES

☐ NO

4. Do the guidelines recognise that limitations and restrictions on the right to free assembly with others must be treated as an exception?

☐ YES

☐ NO

5. Do the guidelines:

5.1. Encourage communication and dialogue with organisers/participants?

☐ YES

☐ NO

5.2. Emphasise the requirement for the differential use of force rather than a general approach to an entire assembly?

☐ YES

☐ NO

5.3. Require police officers to avoid (when feasible) the use of force for the dispersal of unlawful but non-violent assemblies?¹²

☐ YES

☐ NO

5.4. Prohibit the use of firearms except in exceptional circumstances in order to protect life?¹³

☐ YES

☐ NO

6. Do the guidelines require that the operational planning for policing of assemblies ensure that assistance and medical aid are available to injured or affected persons at the earliest possible moment?¹⁴

☐ YES

☐ NO

7. Are state-affiliated security or armed forces different from the police (including the military) utilised in the management of public assemblies?¹⁵

☐ YES

☐ NO

8. If so, when deployed, are they subordinate to and under the command of police authorities?¹⁶

☐ YES

☐ NO

9. Are these forces fully trained in and bound by regional and international human rights standards, as well as any national law enforcement policy, guidelines, and ethics?

☐ YES

☐ NO

CUSTODY OR DETENTION

The fact that a person is lawfully deprived of freedom, be it in a police station or any other detention facility, does not confer any greater powers on law enforcement officials to resort to the use of force and

firearms. However, the confined environment of detention facilities carries an even greater risk for excessive, abusive or otherwise unlawful use of force. Detention authorities must take particular precautions to prevent the misuse of force.

1. Does the police organisation have guidelines in place on the use of force in custody or detention facilities?

☐ YES

☐ NO

2. Do the guidelines specifically prohibit the use of force, other than when personal safety is threatened¹⁷ or to prevent escape?¹⁸

☐ YES

☐ NO

3. Do the guidelines provide directions/restrictions over when the use of restraints is permissible within custody facilities?

☐ YES

☐ NO

4. Do the organisation's policies prohibit manoeuvres that may cut off blood or oxygen to a subject's head (e.g., chokeholds, carotid-holds, strangleholds)?

☐ YES

☐ NO

5. Do the organisation's policies prohibit techniques and modes of transport that run a substantial risk of positional asphyxia (e.g., putting a person prone on the ground while restrained)?

☐ YES

☐ NO

3. Self-assessment modules-questionnaires

Module A: Rule of law

6. Do the guidelines specifically prohibit the threat of or use of force in any of following situations?¹⁹

- ☐ As any form of punishment²⁰
- ☐ To secure compliance with a direction/instruction
- ☐ To illicit a confession or cooperation in an investigation



3. Self-assessment modules-questionnaires

Module B: Resources

Recruitment

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RECRUITMENT

Good recruitment involves both attracting and selecting the right people. Police agencies need to invest in securing competent and capable recruits. A police officer's role is complex and requires professional competencies, skills, values, motivation, discipline, and the ability to meet high ethical standards. Factors such as poor literacy or

cognitive ability are detrimental to good decision-making. A lack of interpersonal or communication skills may lead to an increase in situations where force is required or misused. To improve recruitment practices, an increasing number of police agencies are employing civilian specialists or outsourcing their recruiting campaigns.¹



1. Attracting the right people

Attracting high-quality applicants begins with ensuring that the net is cast widely enough and that recruitment efforts are proactive, extensive, and diverse. Policing often relies on community relationships based on mutual trust and respect. This encourages communities' support, approval, and cooperation, reducing the likelihood of using force.

Developing strategies to recruit officers who mirror local communities is vital as they are more likely to

better understand the cultural context. Communities can better identify with a police organisation composed of officers with similar values and traits.² Inclusiveness and diversity should be critical considerations in any recruitment campaign. Police organisations should develop strategies to attract a diverse pool of applicants, including minorities and underrepresented groups. A key concern is how to increase the number of women. Research from various international contexts indicates that women police officers are less likely to use force or to use it inappropriately.³



2. Selecting the right people

The second stage in the recruitment process is to identify and select those applicants who offer the highest potential to succeed as police officers and are most likely to adhere to the profession's values. Police officers will be required to demonstrate integrity, remain calm in volatile and stressful situations, be self-motivated, and be able to work as part of a team.

Various mechanisms help to identify these characteristics. They may include background checks, written tests, assessment centres and/or interviews with the recruitment staff or senior officers from within the organisation.

To prevent issues regarding the misuse of force, police organisations should consider assessing the moral integrity of the candidate, their psychological suitability, and their ability to react appropriately to the highly stressful situations that law enforcement officials may face in their daily practice.

Background checks: To establish the character and qualifications of a candidate. This may include:

- Criminal record check
- Family records
- Educational/Professional qualifications
- References from previous employers or persons of standing in the community
- Evidence of skills: driver's licence, first aid, counselling, etc.

Physical tests: Tests assess the agility, strength, endurance, and overall health of individuals. Increasingly, these types of tests are tailored to reflect the specific requirements of the role rather than the general fitness of an individual. While the use of force remains an integral part of policing, officers are encouraged to de-escalate situations and practice conflict resolution techniques. Such skills should be assessed in tests. Moreover, as with any 'test or qualification', these should not be discriminatory in nature. For instance, tests focused on

pure physical strength are likely to be unfair to applicants of all genders who might have less strong bodies, even when they may possess other qualities that make them a good fit for the role. Such practices tend to affect the recruitment of female applicants particularly negatively.

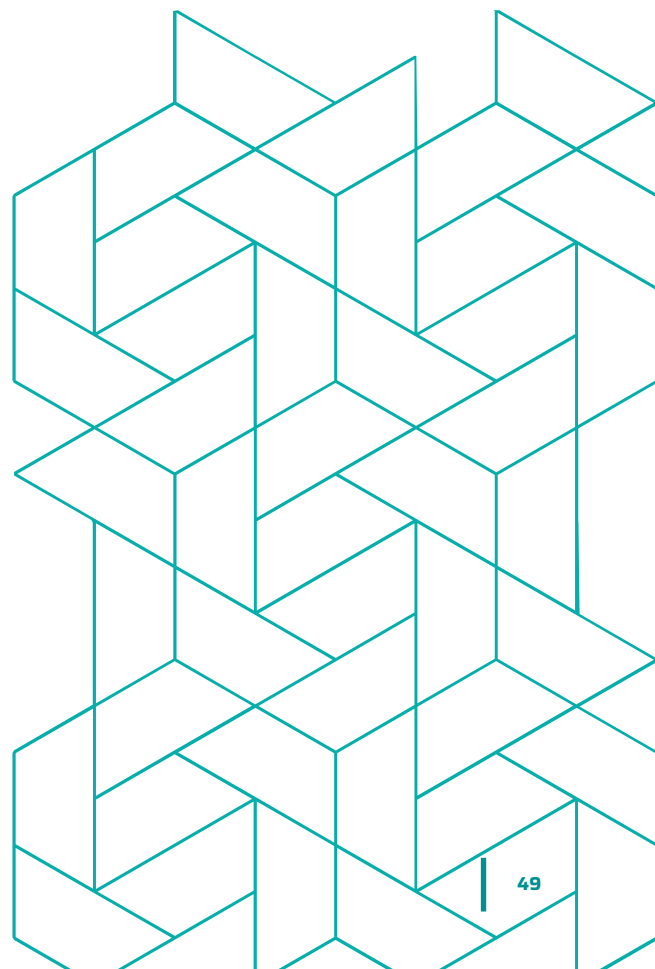
Psychometric testing: These are often undertaken in an assessment centre setting, where candidates are faced with 'work sample' exercises or scenarios where they engage with role actors. They are designed to test the following abilities:

- To learn and apply policy information
- To observe and remember details
- To follow directions
- To use judgment and logic

Selection interviews: Such interviews are typically conducted by senior representatives of the organisation.

Interviews should include questions based on scenarios with moral or ethical dilemmas to assess the interviewee's point of view. Police agencies may seek to include an external member on an interview panel (e.g., a member of a human rights organisation) to obtain a broader view of the candidate's suitability and to guard against discrimination.

There are no failproof methodologies for identifying those individuals that will become successful police officers. The impact of organisational culture and the nature of the operational environment can influence attitudes towards the use of force. Adding steps to the recruiting process may increase costs, but it will also prove beneficial for identifying individuals with concerning traits before they are accepted into the police service.



MODULE B

QUESTIONNAIRES

RECRUITMENT

GENERAL

Securing the best talent available requires specific recruitment capabilities that may be developed either in-house or by specialised agencies. Both alternatives have advantages. What is important is that the police organisation ensures access to a large pool of potential

candidates, providing for diversity, inclusion, and gender equality; and that its recruitment processes are conducted by professionals with experience in human resources management and recruitment, and a sound understanding of the police profession.

1. Is the recruitment process conducted by (check all that apply):

- ☐ An in-house recruitment department staffed by employees with a professional background in recruitment
- ☐ An external agency specialised in recruitment (either governmental or non-governmental)
- ☐ A diverse recruitment team (gender, age, rank, civilians, minorities, etc.)
- ☐ Recruitment is conducted by police officers who do not necessarily are specialised in recruitment (their role is more operational)
- ☐ Other

Please explain

2. How does the police organisation advertise that it is undertaking a recruitment campaign?

- ☐ Via police service website
- ☐ Local newspapers
- ☐ Media (tv/radio)
- ☐ Social media
- ☐ Placing advertising materials in public areas

3. Does the institution have a recruitment policy that reflects its goals in terms of:

- ☐ Gender equality and diversity
- ☐ Diversity and cultural fit
- ☐ Professional competency standards
- ☐ Ethical standards

4. Does the police organisation engage in proactive events to encourage interest in a police career?

- ☐ Hosting public access open days at police headquarters/stations
- ☐ Attending career fairs
- ☐ Visiting local colleges or universities
- ☐ Engaging with recruitment agencies

5. How can applications be made to the police agency?

- ☐ By completing an application form in hardcopy
- ☐ By completing an application form online
- ☐ By submitting a letter

6. What actions do the police organisation take to encourage applications from women?

- ☐ Welcoming statements indicating that the police are particularly keen to attract more women candidates
- ☐ Highlighting senior women police officers as role models
- ☐ Use of photographs of women police officers in advertising materials
- ☐ Engaging with recruitment agencies to boost women's recruitment
- ☐ Women-only open days at police headquarters/stations
- ☐ Emphasizing the importance of communication and problem-solving skills in the role of a police officer
- ☐ Other

Please explain

7. What mechanisms do the police use to encourage applications from minorities or under-represented groups?

- ☐ Locally targeted recruitment⁴
- ☐ Use of community newspapers
- ☐ Holding inclusive outreach events – question and answer sessions
- ☐ Depicting minority officers in recruitment materials
- ☐ Other

Please explain

SELECTION

1. List the various stages of the selection process for your police agency:

Please explain

2. What background checks do the police organisation undertake?

- ☐ Citizenship/eligibility checks
- ☐ Educational qualifications
- ☐ Family background and records
- ☐ Previous employment references
- ☐ Medical records

3. Are all individuals with criminal records banned from applying or is there consideration for the choices listed below?

- ☐ Cautions as opposed to convictions
- ☐ Convictions that occurred in the past (10 years or more)
- ☐ Convictions that occurred while the person was a juvenile

4. Does the police organisation have a policy to disqualify anyone with convictions/cautions for the following?

- ☐ Violence or assault
- ☐ Discriminatory behaviour/hate crime
- ☐ Domestic violence
- ☐ Sexual violence
- ☐ Theft or dishonesty offences

5. If a physical fitness test is part of the process, has the test been...

- ☐ Developed to reflect the actual physical requirements of the job?
- ☐ Evaluated for including role-related scenarios?
- ☐ Independently assessed for its effectiveness?
- ☐ Verified that it is not discriminatory for women or minority groups?⁵

6. What mechanisms are in place to assess candidates' suitability for the correct use of force?

- ☐ Written scenario-based assessments
- ☐ Assessment centre interactions with role players
- ☐ Competency-based interviews

TRAINING

Overall, police training aims to expand knowledge and improve skills. Police agencies are increasingly adapting their training to include ethical questions around whether force is necessary, techniques to de-escalate situations and considerations about the impact of using force, not only on the subject of its use but also on broader community perceptions and on police officers themselves. Careful consideration must be given to those delivering such training, as they are uniquely positioned to influence attitudes and reinforce organisational standards and expectations.

Training should continue throughout a police officer's career. Over time, their role will change, perhaps through specialisation or promotion, and they will have access to different equipment and operate in different environments. Laws, societal attitudes, and expectations of the police change over time as well. While training needs to evolve constantly, there are some fundamental principles that should be maintained:



1. Initial training

The duration of the program can vary, but in most countries, training in police educational facilities is often followed by a period of 'on-the-job' training, usually under the guidance of an experienced officer or 'mentor'. To be effective, training must be built on appropriate organisational policies and procedures that promote human rights protection.

The use of force aspect of initial training must include not only legal and human rights principles in theory but should integrate them into scenario-based exercises with an emphasis on the situations that new recruits

are most likely to encounter. Emphasis should be placed on de-escalation, the use of communication skills and the different tactics (when necessary) they might employ in a graduated approach. By working on typical real-life events, recruits learn to assess a situation to identify options on how to resolve it.

Initial training should include an assessment element to address shortcomings in technical ability or any attitudes of concern. When student officers are identified as unsuitable to progress to operational deployment, a fair, impartial, transparent, and competence-based procedure to terminate their service is required.



2. In-service training

As officers progress to new roles in specialised units, they will require training accordingly. However, the training requirement also continues for those who remain in frontline patrols. This ensures that new techniques can be taught and officers' attitudes regarding the use of force can be tested and challenged if necessary.

Training content must be constantly reviewed to ensure it remains operationally relevant. Adjustments should

be made, incorporating lessons learned from particular events.⁶ A regular exchange of trainers who return to frontline roles and vice versa is considered good practice in guaranteeing training reflects operational reality.⁷ Further, the skills and knowledge intended to be gained and maintained by officers should be tested periodically.⁸



3. Use of force equipment training

Police agencies are likely to deploy a range of use of force equipment.

This range extends from protective equipment such as shields or helmets, through restraint tools such as handcuffs, to offensive equipment, including batons, chemical irritants, water cannons, kinetic impact rounds, conducted energy weapons (including taser), etc.

A specific training program needs to be developed for each type of equipment. The training should combine technical familiarisation and practice with the equipment, and an appreciation of its effects and impact. It is essential to emphasise the human rights principles and tactics of avoiding force through de-escalation, mediation, and effective communication during training on specialist equipment.

As a rule, equipment that is likely to cause the highest risk of injury should include increased regularity of training, more challenging content, and a pass-fail testing element to include both technical proficiency and ethical/judgmental elements, with only those who pass being accredited to carry such equipment. This training needs to be continually reviewed and updated as part of a lessons-learned approach. As with all use of force training, officers should regularly undertake refresher training. The refresher element of the training should also incorporate a pass-fail element to ensure continuing competence with use of force equipment.

While the manufacturer of specialist equipment may provide assistance, it is not considered good practice to have training solely delivered by a manufacturer.⁹



4. Policing assemblies

The International legal framework provides individuals the 'Right to Freedom of Peaceful Assembly'.¹⁰

It also creates specific responsibilities for the State in guaranteeing those rights. Police officers are therefore charged with upholding these protections on the State's behalf. Assemblies are presumed to be peaceful as they do not pose a particular risk per se in relation to the use of force by the police.¹¹ In very exceptional circumstances (e.g., when assemblies turn violent), and only after exhausting other means, police may use force to the minimum extent necessary. In this regard, isolated acts of violence against participants or violent counterdemonstrations do not render the assembly non-peaceful.

All police officers should receive ongoing training on policing assemblies, with advanced training being made available to any unit established for the specific

purpose of policing assemblies. Training for all law enforcement officials should include, at a minimum:

- Normative framework of the right to peaceful assembly
- United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
- Communication skills, including the role of body language and the impact of how officers are dressed/ equipped on crowds
- Understanding crowd dynamics and participant behaviour
- Techniques in minimising conflict
- Tactics to promote de-escalation of tension
- Safety and protection of particularly vulnerable groups
- Principles of accountability include the role and mandates of internal and external accountability mechanisms/bodies.¹²



5. Command training

The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials require senior officers

be held responsible for the misuse of force by those acting under their command if the superior officer knew (or should have known) that the law enforcement officials resorted to the unlawful use of force. The senior officials would incur responsibility for not taking measures to prevent, suppress or report such misuse of force by their subordinates.¹³ This principle creates a vicarious liability for those with supervision or command responsibility. Officers acting in oversight roles should therefore expect to receive training on their responsibilities and how to discharge them.

'Precaution' is a well-established principle in international law: that those planning police operations must do so in a way that minimises the likelihood of the use of force, particularly higher

levels of force.¹⁴ Often, senior officers will be involved in the planning of operations prior to functioning in a command role during the event. This is particularly relevant for operations where the use of force is more likely, such as assemblies, controversial sporting events, festivals or other large gatherings.

Officers in command positions should have a level of professional knowledge in relation to all use of force equipment that their police organisation could deploy. This must include the potential impact of using such equipment, and appropriate medical responses to injuries caused.

The role of Public Order Commander should be based on operational competency rather than simply on the level of rank held. Specialised training is required to develop commanders' skills and test their suitability for being appointed to or continuing in such roles.

MODULE B
QUESTIONNAIRES

TRAINING

INITIAL TRAINING

1. Does the initial training for new recruits include specific modules on the use of force? (If yes, please answer questions 1.1 and 1.2)

☐ YES

☐ NO

1.1. Do these modules include training on the basic principles of the use of force?

☐ YES

☐ NO

1.2. If there is no specific module, describe how human rights considerations are incorporated into the general curriculum for the training on the use of force.

Please explain

2. Which of the following areas are covered in training modules for initial recruits?

☐ Legal and human rights standards for the use of force

☐ Verbal and non-verbal communication techniques

☐ De-escalation approaches

☐ Recognising people with vulnerabilities, developmental disabilities or behavioural health issues

☐ Tactics to reduce the immediacy of any threat (distance, cover, requesting additional officers)

☐ Unarmed restraint/defence techniques

☐ Gender training

☐ Self-control, stress management, monitoring

☐ First aid training

☐ Instruction and requirements on the use of force

3. Self-assessment modules-questionnaires

Module B: Resources

3. What percentage of the training is spent on the following areas?¹⁵

AREA	PERCENTAGE
<input type="checkbox"/> Legal and human rights standards for the use of force	
<input type="checkbox"/> Verbal and non-verbal communication techniques (e.g., negotiation and mediation skills)	
<input type="checkbox"/> De-escalation approaches	
<input type="checkbox"/> Recognising people with vulnerabilities, development disabilities or behavioural health issues	
<input type="checkbox"/> Tactics to reduce the immediacy of any threat (distance, cover, requesting additional officers)	
<input type="checkbox"/> Unarmed restraint/defence techniques	
<input type="checkbox"/> Self-control, stress management, monitoring	
<input type="checkbox"/> Basic gender training	
<input type="checkbox"/> First aid training	

4. Describe the delivery method for initial recruit training in the use of force:

- ☐ Didactic presentation on legal and technical aspects
- ☐ Student-centred learning, including group discussion on ethical considerations
- ☐ Role play scenarios to replicate typical operational challenges faced by newly appointed officers
- ☐ Practical demonstration/practice of self-defence techniques
- ☐ Practice with the use of force equipment

5. Are these delivery methods combined to provide a holistic approach to the use of force training?

☐ YES

☐ NO

6. What is the mechanism for assessing initial recruits on use of force issues?

- ☐ Pass-fail exams for legal/technical aspects
- ☐ Pass-fail practical tests for proficiency with equipment
- ☐ Pass-fail/development needed outcomes for scenario-based assessment designed to test judgmental/attitudinal aspects of the use of force
- ☐ Other

Please explain

1. Are frontline officers subject to regular and updated training on the use of force? How often does this occur?

Please explain

2. Are refresher training courses informed by lessons learned from operational incidents?

☐ YES

☐ NO

3. Are refresher courses used as part of a disciplinary response to misuse of force in order to address officer behaviour?

☐ YES

☐ NO

4. What mechanisms are included in refresher training to assess officers' attitudes and judgement regarding the use of force? (as this may change over time)

Please explain

3. Self-assessment modules-questionnaires

Module B: Resources

5. Are officers who are allocated to specialised roles (public order, firearms, dog units, etc.) required to undergo additional in-service use of force training relevant to the new role? If yes, please specify which one:

☐ YES

☐ NO

☐ Firearms Units (SWAT Teams)

☐ Public Order Units

☐ Close Protection Units

☐ Canine Units

USE OF FORCE EQUIPMENT

1. List all of the use of force equipment that is that is issued to the police agency:

Please explain

2. Is there a requirement in place that each officer who is issued has access to any of the use of force equipment must first undertake a training course on that particular equipment?

☐ YES

☐ NO

3. Does each training course include the following elements?

- ☐ General legal framework on the use of force
- ☐ Any specific legal considerations in relation to the equipment
- ☐ Technical information on the equipment – how it works, how it should be transported/maintained, etc.
- ☐ Information on the impact and effects of such equipment, including potential injuries caused and related medical responses
- ☐ Practical demonstration of proper use of the equipment
- ☐ Supervised practice with the equipment
- ☐ Competency testing on the correct use of the equipment (including accuracy and safe handling)
- ☐ Scenario-based testing to assess judgement regarding the ‘appropriate’ use of the equipment
- ☐ Instruction on internal policy:
 - ☐ Safe storage of equipment
 - ☐ Procedure for issue and retention/return of equipment
 - ☐ Requirement and procedure to report the use of force

4. Does the police agency provide ongoing and regular refresher training for the use of force equipment?☐ YES☐ NO**4.1. For equipment that carries a higher risk of injury: firearms/kinetic impact rounds/tear gas, etc. – Is there more frequent refresher training?**☐ YES☐ NO**4.2. Does the refresher training include a pass-fail element for both competency and judgemental criteria?**☐ YES☐ NO

POLICING OF ASSEMBLIES

1. Are the following considerations on the Right to Freedom of Peaceful Assemblies provided as training to all frontline officers?¹⁶

- ☐ Human rights legal framework of the right to peaceful assembly
- ☐ UN Basic Principles on the Use of Force
- ☐ Communication skills, including the role of body language and the impact of how officers are dressed/equipped on crowds
- ☐ Understanding crowd dynamics and participant behaviour
- ☐ Techniques in minimising conflict
- ☐ Tactics to promote de-escalation of tension
- ☐ Safety and protection of particularly vulnerable groups
- ☐ Principles of accountability, including the role and mandates of internal and external accountability mechanisms/bodies

COMMAND TRAINING

1. Do supervisors and command-level officers receive regular training on their responsibility for the use of force by those under their command?

☐ YES

☐ NO

2. Do officers who will be involved in the planning/commanding of operations where there is a higher likelihood of the use of force undergo specific/separate training?

☐ YES

☐ NO

3. Does the training familiarise these officers with the equipment that frontline officers may deploy, including any of the options listed below?

- ☐ Didactic presentation on legal and technical aspects
- ☐ Student-centred learning, including group discussion on ethical considerations
- ☐ Role play scenarios to replicate typical operational challenges faced by newly appointed officers
- ☐ Practical demonstration/practice of self-defence techniques
- ☐ Practice with use of force equipment

4. Is there a pass/fail element built into the course to ensure that only officers who demonstrate professional competence in this role are considered suitable?

☐ YES

☐ NO

5. Is there a licencing/accreditation element to the training which requires regular refresher/update training (e.g., every two years)?

☐ YES

☐ NO

IMPROVING THE WELL-BEING OF PEOPLE

Ensuring that police officers have proper working conditions is essential due to the nature of their responsibilities. Both working conditions and the perceived level of support from senior command and, more generally, from the government will likely impact the officers' sense of professionalism. A negative impact may result in corrupt practices and misbehaviour, including in relation to the use of force.¹⁷ It is essential that officers who are assigned the responsibility to uphold the human rights of other individuals feel valued by the organisation that they work for.

The previous section on 'Recruitment' focused on effective outreach to attract the best candidates and the mechanisms for identifying those most suitable

for joining the organisation. This was followed by the section on training, which is crucial for ensuring that the candidates selected are adequately prepared to face the complexities of policing and are able to maintain the sound judgements required for the use of force.

In this section, the focus turns to those issues that the police organisation needs to address to retain and develop high-quality officers, encourage a positive organisational culture and support officers in dealing with stressful and challenging situations as a result of their job. The [DCAF Toolkit on Police Integrity](#) also highlights the connection between personnel's well-being and compliance with ethical behavioural standards.



1. Pay and working conditions

Police budgets should not neglect the pay and working conditions for officers on the ground. Keeping salaries low or neglecting issues such as payment during injury and/or sickness or absence may have key impacts such as:

- Deterring higher quality recruits, filling positions with less competent candidates.
- Creating temptation for low-level corruption, which impacts police integrity and legitimacy.¹⁸
- Undermining the connection with the organisation and its aims and values.

organisation may affect mental health and emotional distress. Further, working long hours, often in isolation, can lead to burnout.¹⁹

Research shows that working conditions, including the physical environment, can impact the psychological well-being of officers. Police organisations should provide officers access to the following:

- Fit for purpose facilities
- Adequate means of transport
- Necessary equipment and tools, including administrative support

The nature of the policing role is challenging. Psychosocial threat exposure within the



2. Promotions, selection, and commendations

Career development refers to staff retention and advancement through promotion, or by selecting those suited to occupy higher ranks or specialised functions. Prospects of a promising career based on merit can improve the quality of recruitment, contribute to talent retention, and support police integrity as individuals have the incentive to grow within the structure of the organisation.

Career development pathways should be based on training, professionalisation, and performance assessment. An officer's record on the use of force should receive particular attention when applying for promotion or being considered for specialised posts, particularly for units with a higher likelihood of use of force.

Police organisations should carefully select the personnel who provide training on the use of force, as they can influence officers' attitudes.

The accountability section of this Guide provides guidance on dealing with officers who fail to adhere to organisational values and standards, including those related to the use of force. Besides dealing with those who

transgress, police agencies should encourage positive behaviours by identifying and acknowledging good practices. This may include commendations from senior officers or official award schemes highlighting instances of successful conflict management without using force and the resolution of incidents using communication skills or other problem-solving techniques.²⁰



3. Occupational health and post-incident support

Principle 21 of the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement

Officials states: "Governments and law enforcement agencies shall make stress counselling available to law enforcement officials who are involved in situations where force and firearms are used".²¹ Increasingly, police organisations are embracing the importance of protecting officers' emotional well-being and physical safety. Even when an officer's use of force is justified, the officer may experience feelings of anxiety, isolation and depression, not only in the immediate aftermath of the incident but sometimes for the rest of their career.²²

Good mental and psychological well-being of law enforcement officers is as essential as good physical health for the effectiveness of policing. Police agencies that recognise the emotional toll of police work on their officers, particularly when involved in use-of-force incidents, are providing robust employee assistance through occupational health and support programs.²³

Police officers often find themselves in quite unique positions as they are subject to intense investigations when they resort to the use of force as an essential part of their job. While this is a necessary safeguard against excessive use of force, it result in officers being treated as suspects on certain occasions. Balancing officers' rights as individuals with their professional obligations requires having transparent post-incident procedures in place to guide officers who might be subjected to an investigation as well those involved in carrying it out. These procedures create shared expectations around matters such as:

- Handing over equipment as evidence (such as firearms or batons).
- Whether officers need to be separated from other team members to prevent conferring.
- The right to silence versus a professional responsibility to explain what occurred.

MODULE B QUESTIONNAIRES

IMPROVING THE WELL-BEING OF PEOPLE

THE OVERALL SENSE OF BELONGING AND ORGANISATIONAL SUPPORT

1. Do police officers perceive investigation procedures involving the use of force as impartial and objective? (e.g., focused on establishing the facts rather than looking for scapegoats?)

☐ YES

☐ NO

1.1. Does the organisation have mechanisms to capture such perceptions?

☐ YES

☐ NO

Please explain

2. How does the organisation support officers in the scenarios below?

2.1. Preparing those likely to get involved in stressful and challenging situations.

Please explain

2.2. Supporting officers who have been involved in stressful and challenging situations.

Please explain

WORKING CONDITIONS

1. Do police officers/personnel think (feel) they have appropriate conditions to perform their work at the highest standards?

☐ YES☐ NO

Please explain

2. Is the remuneration and benefits package competitive enough to attract highly talented people?

☐ YES☐ NO

3. Are police officers required to work long hours?

Please explain

4. Are additional hours compensated by overtime rates?

☐ YES☐ NO

5. Are officers compensated if they are required to take time off due to on-duty injuries?

☐ YES☐ NO

1. Does the organisation have a career development plan for its members?

☐ YES

☐ NO

2. Is career development based on training, professionalisation, and performance assessment?

☐ YES

☐ NO

☐ OTHER

Please explain

3. How are the following elements incorporated in officers' performance appraisals?

3.1. Complaints received related to the use of force

Please explain

3.2. Officers' compliance with the requirement to report all use of force

Please explain

3.3. Officers' cooperation with investigations into allegations of use of force

Please explain

3.4. Attendance record at training/refresher training for the use of force

Please explain

4. Are promotion procedures transparent and accessible to all members of the institution?

☐ YES☐ NO

5. Does the organisation encourage professional growth by offering regular training opportunities?

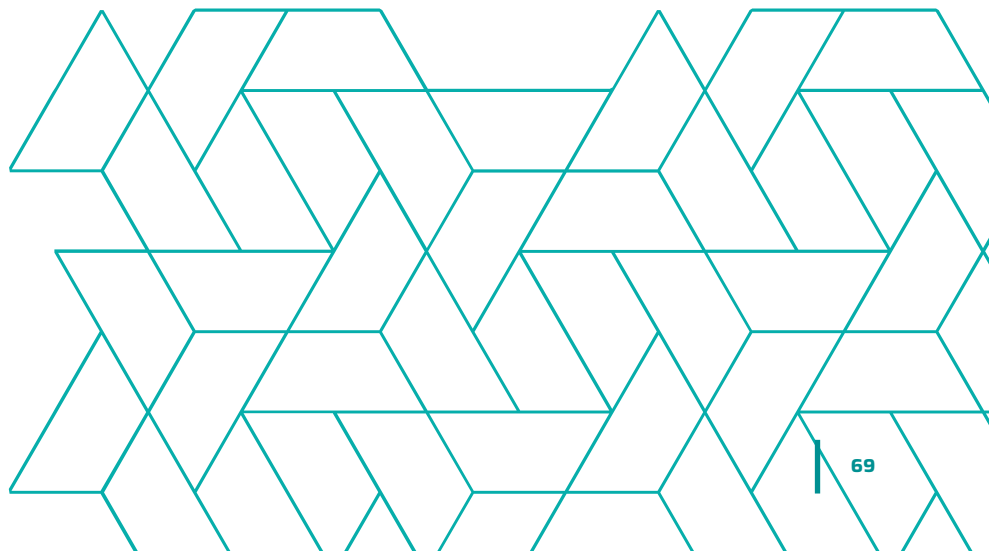
☐ YES☐ NO

Please explain

6. Does the organisation hold consultations with police officers to incorporate their needs into the career development plan?

☐ YES☐ NO

Please explain



1. Does the working environment encourage officers to express their views, concerns, and fears regarding the use of force?

☐ YES

☐ NO

Please explain

2. Do officers and other police staff feel confident to, and know how to report instances of:

☐ Concealment of incidents where force has been used

☐ Workplace harassment

☐ Bullying or discrimination

3. Does the organisation provide psychological (or other kinds of) counselling after incidents involving the use of force or stressful situations?

☐ Yes

☐ No

☐ Attendance is optional

☐ Attendance is mandatory

4. Are mental health and stress-counselling services available and accessible to all members of the organisation?

☐ YES

☐ NO

5. Does the organisation periodically collect information about the values most meaningful to its members?

☐ YES

☐ NO

Please explain

6. Does the organisation have any well-being programmes in place?

☐ YES

☐ NO

Please explain

7. Does the organisation have mechanisms (such as surveys) to monitor staff engagement and satisfaction in place? (If yes, please answer questions 7.1 and 7.2)

☐ YES

☐ NO

Please explain

7.1. Does the mechanism/survey include questions about trust in the institution?

☐ YES

☐ NO

Please explain

7.2. How do the results/findings inform decision-making?

Please explain

EQUIPMENT

Although police officers are often taught unarmed techniques to arrest and restrain individuals, it is often the case that subduing an individual involves the use of equipment.

As covered in the Rule of law module, the circumstances in which police officers can resort to the use of firearms are rare and only appropriate when it is “strictly necessary.”²⁴ International guidance clearly states that the use of firearms is only permitted to protect life.²⁵

This section focuses on the use of force equipment other than firearms. Such equipment is often referred to as ‘less-lethal’²⁶ and consists of weapons and equipment ‘designed and intended’ to have a less than lethal impact. It allows officials to apply varying degrees of force in situations where using firearms loaded with lethal ammunition would be unlawful. Their use must be subject to regulations and control as it may still result in death or inflict serious injury, especially when they are not used by trained personnel, in accordance with either operating instructions or the general principles on the use of force.

The United Nations Basic Principles on the Use of Force and Firearms is considered the main international instrument informing regulation of the use of force by law enforcement. Beyond setting the overall context for the use of force by police, the basic principles also include statements on less than lethal options:

Basic Principle 2: “Governments and law enforcement agencies should develop a **range of means as broad as possible** and equip law enforcement officials with various types of weapons and ammunition that would **allow for a differentiated use of force** and firearms. These should include the development of **non-lethal incapacitating weapons** for use in appropriate situations, with a view to **increasingly restraining** the application of means capable of causing death or injury to persons.

For the same purpose, it should also be possible for law enforcement officials to be equipped with **self-defensive equipment** such as shields, helmets, bullet-proof vests and bullet-proof means of transportation, **in order to decrease the need to use weapons of any kind.**”

Basic Principle 3: “The development and deployment of non-lethal incapacitating weapons should be **carefully evaluated to minimise the risk** of endangering uninvolved persons, and the use of such weapons should be carefully controlled.” Police organisations who act in conformity with Basic Principles 2 and 3 are also adhering to the key human rights principles highlighted in the Rule of Law module:

In 2019, the United Nations Office of the High Commissioner for Human Rights complemented the existing framework of the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms, by issuing [‘Guidance on Less-Lethal Weapons in Law Enforcement’](#).

The document provides a detailed consideration of a range of common types of less lethal weapons: batons, chemical irritants, water cannons, and conducted electrical weapons, among others. In addition, it outlines the appropriate use of such equipment, its specific risks and potentially unlawful uses. It also includes a statement on a category of equipment that could be considered ‘unlawful’, including spiked batons or lasers that can cause permanent blindness.

Further, the Guidance is not intended as a set of operating instructions for individual officers on specific pieces of equipment. Instead, it aims to provide States, law enforcement agencies and other interested stakeholders with directions on the lawful and responsible design, production, procurement, testing, training, deployment and use of less lethal weapons and related equipment.²⁷



1. Design and production

- Less lethal weapons and equipment shall be designed and produced to meet legitimate law enforcement objectives, where an operational gap is identified.²⁸
- Manufacturers are required to highlight specific risks associated with the equipment to prospective purchasers.
- States and law enforcement agencies should be transparent about the technical specifications, design features and parameters of weapons that they use.
- The nature of law enforcement places 'special constraints'²⁹ on the extent to which force may be delivered remotely. Among other reasons, this is because distance is likely to substantially reduce the potential for assessing the situation and resolving it peacefully.



2. Legal review and testing

- States and law enforcement agencies must ascertain if such equipment is prohibited by international or domestic law.
- All use of force equipment should be tested to ensure it meets all operational requirements including for accuracy, precision, and reliability.
- Testing should be conducted independently from the manufacturer, based on legal, medical, and scientific expertise, to ensure that no equipment represents an unwarranted risk.³⁰
- States and law enforcement agencies should thoroughly assess risks and determine the limits regarding both the required and potential circumstances in which such weapons and related equipment could be used.
- Particular attention must be given to the effects of use of force equipment on vulnerable people.



3. Monitoring

- Law enforcement agencies should monitor the use and effects of all less lethal weapons that they deploy.
- Data on the circumstances of use of these weapons and related equipment should be collected and presented by categories of persons on which force was used (age/gender/ethnicity, etc.).
- Produce publicly available statistics on this data.
- Police agencies should cooperate with external monitoring bodies/complaint agencies.



4. Transparency³¹

- Law enforcement agencies should be transparent about policies and criteria for using these types of weapons and related equipment. This also includes information on risks arising from such equipment.
- States/police agencies should consider consulting with the public before procuring new types of weaponry.



5. Medical assistance

- Medical assistance must be rendered to any person injured at the earliest possible moment.³²
- Discrimination due to the injured person being a 'suspected offender' cannot occur. Assistance is offered based on the severity of the injury.
- First aid equipment should be routinely available to operational police officers.
- Specific first aid responses should be built into operations. For example, if tear gas may potentially be deployed, mitigation and treatment options should also be planned.
- Police officers must cooperate with others providing medical assistance and offer relevant information about the equipment that caused injury or damage.

MODULE B
QUESTIONNAIRES

EQUIPMENT

GENERAL

1. Which of the following types of equipment are on issue within the police department?

1.1. General patrol

- ☐ Handcuff
- ☐ Baton
- ☐ Individual chemical irritants
- ☐ Taser
- ☐ Other: provide examples

Please explain

1.2. Custody setting:

- ☐ Restraint bands
- ☐ Spit hoods
- ☐ Other: provide an example

Please explain

1.3. Public Order Units:

☐ Helmets

☐ Water cannon

☐ Shields

☐ Impact rounds

☐ Flameproof overalls

☐ Tear gas

☐ Protective padding

☐ Canine/Dogs

☐ Long batons

☐ Other: provide example

Please explain

2. What is the mechanism for identifying and acquiring use of force related equipment?

Please explain

2.1. Does the police organisation have an internal research and development unit that identifies potential equipment against a defined operational requirement? (If yes, please answer questions 2.1.1 and 2.1.2)

☐ YES

☐ NO

Please explain

2.1.1. How do they identify 'the need for specific operational equipment'?

Please explain

2.1.2. How do they research and identify potential suppliers?

Please explain

2.2. Does a particular government department perform this role and provide the police organisation with equipment? (If yes, please answer questions 2.2.1-2.2.3)☐ YES☐ NO**2.2.1.** How do they identify 'the need for specific operational equipment'?

Please explain

2.2.2. How do they research and identify potential suppliers?

Please explain

2.2.3. What input does the police organisation have in this process?

Please explain

3. Describe the current testing protocol for new equipment, prior to being secured and issued to police officers:

Please explain

4. Describe any checks in place to ensure that the type of equipment is 'not considered unlawful' in accordance with international guidance.³³

Please explain

5. Describe any scientific checks in place to test against manufacturers' claims of effectiveness/accuracy.

Please explain

6. Describe any medical checks in place to test for risk of injury arising from the use of the equipment.

Please explain

7. Describe what tests are in place to validate the operational effectiveness of the equipment.

Please explain

8. What is the mechanism for approval of operational equipment?

- ☐ The police organisation is empowered to identify and secure such equipment
- ☐ The relevant minister of government must approve the supply of the equipment in response to an operational requirement
- ☐ An oversight body (e.g., police authority/Mayor's Office/Crime Commissioner) must approve the supply of the equipment against an operational requirement
- ☐ Other mechanisms (provide examples)

Please explain

9. Does the police organisation or an approving body undertake any consultations with external stakeholders as part of the approval process?

☐ Public consultation

☐ Engagement with Human Rights Commission

☐ Engagement with Non-governmental Organisations (NGOs)/Civil Society

☐ Other

Please explain

10. To ensure transparency about the use of force equipment, the police organisation:

☐ Publishes technical information about the different types of equipment on the issue

☐ Publishes the criteria for use for different types of equipment

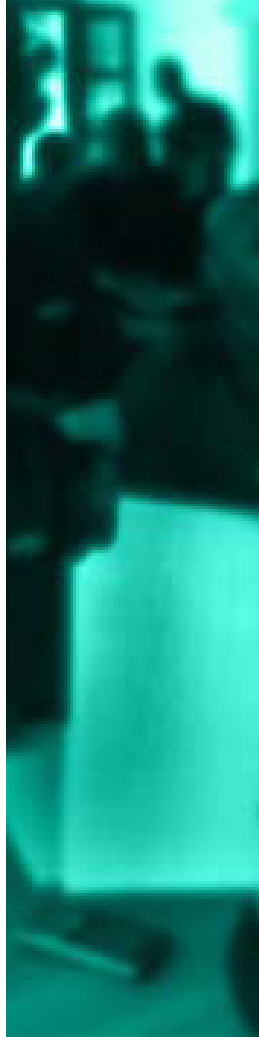
☐ Publishes information about risks/injuries potentially caused by such equipment

☐ Publishes statistical information related to:

☐ The number of weapons/equipment on issue

☐ The number of times the weapon/equipment is used

☐ The number of injuries caused by such weapons/equipment



3. Self-assessment modules-questionnaires

Module C: Accountability

External accountability

1. Monitoring of general police performance-oversight.	82	3. Openness and transparency	84
2. Responding to complaints or allegations-investigations	83	Questionnaires	85

Internal accountability

1. A clear chain of command and effective supervision.	93	4. An effective disciplinary response	96
2. Record keeping	94	5. An effective lessons learned process	97
3. An effective complaint reporting system	95	Questionnaires	98



ACCOUNTABILITY

Police accountability is often defined as a complex set of checks and balances intended to ensure that the police fulfil their mandate and are answerable for their actions.¹ The purpose of this system is to help maintain public confidence by enhancing the legitimacy of the police organisation through ensuring both effectiveness and high standards of integrity.

The United Nations Office on Drugs and Crime's 'Handbook on police accountability, oversight and integrity' sets out four key considerations for an effective police accountability framework, including:

- A system in which police, the State, the public, and independent bodies are represented.
- A system involving monitoring before, during, and after police operations and actions.
- A system allowing for corrective action.
- A system that targets individual police officers, their supervisors, and the institution as a whole.

These four aspects must be present for a police accountability system to be effective. This requires that police organisations establish their own strong internal governance systems to complement external oversight mechanisms. Additionally, only when there are multiple actors involved in scrutinising the police can each of these defend their own interests without jeopardising the legitimacy of the policing system.

This module of the Self-assessment Guide will engage with each of these four aspects and offer descriptions and examples of initiatives and practices that seek to enhance the legitimacy of the police by ensuring scrutiny of their approach to the use of force. The module focuses separately on external and internal mechanisms of accountability for the use of force.

EXTERNAL ACCOUNTABILITY

This Self-Assessment Guide primarily focuses on actions that police organisations can address themselves, such as training, operational practice, and recording keeping. However, much of what we discuss in this section on external accountability will lie outside their control. The police organisation cannot create an independent agency to investigate police complaints or an oversight body to which they will be accountable. We refer to such mechanisms in this section to provide context and encourage thoughtful consideration.

A range of components can make up an external accountability architecture. These include proactive and reactive functions, such as setting the strategic direction for the organisation, ensuring the adoption of professional and ethical standards, investigating complaints or allegations against the police and challenging them on the effectiveness of their performance. The strength of any accountability structure will be the sum of its parts

and the extent to which they interact. 'A comprehensive system of independent oversight bodies (human rights institutions, independent police complaints bodies, anti-corruption, ombuds institutions, audit offices, advocacy organisations, research institutes, think-tanks) makes the system more robust.'²

The list of mechanisms that can be used to hold the police to account is almost limitless, ranging from independent investigative agencies created solely for that purpose to more general government auditing practices or bodies with a specific function, such as health and safety inspection or data protection. However, for this guide, we will focus on three key areas:

1. Monitoring general police performance
2. Responding to complaints or allegations
3. Openness and transparency



1. Monitoring of general police performance - oversight

The accountability framework should include mechanisms to ensure that the police are working in the public interest. This might consist of setting strategic or localised priorities for the police, giving voice to people's concerns, influencing policy development or inspection of detention facilities,³ and generally holding the police to account for the delivery of effective and efficient performance. Ensuring that the police use force appropriately sits within this wider range of concerns.

Parliamentary oversight is critical in limiting the use of force and verifying whether laws and policies are being implemented effectively.⁴ Parliamentary oversight, in particular, provides democratic legitimacy by representing the public's views while preventing abuse of power and human rights violations by state authorities. Every context is different, but States should guarantee that parliaments have the powers and capabilities to ensure that the police operate according to a code of ethics that aligns with people's expectations and adheres to the UN basic principles of the use of force.⁵

A range of entities exists in different contexts which perform an oversight role specifically for the police. This includes directly elected Police and Crime Commissioners (England and Wales),⁶ Police Commissions and Boards/Councils (Nigeria,⁷ Los Angeles,⁸ and Canada⁹), and policing and Community Safety Partnerships at the local council level (Northern Ireland¹⁰). These are examples of formalised structures provided for in legislation and often funded by central or local government. While they may vary, international research indicates key criteria for success:

- Political commitment – that there is genuine buy-in from the government to support such initiatives.¹¹
- A clear mandate outlining roles and responsibilities to avoid political interference.¹²
- Transparency and autonomy (legal, administrative, budgetary).

- Leadership/executive/board members perceived by stakeholders as neutral, independent, fair, and credible.¹³
- Adequate resourcing, both funding and people. Participatory budgeting mechanisms help to strengthen the role of informal oversight structures.¹⁴
- Engagement with the police – maintaining a robust but healthy relationship.
- Engagement with the public, ensuring that community concerns are prioritised.

Human Rights Commissions are present in many countries and often perform a hybrid role combining this type of oversight of police compliance with human rights standards in policy, operational guidance, and training with an investigative function (covered in the next section) for reported incidents.¹⁵

There are many countries where the oversight or monitoring role is (also) undertaken by more informal structures, including those created by the police themselves in furtherance of community policing initiatives.¹⁶ Examples include community policing/safety committees in Kyrgyzstan/Tajikistan¹⁷ or community breakfasts in Brazil.¹⁸ In such informal arrangements, which may not have the benefit of a legislative base or dedicated funding, the impact on police accountability will derive from the nature of the relationship with the police. Too often, in localised initiatives, the police see the purpose of engagement as a way to supplement their authority by directing community resources. However, their role should be that of service providers working in partnership with communities, being open and transparent in explaining their actions.



2. Responding to complaints or allegations – investigations

Principle 7 of the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement

Officials states: “Governments shall ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under their law.¹⁹ International human rights law requires criminal sanctions against state agents who commit serious crimes. Such sanctions not only fulfil the states’ due diligence obligations to prevent further violations and provide the clearest expression of societal rejection of criminal actions by the state, but they also provide a general deterrent to prevent others in a position of authority from engaging in significant violations.

To effectively negate a culture of impunity, a primary function of the entire police accountability system is to ensure that it brings to justice all law enforcement officials who commit criminal offences; this includes officers who misuse force, their supervisors, and those who plan and command police operations. Domestic legislation must apply to them and they cannot be exempt from a criminal investigation.²⁰

Such criminal investigations are likely to be actioned, either by the police themselves or by an independent investigative agency explicitly created for that purpose.

Either way, the investigation needs to be carried out effectively, promptly, impartially, and independently. Where the police undertake these investigations, often under the supervision and control of the public prosecutor or an investigating judge, additional safeguards are required to prevent partiality and to ensure that they will withstand the scrutiny of the courts and the public. At a minimum, the investigation should be carried out by a unit with no personal or professional ties to the accused officers.

In many jurisdictions across the world, independent agencies have been created with a mandate to carry out investigations into police conduct.²¹ These agencies respond to multiple international conventions which guarantee the right to the effective investigation of alleged serious crimes committed by police officers. Some agencies go further and either investigate, or at least supervise or oversee investigations into complaints of less serious allegations, and make recommendations regarding disciplinary proceedings. Their mandate, the enabling legislation, and the resources available to them will define the expanse of their work. An independent investigative agency might appear to be the most effective option; however, unless they are adequately funded and resourced, the simple existence of an entity that cannot fulfil its mandate can be counterproductive, providing a veneer of accountability when, in truth, none exists.

Box 5. Features for enabling effective external accountability structures.

- Independence from the police, government, and any form of political interference.
- Robust and detailed legislation outlining mandate and functions.
- Statutory powers.
- Investigative authority.
- Independent and transparent leadership, appointed through a participatory selection process involving stakeholders such as government, civil society, political parties, etc.
- Adequate/sufficient budget and resources.
- Ability to grant protection to witnesses, victims, and whistleblowers.
- Diverse, qualified, and high-integrity staff.
- Transparency.
- Effective cooperation with NGOs and other state agencies.
- Civilian oversight.
- Faculty to conduct research and develop prevention recommendations.

Source: Based on information obtained from a review of examples of independent police oversight institutions and independent investigative agencies (IIA) in Australia, Canada, France, Georgia, Ghana, Hong Kong, Ireland (Republic of), Israel, Jamaica, Kenya, Lesotho, Malaysia, Maldives, New Zealand, Northern Ireland, Norway, Philippines, South Africa, Trinidad and Tobago, United Kingdom, and the United States.²²



3. Openness and transparency

Previous sections have described a variety of entities or types of organisations that might oversee the police or undertake investigations into complaints. This section focuses on initiatives that the police can generate themselves. It is largely up to the police organisation the extent to which they are prepared to share information and work collaboratively. A culture of accountability incorporates values such as openness and transparency, being ready to explain their actions, not because they must, but because they recognise its importance in building legitimacy and public confidence.²³ Ensuring that the police are guided by a 'right to know' ethos, as opposed to one which reluctantly and restrictively meets the requirements of freedom of information statutes, demonstrates a mature organisation which welcomes scrutiny and inquiry.

There are bodies/agencies that the police are required by law to work with, such as those highlighted in previous sections. However, there are a range of actors that might have a particular interest in the police use of force where no obligation actually exists, but positive engagement with these entities can have mutual benefits.

- **The Media:** Members of the media will be particularly interested in large public order operations or where there is an incident involving higher levels of the use of force. While their function is to inform, they can have an influence in shaping opinions. The visibility that journalists afford to policing is essential in securing public consent and as a potential force of accountability for wrongdoing.²⁴
- Although investigative considerations might impose restrictions on the information that can be released, engagement with the media before, during, and after such events will allow the police to outline the objectives of an operation, encourage cooperation, and then subsequently explain why certain actions were taken. A professional

relationship with the media, even under challenging circumstances, directly impacts maintaining public confidence in the police service.²⁵

- **Civil Society and Non-Governmental Organisations:** In a democracy, police generally engages with the public, including NGOs.²⁶ Some NGOs might be focused generally on protecting human rights or may represent particular interest groups, including LGBT groups, women's rights, people experiencing homelessness, or people with disabilities – where there are specific considerations around police use of force. Ongoing engagement and relationship building with such groups give the police access to expertise, specialist knowledge, and help them to understand distinctive perspectives and the differential impact of their policies,²⁷ including understanding when amending/adopting the legal framework is also a good practice. This type of engagement also helps improve respect for human rights and overall policing (training, policy, guidelines), and strengthens trust and confidence in police institutions.²⁸
- **Academia:** Academics tend to work on a different timescale than the media. Rather than immediate, their work tends to be based on longer-term research. They can provide enormous value to the police in helping to validate or challenge accepted practices through observation and research.²⁹
- **Local communities:** Members of communities are the end users of policing services. Within those communities are individuals and groups who experience police use of force. Close engagement with community representatives allows police to understand local perceptions, gauge community tension levels and make any necessary operational adjustments. If external accountability is to have an impact on the police use of force, it is within local communities that this will be felt most acutely.

MODULE C
QUESTIONNAIRES**EXTERNAL ACCOUNTABILITY - INDEPENDENT
INVESTIGATION AGENCY**

While the tools that make up this Self-assessment Guide focus on issues within the control of police organisations, this checklist is included in a complementary manner. It aims to help relevant stakeholders analyse the existing independent investigation agencies' features and to help police organisations to identify ways in which they can contribute to making investigations more effective, increasing the system's reliability and, in turn, public trust.

The following checklist includes points that were highlighted by the UN Special Rapporteur on extrajudicial, summary, or arbitrary execution in his study on police oversight mechanisms (A/HRC/14/24/Add.8).

This checklist should be used to validate an Independent Investigative Agency to whom members of the public report complaints against the police.

**KEY FEATURES OF THE MOST SUCCESSFUL EXTERNAL
POLICE OVERSIGHT MECHANISMS CHECKLIST**

1. Powers	YES	NO
Is there an external accountability body		
The mechanism should be authorised by legislation to receive complaints from any person.		
Police should be required by law to report to the external agency all deaths of individuals in police custody and deaths due to police action. There should be penalties for non-reporting and for delays in reporting.		
The agency should be required to record and track complaints and abuses, and keep comprehensive records.		
The agency should be authorised to undertake investigations into complaints received.		
The agency should have the power to compel police cooperation with its investigations and should have full investigatory powers similar to those of a police investigator.		
The agency should have the power to refer cases for criminal prosecution to the public prosecutor and suggest disciplinary measures to the police department. A strong agency will be able to enforce proposed disciplinary measures.		
An agency should be able to provide or refer witnesses to witness protection where necessary.		
An agency should be able to propose general reform measures on policing to the police force and the government.		

2. Resources	YES	NO
The mechanism should be adequately resourced and funded, and be provided with sufficient funds to allow it to carry out comprehensive investigations and hire skilled staff.		

3. Independence	YES	NO
The mechanism should have complete operational and hierarchical independence from the police and be free from executive or political influence.		
Making police staff members of an external agency should generally be avoided.		
The agency should generally have different reporting lines from those of the police department.		
The agency should be established constitutionally or created through legislation (not executive order).		
The agency's members should be democratically appointed following consultation with or approval by the legislature, and should have the security of tenure.		
Financial independence should be secured by having the agency's budget approved by the legislature, with statutory guarantees for the size and timing of the disbursement of the annual budget.		

4. Transparency and reporting	YES	NO
The mechanism should be required to issue regular reports to the government and the public on its activities.		
It should maintain a website with easily accessible information.		
It should respond in a timely fashion to people's complaints.		
It should maintain detailed data on police abuses. Civilian oversight mechanisms are uniquely placed to conduct statistical or general reviews of patterns in police killings, including their causes, and should do so.		
Its budget and expenses should be publicly reported.		

5. Community and political support, and civil society involvement**YES****NO**

The government should publicly support the work of the agency.

The government and the agency should conduct community outreach to explain the agency's role and the importance of police accountability.

The external mechanism should consult with and seek the support and involvement of civil society organisations in its work.

EQUIPMENT

1. Does the police organisation publish statistics and information on the use of force?

☐ YES

☐ NO

1.1. Is this information produced at least annually?

Please explain

1.2. Is the information broken down geographically (different regions/cities or different police divisions)?

Please explain

1.3. Does the information identify different types of force (batons/watercannon/firearms, etc.)?

☐ YES

☐ NO

1.4. Does the information identify contexts for the use of force policy and/or standard operating procedures?

Please explain

1.5. Does the information identify categories of persons on whom force is used against (age/ gender/ethnicity, etc.)?

Please explain

2. Does the police organisation publish information on its use of force policy/standard operating procedures?

☐ YES

☐ NO

3. Does the police organisation have mechanisms and procedures to encourage consultation and feedback from external actors on its use of force?

☐ Yes

☐ Policy

☐ Standard operating procedures/Guidance

☐ Other

☐ No

Please explain

4. Which actors are typically consulted on issues relating to the use of force?

Please explain

1. Does the police organisation have a media/press department? (If yes, please answer questions 1.1-1.3)

☐ YES

☐ NO

1.1. Is the department staffed by warranted police officers or those with a professional media background?

☐ YES

☐ NO

1.2. Is the media department involved in the planning and/or command structure for large policing operations that may involve force?

☐ YES

☐ NO

1.3. Are use of force policies and protocols known by the officers/staff in this department?

☐ YES

☐ NO

2. Does the police organisation have guidelines on engagement with the media?

☐ YES

☐ NO

2.1. If yes, which of the following options apply?

☐ Encouraging openness and transparency with the media

☐ Appointing identified points of contact with the media for particular events/operations/investigations

☐ Facilitating media briefings before, during, and after significant operations (assemblies/sporting events) or those that may require the use of force

☐ Instructions to frontline officers to recognise, protect, and accommodate/host 'accredited journalists'

3. Does the police organisation have a policy/instruction on accommodating journalists or facilitating 'ride along' type initiatives?

☐ YES

☐ NO

3. Self-assessment modules-questionnaires

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CIVIL SOCIETY AND NON- GOVERNMENTAL ORGANISATIONS³¹

1. Are agreements in place to encourage and facilitate information sharing between the police and non-governmental organisations (NGOs) and civil society organisations (CSOs)?

☐ YES

☐ NO

2. Does the police organisation consult with NGOs and CSOs for any of the following?

☐ Development of policy on the use of force

☐ Development of training on the use of force

☐ Delivery of training on the use of force

☐ Other

Please explain

3. Does the police organisation work with NGOs and CSOs to assess the impact of their use of force on any of the following aspects?

☐ Human rights compliance

☐ Levels of injury

☐ Public perception

☐ Other

Please explain

4. Do the police have mechanisms to encourage feedback on citizens' concerns about the use of force?

☐ YES

☐ NO

ACADEMIA

1. Does the police organisation have a formal relationship with any universities or policy think tanks?

☐ YES

☐ NO

2. Are memorandums of understanding in place to encourage and facilitate information sharing between the police and academic institutions?

☐ YES

☐ NO

3. Does the police organisation consult with academic institutions for any of the following?

☐ Development of policy on the use of force

☐ Development of training on the use of force

☐ Delivery of training on the use of force

☐ Other

Please explain

4. Do the police encourage and facilitate academic placements within the organisation?

☐ YES

☐ NO

1. What mechanisms does the police organisation have in place to consult with local community groups?

Please explain

2. Do the police consult with local communities/groups for any of the following?

☐ Development of policy on the use of force

☐ Development of training on the use of force

☐ Delivery of training on the use of force

☐ Other

Please explain

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3. How do the police identify and measure community tensions in planning operations in local areas?

Please explain

4. Do the police use 'local policing plans' or other similar mechanisms to identify key community priorities?

☐ YES

☐ NO

4.1. What mechanisms are in place to facilitate local communities holding the police to account for the delivery of these key priorities?

Please explain

4.2. Do these mechanisms include public meetings where local people can question local police commanders (on issues such as the use of force)?

☐ YES

☐ NO

5. What mechanisms do the police have in place to measure public perception/satisfaction levels in relation to the police use of force?

Please explain

INTERNAL ACCOUNTABILITY

Internal accountability describes the range of instruments that police have at their disposal to ensure high standards of professionalism, and to deter and detect misconduct.

There is a wide range of internal accountability instruments. The assessment tool on internal accountability will focus on five key areas.³²

1. A clear chain of command and effective supervision
2. Record keeping

3. An effective complaint reporting system

4. An effective disciplinary response

5. Lessons learned process

As with any other aspect of accountability, effectiveness is strengthened through a multi-layered approach. In other words, systems that include several of these features will be more robust than those that place their faith in any single process.



1. A clear chain of command and effective supervision

Police organisations are hierarchical in nature with a defined rank structure. Each rank will have different

roles and responsibilities, including supervising and managing others. The purpose of this structure is to exercise command and control of the organisation.

At the most senior ranks, the focus is on strategic direction and governance for the organisation, while operational policing normally is performed by the more junior ranks. In between are a series of team leaders and unit commanders who are responsible for ensuring efficient and effective compliance with policies, guidance, and disciplinary standards.

The rank structure determines seniority and the authority to issue orders and directions. It is assumed within such a structure that junior officers are accountable to their superiors. Consequently, senior ranks come with responsibility. It is essential to ensure that supervisors and commanders can be held to account for the orders they give and for how front-line officers implement those instructions.

The command structure should ensure:

- Specific responsibilities of the different levels of the command structure are clearly defined.

- That it is possible to identify who is responsible for individual actions and omissions at all levels.
- Superior officers must be held responsible if they knew, or should have known, that law enforcement officials under their command resorted to the unlawful use of force or firearms, and if they did not take all measures to prevent, suppress or report such unlawful activity.³³
- Police officers shall obey all lawful orders and abide by the provisions of Police Service policy and procedure. However, they shall refrain from carrying out any orders they know, or ought to know, are unlawful.
- No disciplinary action shall be taken against a police officer who refuses to carry out an unlawful order.³⁴

In the context of issues relating to the use of force by police, events such as assemblies and protests carry additional risks. It is therefore important that specific arrangements are in place for such events that are consistent with the size and complexity of the operation.

- A clear, transparent and single command structure should be instigated. The operational roles and responsibilities of officials within the chain of command should be explicitly established, articulated, and publicly known to ensure a single chain of accountability.³⁵
- Police officers responsible for planning and controlling operations where the use of force is a possibility shall, as much as possible, plan and control them to minimise recourse to the use of force, particularly potentially lethal force.³⁶
- Officers involved in planning and commanding such operations

should be operationally competent and have undergone specific role-related training.

To guarantee that operations are planned in a way to minimise the requirement for the use of force, the system of planning and oversight should include checks and balances. Commanders should be required to test their plans against critical review by peers or senior officers. This might include the requirement to seek higher level authority to deploy certain tactical options (e.g., water cannon/ chemical agents).

The following example shows a clear chain of command, with specific responsibilities on each level. The model is not favoured over other types of command structures and is meant for illustrative purposes only.

Box 6. Example of a three-tier command structure

Command level	Function and responsibilities
Strategic (Gold)	Defines the aim of the operation Sets the strategic objectives
Operational (Silver)	Develops the tactical plan to deliver the strategic objectives Maintains operational control of all deployed resources
Tactical (Bronze)	Directs and commands resources allocated to a particular geographic sector or defined by a particular function

Sourced from OSCE/ODIHR Human Rights Handbook on Policing Assemblies



2. Record keeping

The keeping of accurate records is both an individual and organisational responsibility. Written notes and records play an important role in ‘posteriori accountability’,³⁷ enabling after-the-fact investigations to understand live time

considerations and decision making. This is important in understanding and assessing subjective judgements on key human rights principles in relation to the use of force, such as ‘necessity and proportionality’.

Records kept by individual officers are complemented by systems and processes developed by the organisation to ensure that detailed inventories, audit trails, and reports are completed and maintained. Most significantly, there should be a specific requirement to record the use of force and a standard procedure to report any such use to a supervisory officer.

Increasingly, police agencies are moving to technical solutions such as body-worn cameras or CCTV in custody environments to augment simple written notes. Such initiatives are essential because comprehensive records can be helpful for police agencies not only in investigating allegations of abuse but also in challenging spurious complaints or false narratives on misuse of force.³⁸

An important aspect of record keeping is the use of data to identify trends and hotspots or highlighting individual officers or teams/units that require further investigation, and ensuring that force is not being directed at particular sections of the community in a discriminatory way.

A comprehensive approach to record-keeping should include:

- A formal direction that requires police officers to ensure that accurate records are kept of their duties as required by relevant Codes of Practice and Police Service policy and procedure.
- Officers who plan or command operations must keep detailed records of operational and tactical decisions

concerning the use of force by those under their command and the rationale that supports them.

- Specific templated records relating to higher-risk activities: custody/detention, stop and search, premises searches, etc.
- A standardised requirement for reporting the use of force to a supervisor.³⁹
- An agency-level database on the use of force, which provides management data to commanders.
- Tracking data to identify officers, units, or locations of concern and act as an early warning system.
- Utilising technology to increase/improve accountability, such as:
 - Body-worn cameras
 - CCTV in custody environments
 - Geolocation of officers by smartphones/police radio equipment
- The systematic marking of use of force equipment and detailed inventories of who such equipment is issued to.⁴⁰
- Regular and recorded inspections by supervisory officers of issued equipment.



3. An effective complaint reporting system

A vital feature of an effective accountability system is a mechanism for dealing with complaints against police officers. Often the police use of force will attract complaints from those subjected to such force or by other witnesses to the event. International guidance is clear on the obligations for some form of investigation when police officers are alleged to have transgressed. An effective complaints system can contribute to the protection of human rights by undermining opportunities for a culture of impunity, addressing grievances and demonstrating responsiveness to public concerns.

Many police agencies are subject to the investigation of complaints by external and independent bodies. Independent investigation is considered a good

practice and brings obvious advantages with respect to credibility and impartiality. However, where such agencies don't exist, it is perhaps even more critical that an effective complaints system, which enjoys the confidence of both the public and police officers, is in place. The complaints system should be straightforward and easy to both access and navigate. It is the responsibility of the police organisation to provide the public with information on how they can make a complaint, with particular consideration given to minority communities and hard-to-reach groups.

Where complaints are internally investigated, it remains crucial that the entire process is conducted impartially, and promptly to maintain public confidence. The process should be sufficiently open and transparent

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that the complainant is kept up to date in respect of progress and the outcome of the investigation.

In addition to utilising data on complaints to identify and address areas of concern, police management should consider publishing statistical data as a method of accountability and enhancing public confidence. This allows the police to explain and contextualise data on complaints. It is generally recognised that the numbers of complaints against police often rise when police put effort into improving their reporting systems. Conversely, the absence of complaints should not be interpreted as an indication of public trust and satisfaction.

An effective complaint system should include the following:

- Information on 'How to make a complaint' should be made widely available, including on police agency websites, publicly available information distributed to NGOs/other interested parties, and information provided to persons in police custody.
- Published information should also explain the process, how the matter will be

investigated, the likely timeframe and the potential ranges of outcomes.

- It should be possible to make complaints directly to the police or through third parties.
- Where complaints are made to the police, officers should be obliged to receive them, with failure to do so representing a specific disciplinary offence.
- Internal mechanisms (such as whistle-blower procedures) should be in place to allow officers to report unlawful use of force anonymously.
- Complaints should be investigated by a separate unit within the police, but at a minimum, must be investigated by an officer of the senior rank.
- Procedures should include timely informing of the complainant of the outcome of the investigation.
- Statistical data on complaints, including outcomes of investigations, should be made public.



4. An effective disciplinary response

Complaints against the police might amount to criminal allegations or breaches of discipline. In order

to maintain confidence in the agency, each complaint must be properly and proportionately investigated. While excessive use of force will ordinarily fall into the category requiring a criminal investigation, it may occasionally relate to an officer's failure to comply with certain policies, guidelines, or their training. Cases that involve substantial injury/death or where officers are suspected of breaches of the law should be investigated as criminal matters in conjunction with the public prosecution authorities. Such issues are dealt with in the external accountability segment of this module.

Police officers should be held to a higher standard than would be expected of ordinary individuals but should also be entitled to fairness of treatment and due process. The internal disciplinary system needs to be able to respond not only to the more obvious infringements but also to behaviours that might be considered minor, which

signal a culture or tolerance for misbehaviour. The 'blue wall of silence' is an often-used phrase to describe the tendency for officers to back up others who transgress against the rules or at least 'see or hear nothing'. The internal system of discipline requires having both the investigative capacity and punitive impact to ensure that ethics and integrity prevail over loyalty to each other.

An effective internal discipline system should include the following:

- a) A clear statement of the organisational standards to which officers should adhere might be presented as:**
- A code of ethics – a clear statement of values and ethics to which officers must aspire, and/or
 - A comprehensive disciplinary code. A document that sets out minimum standards of behaviour and professionalism, particularly concerning the use of force.

b) Arrangements for the thorough, impartial, and effective investigation of disciplinary matters are likely to include a separate branch or department within the police who are answerable directly to a member of the executive command team rather than through the local operational command.

c) A framework to regulate how the disciplinary process is implemented, including the rules around presenting and handling evidence, who the case is presented to, and the various rights and protections afforded to officers under investigation.

d) A wide range of sanctions available within the system ensure that breaches of discipline can be dealt with proportionately. These should range from management advice and additional training to dismissal from the organisation.

e) A mechanism for appeal against sanction to ensure fairness and maintain the confidence of the police officers who are subject to the disciplinary system.



5. An effective lessons learned process

The internal accountability mechanisms already covered in this section are intended to deter, detect, and address misconduct in the use of force by police. Strengthening accountability contributes to the public's sense of legitimacy in the police organisation, leading to higher confidence and engagement.

Disciplinary responses will affect those who have transgressed and also influence the broader organisation by signposting intolerance for unacceptable standards of behaviour. However, the system should be seen as more than simply punitive. A learning organisation can utilise the information gathered through complaints and disciplinary investigations, aligned with debriefing and reflective processes to identify causal factors, avoid reoccurrence, and highlight good practice.

Lack of supervision, insufficient training, out-of-date operational procedures, or inadequate equipment can each contribute to inappropriate use of force. Such matters, left unaddressed in favour of a punitive sanction against an individual, will likely reoccur and undermine the confidence and trust of frontline officers in the organisation.

An effective lessons-learned approach involves gathering information, analysing, and assessing in order to identify key findings and then responding positively through amendments to guidelines, training, tactics, or supervisory approaches. Good practice should always be promulgated throughout the organisation.

The approach begins with initiating structured processes⁴¹ to ensure that operational feedback is systematically gathered. This might include:

- Formal debriefs after significant events.
- Annual thematic review - where representatives from across an entire organisation gather to review experiences relating to the use of force from multiple operations to identify correlations.
- Such reviews are improved by ensuring a wide variety of input. Consideration might be given to including external partners, e.g., the prosecutorial department, media representatives (who are often present to witness large events), or NGOs, including those who might be critical of the police.

These approaches can be enhanced by considering additional information that the organisation (or external partners) might already capture:

- Health and safety-related inspections or reviews
- Information on injuries incurred by officers
- Systematic review of complaints and disciplinary disposals relating to the use of force

Capturing the information is the first step and needs to be accompanied by a process for implementing lessons-learned, both positive and negative. Police organisations must implement structural change processes led by someone of sufficient seniority to guarantee that changes are actioned and sustained. Embedding processes such as a regular review and revision of guidelines, training, and equipment related to the use of force help to maintain organisational learning.

MODULE C
QUESTIONNAIRES**CLEAR CHAIN OF COMMAND AND EFFECTIVE SUPERVISION**

LOCAL COMMUNITIES

Supervision effectiveness largely relies on clarity regarding responsibilities. The responsibilities of those making

operational decisions and proving front-line officers with instructions should be clearly set on the internal policies/guidelines.

1. Describe the general rank structure within the police organisation:

Please explain

1.1. Does the rank/organisational structure clearly define the responsibilities of each rank?

☐ YES

☐ NO

1.2. Does the structure ensure that all officers are accountable to a more senior rank?

☐ YES

☐ NO

2. Do the internal guidelines on the chain of command clearly set out the following responsibilities of supervision/management officers?

☐ Direction setting (e.g., before operations)

☐ Active supervision

☐ Review and evaluation

☐ Assessment and action⁴²

3. What mechanisms are in place to ensure matters of concern are brought to the attention of command ranks?

Please explain

4. Are commanders/supervisors deemed responsible for the actions of those under their command, if they knew or should have known of such actions?⁴³ (e.g., related to the use of force)

Please explain

5. Does the organisation provide training on proactive supervision? ('proactive supervision' means that front line managers and supervisors are required to take positive steps, to be professionally curious, to observe those under their command to challenge, correct, and guide – rather than simply and reactively responding to events that are reported to them about the conduct or performance).⁴⁴

☐ YES

☐ NO

COMMAND STRUCTURE FOR MAJOR EVENTS

1. Does the police organisation have a distinct command model for planning and managing major events and operations?

☐ YES

☐ NO

Please explain

1.1. For individual operations, are command structures publicly acknowledged (e.g., well-known/easy to identify for the public)?⁴⁵

☐ YES

☐ NO

2. Does the organisation have a clear structure (ratio of front-line officers to supervisors, roles, positions, etc.) for public order units?

Please explain

3. How are those involved in planning for major operations held responsible for the use of force by frontline officers?

Please explain

4. Is command-level training provided in relation to major events and operations?

☐ YES

☐ NO

4.1. When and how frequently is such training provided?

☐ On assuming the role of Public Order Commander

☐ At regular intervals (yearly/bi-annually)

☐ There is a requirement to re-licence based on competency testing

5. Does this training include instruction in the following

☐ Human rights principles and legal requirements

☐ International principles on the use of force:

☐ Precaution

☐ Legality

☐ Necessity

☐ Proportionality

☐ Accountability

☐ Non-Discrimination

☐ Planning and assessing risk

☐ Crowd management theory

☐ The role of communication, engagement, and dialogue

☐ Record keeping and audit trails⁴⁶

5.1. Indicate the delivery method(s) of the training:⁴⁷☐ Online learning☐ Lecture/presentation-based classroom learning☐ Scenario-based classroom learning☐ Practical operational exercises (immersive simulation)

6. What technical solutions are in place to assist command and control by senior officers during large events?

☐ Live stream CCTV☐ Drone capability☐ Command channel for radio communication☐ Live monitoring of social media☐ Other – provide examples

Please explain

CHALLENGE AND OVERSIGHT

1. Does the police organisation's internal policy guidelines on major events include initiatives to prevent the misdirection of force, such as the following?

☐ The principle of 'precaution' is central to the planning of operations⁴⁸☐ Adversarial briefings between different command levels throughout the planning process☐ Critical peer review processes before, during, or after major events☐ Protection for refusal to comply with inappropriate/unlawful directions⁴⁹

2. Do internal operational guidelines require prior authorisation by command ranks to use any of the following specialist equipment?

☐ Water cannon☐ Impact rounds☐ Chemical irritants☐ Firearms⁵⁰

2.1. Is there a standard criteria to guide decision-making regarding such approval?

☐ YES

☐ NO

Please explain

2.2. Are such criteria publicly available?

☐ YES

☐ NO

☐ PARTIALLY

MODULE C QUESTIONNAIRES

RECORD KEEPING

PERSONAL RESPONSIBILITY

1. Does the police organisation have a formal policy/instruction for police officers at all ranks to keep official notes of their duties, actions, and occurrences?

☐ YES

☐ NO

1.1. Does this include the following?

☐ Notebooks for frontline officers

☐ Detailed records relating to custody/detention of prisoners

☐ Record of stop/search of person(s)/premises/vehicles

☐ Journals and policy logs for supervisors and commanders

☐ Decision-making logs

☐ Minutes of planning meetings for major events

2. Is the requirement to keep notes emphasised during training?

☐ YES

☐ NO

3. When officers make notes in relation to their use of force, are they obliged to demonstrate compliance with each or any of the following principles?

☐ Precaution

☐ Proportionality

☐ Legality

☐ Non-discrimination

☐ Necessity

☐ Accountability

4. What instructions are in place regarding how long such records are maintained?

☐ Individual police officers are responsible for the retention and safe-keeping

☐ There is an administrative system in place requiring central storage of such records.

☐ There is a policy directing the length of time records are retained

☐ Other

Please explain

5. Is there a requirement for supervisors/managers to inspect such records?

☐ There is no inspection protocol in place

☐ Records are inspected at the discretion of supervisors

☐ There is a policy requiring inspection at stated intervals (e.g., monthly)

1. Do the organisational guidelines require an officer who uses force to formally make a report?⁵¹

☐ YES

☐ NO

1.1. Who is the use of force reported to?

☐ Any colleague

☐ Senior officer

☐ Supervisor

☐ Other

1.2. Is there a template/standardised report form?⁵²

☐ Yes - a standard form is required for any use of force

☐ Yes - a standard form is required only when lethal force is used

☐ No – no standardised form exists

1.3. Who is responsible for the completion of the report form?⁵³

☐ The officer who uses the force

☐ A supervisor/senior officer to whom the use of force is reported

☐ Another person

☐ Other

Please explain

1.4. Is there a requirement for the form to be validated by a supervisor?

☐ YES

☐ NO

1.5. Are there time limits in place for reporting the use of force/submission of the report form?
If yes, please specify the time limit.

☐ YES

☐ NO

☐ As soon as is practicable

☐ By the end of the officer's shift

☐ Within 24 hrs

1.6. Is there any additional requirement for an immediate report on issues such as the use of firearms?⁵⁴

☐ Yes

☐ No – there are no additional requirements for use of firearms

1.7. Do guidelines require officers to report the use of equipment where no force is used (e.g., drawing but not using taser/incapacitant spray, raising but not striking with a baton, etc.)?

☐ YES

☐ NO

MANAGEMENT OF USE OF FORCE REPORT DATA

1. Are the details of use of force reports included in an organisational database?

☐ YES

☐ NO

1.1. Are commanders able to analyse the data to identify types of incidents that are of most concern?

☐ YES

☐ NO

☐ PARTIALLY

1.2. Is it possible to search the database for different types of use of force (e.g., handcuffs, batons, incapacitant spray)?

☐ YES

☐ NO

☐ PARTIALLY

1.3. Can supervisory officers utilise this database to track and trend officers who are of concern?

☐ YES

☐ NO

☐ PARTIALLY

1.4. Does the use of force database provide information which allows for tracking and trending, based on the following?

☐ Type of incident

☐ Location

☐ Months/days/times

☐ Unit or team level

☐ Individual officers using the force

☐ Demographics of the person(s) subjected to the use of force (gender, age, ethnicity, race, religion, sexual orientation)

☐ Other

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Please explain

2. Is the organisation's information on the use of force publicly available?⁵⁵

☐ YES

☐ NO

☐ PARTIALLY

TECHNOLOGICAL SOLUTIONS

1. Which of the following technical solutions does the police organisation employ to monitor the use of force:

☐ Close circuit TV systems in detention facilities.

☐ Body worn or vehicle mounted video recording equipment.

☐ Voice recording devices to capture operational instructions of front-line commanders

☐ Recording of radio communication exchanges

☐ Video/audio recording of briefings for major events/operations

☐ Geo-location of individual officers

☐ Other

Please explain

2. Is this information analysed for identifying patterns or trends?

☐ YES

☐ NO

1. Does the police organisation require all officers to display name badges or unique identification numbers on their uniforms?

☐ YES

☐ NO

☐ PARTIALLY

1.1. If yes, does this requirement include public order equipment, including helmets?

☐ YES

☐ NO

2. Are the following control measures used to ensure accountability for the use of equipment?

☐ Record of the use of firearms and the specific number of rounds allocated to individual officers

☐ Patrol equipment (e.g., batons/handcuffs) marked with individual identification numbers

☐ Scales or similar mechanisms to check the usage of CS/irritant spray canisters

☐ A regular, documented, and proactive inspection protocol by supervisors in relation to the use of force equipment issued to officers

☐ Additional procedures requiring senior command authorisation for deploying higher levels of use of force (e.g., firearms/tear gas/impact rounds/ water cannon) as part of the planning process.

☐ The use of such equipment is restricted to those who have been selected for, undertaken training for, and are qualified in such use.

☐ Other

Please explain

MODULE C
QUESTIONNAIRES**COMPLAINT REPORTING SYSTEM**

ESTABLISHING WHETHER A COMPREHENSIVE COMPLAINT SYSTEM IS IN PLACE

1. Is there a formalised process/system whereby individuals can make a complaint against the police?⁵⁶

☐ YES

☐ NO

2. Who investigates complaints made by the public?

☐ The police officer receiving the complaint

☐ An officer appointed explicitly for the role

☐ A specialist internal unit/department

☐ An independent external agency created for that purpose⁵⁷
☐ An independent external body – such as the public prosecutor

☐ Other

Please explain

3. Which of the following purposes does the organisation's complaints system serve?⁵⁸

☐ Address the grievances of complainants/facilitate access to the right to an effective remedy

☐ Identify police misconduct and, where appropriate, provide evidence in support of:

☐ Criminal proceedings

☐ Disciplinary proceedings

☐ Other management measures

☐ Provide the police with feedback from members of the public who have direct experience in police practice

☐ Set, monitor, and enforce policing standards

☐ Learn lessons about police policy and practice

☐ Other

Please explain

4. Can complaints be made against the following?

☐ Individual officers

☐ Teams/units

☐ The police organisation

☐ Issues of policy/procedure/guidelines⁵⁹

5. Outline the extent of the conduct and behaviour covered by the complaints system:

☐ Criminal conduct

☐ Misuse of force

☐ Neglect or poor performance

☐ Discriminatory practice

☐ Other

Please explain

6. Do police officers receive training about the complaints process/system?⁶⁰ If yes, please specify the timing.

☐ YES

☐ NO

☐ Initial training is provided

☐ Regular refresher/update training is provided

7. How does the organisation combat the practices of discouraging individuals from making complaints or refusing to record complaints?⁶¹

☐ These practices are categorised as a disciplinary offence⁶²

☐ Officers receive training to avoid such practices

☐ Random checks⁶³

☐ Audits

☐ Other (please, provide examples)

Please explain

1. Describe the process of how individuals can make (and track) a complaint against the police:

☐ In person at a police station

☐ In person at any other location

☐ Through a third party (relative, representative, lawyer, NGO, etc).

☐ Remotely via a secure telephone line or via a website

☐ Other

Please explain

2. Is it possible to make a complaint anonymously?

☐ YES

☐ NO

☐ PARTIALLY

Please explain

3. Is there a specific complaint form/template to record complaints?⁶⁴

☐ Yes, a standardised form

☐ Yes, there are various forms depending on the nature of the complaint

☐ No

3.1. Does the template record any of the following information on the complainant?

☐ Gender

☐ Religion

☐ Age

☐ Disability

☐ Ethnicity

☐ Sexual orientation

☐ Race

☐ Other (provide example)

Please explain

4. Describe the steps in the process as to how the record of the complaint is dealt with through the organisation. Who is responsible for:

4.1. Completing the form:

Please explain

4.2. Validating the complaint:

Please explain

4.3. Registering the complaint on databases:

Please explain

4.4. Keeping the complainant updated about the progress:

Please explain

4.5. Directing on the outcome of the complaint:

Please explain

5. Is a receipt or acknowledgement given to individuals to formally certify their complaint?

☐ YES

☐ NO

6. Is information provided to citizens to explain the process for dealing with their complaints and the timeframe for the various stages?

☐ It is the responsibility of the officer receiving the complaint to provide this information

☐ A specific leaflet or information sheet is provided to the complainant

☐ A follow-up letter/email is sent to the complainant

☐ No further information is provided at this time
7. Are law enforcement officials obligated to report misuse of force by other police officers?⁶⁵
☐ YES

☐ NO
8. Does the complaint system facilitate police officers/employees to make complaints against colleagues (whistleblowers)?⁶⁶
☐ YES

☐ NO

1. Are there clear criteria for classifying complaint allegations (criminal/disciplinary/misdemeanour/gross misconduct)?

☐ YES

☐ NO

1.1. Are the criteria publicly available?

☐ YES

☐ NO

2. Are there different approaches to investigations depending on the seriousness of the allegations?

Please explain

2.1. Is information on the processes publicly available?

☐ YES

☐ NO

'NON-CRIMINAL, NON-SERIOUS AND NON-COMPLEX' COMPLAINTS – SCOTLAND⁶⁷

In 2018-19 Police Scotland received 5,919 complaints. Police Scotland's Standard Operating Procedure makes clear that frontline resolution is only suitable for complaints which are 'non-criminal, non-serious and non-complex' and can be resolved without investigation other than familiarisation with the circumstances of the incident. In 2018-19, Professional Standards Department (PSD) Frontline Resolution resolved 39.8% of all complaints against Police Scotland. Divisional Frontline Resolution resolved 8.5% such complaints. Frontline resolution is an appropriate and proportionate response when i) the matter is not serious (not complex and non-criminal) and ii), an apology, an explanation, or local action or assurance is a sufficient remedy for the member of the public making the complaint.

3. Are complaint investigations subject to specific timelines?

Please explain

3.1. Are statistics publicly available regarding police compliance with such timelines?

☐ YES

☐ NO

3.2. Are these timelines met by the police organisation?

- ☐ Always
- ☐ Over 80% of cases
- ☐ Over 50% of cases
- ☐ Less than 50% of cases

4. Which of the following are potential outcomes of an investigation?⁶⁸

- ☐ No further action on the grounds that the complainant did not have just cause to complain⁶⁹
- ☐ No further action on the instruction of the complainant
- ☐ Informal resolution between the complainant and the officer complained about
- ☐ Police management may take informal action against an officer (for example a requirement to undertake training)
- ☐ Disciplinary proceedings may be brought against a police officer
- ☐ Criminal proceedings may be brought against a police officer
- ☐ Refer to an external investigation
- ☐ Changes may be made to policing practice in consideration of the lessons learned
- ☐ Other

Please explain

5. How are complainants informed about the outcome of the investigation?⁷⁰

- ☐ By the investigating officer
- ☐ By the officer who directs the outcome of the case
- ☐ By any other representative of the police
- ☐ An administrative process sends a letter to the complainant
- ☐ It is the complainant's responsibility to check the status of their complaint
- ☐ They may or may not be informed

3. Self-assessment modules-questionnaires

Module C: Accountability

5.1. Is there a requirement for the complainant to agree with this outcome?

☐ YES

☐ NO

5.2. Is there a process to appeal this decision?

☐ YES

☐ NO

Please explain

6. What are the time limits for responding to information requests?⁷¹

Please explain

7. What mechanisms does the police organisation have in place to ensure that a complainant is not subject to intimidation or other ill-treatment as a consequence of making the complaint?

Please explain

MAKING THE PUBLIC AWARE OF THEIR RIGHT TO COMPLAIN

1. How does the police organisation make the public aware of their right to make a complaint?

☐ YES

☐ NO

2. Has the police organisation undertaken any information/media campaigns to make the public aware of these rights?

☐ YES

☐ NO

Please explain

3. Is the information on the complaints system prominently displayed in public areas or custody/detention areas?

☐ YES

☐ NO

Please explain

4. Are individuals who are released after detention on police premises provided with information on making a complaint?⁷²

☐ ALWAYS

☐ SOMETIMES

☐ RARELY

5. Does the police organisation's website have visible and clear information about complaint procedures?

☐ YES

☐ NO

6. Does the police organisation display information on the complaint procedures on physical or virtual spaces belonging to other organisations/third-party agencies?

☐ YES

☐ NO

7. Is information on the complaints system available in different languages/formats?

☐ YES

☐ NO

1. Does the organisation make sure the investigations on complaints meet the following key effectiveness criteria?⁷³

☐ Impartiality

☐ Thoroughness

☐ Promptness

☐ Competence

☐ Victim involvement and public scrutiny

☐ Other

Please explain

2. Are statistics publicly provided by the police on the following?⁷⁴

☐ The number of complaints received

☐ The outcome of complaints (by various methods of disposal)

☐ Statistics on disciplinary or criminal conduct outcomes for officers who are found guilty

☐ Other

Please explain

2.1. Is this information disaggregated (for example, by geographic location, type of force used, demographics of complainants)?

☐ YES

☐ NO

Please explain

3. Is information about trends/types of incidents/complaints occurring in their areas provided to individual commanders?

☐ YES

☐ NO

Please explain

4. Does the police organisation have track and trend processes in place to highlight issues of concern, including individual officers, particular units, stations, or areas?

☐ YES

☐ NO

Please explain

5. How is the complaints system tested to check its effectiveness and efficiency?

☐ Regular internal inspections/reviews

☐ Independent audits⁷⁵
☐ An independent external body provides oversight of the system⁷⁶

6. Does the organisation have a mechanism to gather information on the level of public confidence in the complaints system?

☐ YES

☐ NO

Please explain

7. How do the organisational members perceive the objective of the complaints system?⁷⁷

☐ As a way to facilitate and demonstrate responsiveness

☐ As a way to protect human rights and address the complainant's grievance(s)

☐ As a way to fight against impunity

☐ As a resource that informs the organisational learning process

☐ As an administrative burden

☐ Other

Please explain

MODULE C
QUESTIONNAIRES**DISCIPLINE**

STATEMENT OF INTENT

1. Does the police organisation have a 'code of ethics' (a clear statement of ethical values and principles on behavioural, moral, and conduct issues)?

☐ YES

☐ NO

1.1. How does the organisation ensure accessibility of the document to officers and staff?

☐ Personal copy issued

☐ Hard copies placed in stations

☐ Available through intranet/internal systems

☐ Other (provide explanation)

Please explain

1.2. Is the document accessible outside the organisation?

☐ Hardcopy publication widely distributed

☐ Hardcopy publication available on request

☐ Available on a publicly accessible website

☐ It is not accessible to the public

1.3. Is training provided to officers on the code of ethics linked to practical situations, for example:

☐ Upholding and protecting human rights

☐ The appropriate use of force

☐ Treatment of detained persons⁷⁸
☐ Privacy and confidentiality

☐ Equality of treatment⁷⁹

Please explain

2. How does the code of ethics ensure that supervisors and commanders are responsible for the actions of subordinates?

Please explain

3. Does the police organisation have a code of discipline in place? (This is likely to differ from a code of ethics since it would include specific actions and behaviours that would constitute a breach of discipline.)

☐ YES

☐ NO

3.1. Does the discipline code list the operational standards that an officer is expected to adhere to and define specific actions or offences against the code, including the following?

☐ Discreditable conduct

☐ Corrupt practice

☐ Inappropriate use of force

☐ Improper use and care of equipment

☐ Misuse of intoxicating substances

☐ Misuse of information

☐ Insubordination⁸⁰

☐ Other

Please explain

3.2. Is the discipline code:

☐ Created in legislation

☐ Internally generated (police guidelines)

1. What criteria are in place to decide if a complaint or allegation requires a formal investigation?

Please explain

1.1. Who exercises this discretion over whether a formal investigation is required?

- ☐ Head of the discipline department
- ☐ A senior line manager of the officer/team involved
- ☐ A panel or committee created for that purpose
- ☐ Consultation with an external body (public prosecution service)
- ☐ Other

Please explain

2. How does the police organisation ensure that the disciplinary investigations it conducts have the following attributes:⁸²

☐ Prompt

Please explain

☐ Effective and thorough

Please explain

☐ Independent and impartial

Please explain

☐ Transparent

Please explain

3. Is there a specialised Internal Affairs or Professional Standards Department?⁸³

☐ YES

☐ NO

3.1. Which of the following characteristics does this department have?

☐ Stand-alone unit with a direct reporting line to the executive command level of the organisation.

☐ Clear criteria for the severity of offences which this unit must investigate.

☐ Selective recruitment to the unit based on investigative merit and integrity testing.

☐ Clear firewall between this department and other operational units.

☐ Separate or secure accommodation.

☐ Secure record storage/ IT.

☐ The unit acts on the authority of the Chief of Police, with a full range of intrusive investigative powers.

☐ The ability to engage in pro-active intelligence-led investigations and integrity testing.

☐ Investigating officers can demand the compliance/cooperation of officers under investigation.⁸⁴

☐ The burden of proof for disciplinary offences will be lower than the criminal threshold.

4. When the complaint/allegation relates to an alleged criminal offence (for example, the misuse of force):

4.1. Is there a requirement to notify the public prosecutor?

☐ YES

☐ NO

4.2. In these cases, is the investigation carried out by:

☐ The police acting independently

☐ The police, under the supervision of a public prosecutor

☐ A separate independent agency

4.3. Are there any other criteria to determine when a case should be managed by an external body/authority?⁸⁵

Please explain

4.4. What are the mechanisms to ensure that all the relevant information is properly transferred to the corresponding external bodies in a timely manner?

Please explain

1. Does the police organisation have regulations to designate the arrangements for a disciplinary hearing?

☐ YES

☐ NO (Please explain how disciplinary matters are dealt with)

Please explain

1.1. Do regulations include:

☐ Whether the hearing is chaired by:

☐ A senior officer sitting alone

☐ A panel of senior officers/staff

☐ Representatives external to the organisation

☐ Details of who will present the case and for the defence of the officer involved

☐ Timeframe for the disciplinary hearing to begin from the date of the offence

- ☐ Rules of evidence permitted within the disciplinary hearing
- ☐ Entitlement to call witnesses
- ☐ In the case of a complaint by a member of the public – whether they are allowed to be present
- ☐ Whether any other interested party is entitled to be present⁸⁶

SANCTIONS

1. Does the disciplinary code set out a range of possible sanctions to ensure that they are commensurate with the severity of the infringement?⁸⁷

☐ YES

☐ NO

1.1. Are these sanctions purely punitive, or is there any element of professional development through coaching, mentoring, or closer supervision?⁸⁸

Please explain

1.2. Are the following provided for?

- ☐ Informal warning and advice
- ☐ Engaging in a performance improvement plan
- ☐ Formal caution
- ☐ Direction to undertake professional counselling or a treatment program
- ☐ Direction to undertake specific training/retraining/re-licencing
- ☐ Repositioning or transfer
- ☐ Reduction in rank
- ☐ Suspension (with and/or without pay)
- ☐ Dismissal
- ☐ None of the above

1. Within the code of discipline/regulations, are there any provisions regarding the rights of the officer under investigation?

☐ YES

☐ NO

1.1. Do those include:

☐ Right to representation by:

☐ Fellow police officer

☐ Union/association representative

☐ Legal counsel

☐ Right to appeal:

☐ To a higher authority within the police organisation

☐ To an external oversight authority

☐ Via civilian courts

The case of the Swedish Police Authority⁸⁹

As part of the Swedish Police Reform (2015), the Swedish parliament established The Special Investigations Department ("Avdelningen för särskilda utredningar", SU). This is an independent department of the Swedish Police Authority that is responsible for investigating complaints of alleged crimes by the Police Authority members, police students, prosecutors, judges, and members of parliament. While SU handles criminal cases, disciplinary cases are managed by the Staff Disciplinary Offence Board (PAN).

When a complaint is made against an official or if the Police Authority discovers a crime by a police official, a report is to be written immediately and submitted to SU. SU compiles the relevant documentation and submits a case file to the Prosecution Authority. A prosecutor decides whether a criminal investigation is to be started.⁹⁰ If that is the case, SU is responsible for performing the investigation. Based on that, a prosecutor assesses whether criminal proceedings should be initiated. If no criminal investigation is initiated or if it is terminated, the matter is forwarded to the Unit for Separation from Employment and Disciplinary Matters (GSD) to decide whether the case should be presented to the PAN Board. The Board may subsequently decide on sanctions (including warning, reduction of salary (up to 30 days), or separation from employment). Matters not addressed by SU or GSD are transferred to the Operations Protection Unit. The Police Authority also has a unit responsible for internal auditing. The Internal Audit Unit is a standalone, independent unit under the National Police Commissioner, with the mission to examine and make proposals on improvements regarding internal governance and control.

QUESTIONNAIRES

LESSONS LEARNED

GATHERING INFORMATION

1. Describe how the police organisation gathers, collates, and analyses information on the use of force to provide commanders with management data

Please explain

2. Does the organisation facilitate feedback⁹¹, including input from all ranks?

☐ On policies, protocols, and guidelines

☐ On standard operational procedures

☐ On training and preparation

☐ On equipment

☐ On operations planning

☐ None of the above

3. Does the police organisation have a formal briefing and debriefing procedure (to identify both positive and negative lessons from operations), including the following?

☐ A standardised briefing model

☐ 'Hot' debriefs – in the immediate aftermath of an event

☐ Formal event debriefs – structured review of the entire event

☐ Annual thematic debrief on the use of force

☐ None of the above

☐ Other

Please explain

3.1. In relation to each/any of these processes, how are they conducted within the organisation?

Please explain

3.1.1. Who organises or leads these debriefs?

Please explain

3.1.2. Are operational commanders involved?

☐ YES

☐ NO

3.1.3. Are front-line officers and specialist units represented?

☐ YES

☐ NO

3.1.4. Are police officer representative bodies or unions included?

☐ YES

☐ NO

3.1.5. Are any external actors present? (eg Media/ NGOs/community representatives)

☐ YES

☐ NO

3.1.6. Does the organisation ensure diversity of participants in the lessons-learned process? if yes, which of the following are included:

☐ YES

☐ NO

☐ Gender

☐ Underrepresented groups, e.g., by religion/ethnicity/race/sexual orientation

☐ Representatives of different ranks

3.2. How are recommendations arising from such debriefs formulated and implemented?

Please explain

4. Does the police organisation record information on health and safety issues, including the following?

☐ Injuries to police officers

☐ Near misses

☐ Ineffectual or defective equipment

☐ Injuries to members of the public as a result of police action

☐ Other

Please explain

5. How does the organisation ensure appropriate response to reports on the use of force produced by external agencies, including state and non-state agencies?⁹²

5.1. State/formal agencies

Please explain

5.2. Non-state bodies/NGOs

Please explain

6. Does the police capture public perception information on how the police uses force?

☐ YES

☐ NO

7. Does the organisation commission or engage with independent studies or reviews related to the use of force?⁹³

☐ YES

☐ NO

Please explain

1. How does the police organisation respond to information gathered in relation to the use of force?⁹⁴

- ☐ Working groups are established.
- ☐ Recommendations are fed into the relevant departments for developing policy, training, equipment.
- ☐ The police organisation produces an internal action plan in relation to recommendations arising from the lessons-learned process.
- ☐ A senior ranking officer is appointed as a 'change manager' to ensure the implementation of the recommendations.
- ☐ The organisation implements a 'regular' review of policy, operational guidelines, training, and use of force equipment.
- ☐ Other

Please explain

2. How does the organisation ensure that good practices identified in the debriefs is rolled out to the broader organisation?

Please explain

1. Does the organisation produce reports documenting indicators on issues related to the use of force?⁹⁵

☐ Quarterly

☐ Only after special events

☐ Annually

☐ Never

1.1. Are those reports available to the following?

☐ Oversight bodies

☐ Independent investigation bodies

☐ Non-Governmental Organisations

☐ The public⁹⁶

☐ Only for internal use

INNOVATIVE MECHANISMS TO CAPTURE PUBLIC PERCEPTION ON POLICE USE OF FORCE IN THE LAC REGION

The National Honduras Police, along with the Sub Secretariat for Interinstitutional Affairs (SubSEDS), has designed a confidence-in-policing measure whose multidimensional nature allows the police to capture communities' perceptions and expectations regarding the police service, including those related to the use of force.⁹⁷

In Colombia, the National Police has started to implement and institutionalise a dialogue mechanism with the civil society (including academia and CSOs focused on human rights and gender issues)⁹⁸ to get their feedback on how the organisation can better respond to public expectations regarding the use of force. The proposals drawn from these dialogues become inputs for the police learning and transformation process.⁹⁹



4. Action Plan

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ACTION PLAN

This chapter provides advice in developing an action plan tool to operationalise the recommendations of the self-assessment report as described in Section 1. Figure 8 illustrates the suggested steps to design, implement, and

monitor the plan that should serve as a roadmap for the organisation to strengthen the governance of the use of force.

Figure 8: Self-assessment action plan



1. Clarifying strategic purpose and structure

The purpose of the action plan is to realise a set of institutional changes to strengthen the good governance of the use of force. The focus is on improving capacity, accountability, and responsiveness to international human rights law and good practice.

The action plan aims to provide the police institution with a structured approach to prioritising, defining steps and resources, and delivering on the conclusions and recommendations made in the self-assessment report. The action plan should therefore be structured to deliver a manageable set of priorities that tackle gaps identified during the assessment.

These priorities will result from defining the changes the police institution wants to achieve based on the conclusions of the self-assessment report. For instance, whether to improve the uptake of knowledge of human rights protocols or even to strengthen the functionality of internal accountability mechanisms designed to deter inappropriate use of force. All too often, reform efforts have fallen short of expectations as interventions have yet to address the underlying impediments.

The Working Group (WG), overseen by the Steering Committee (SC), will be responsible for drafting the action plan. The drafting process should include opportunities for validating the action plan draft with the senior

4. Action Plan

management to ensure institutional ownership and enable the proper conditions for implementation. The police institution may also assign the preparation of the action plan to a specialised department within the organisation, ensuring close consultation with the WG and the SC.

In addition, the action plan should include indicators of what positive change looks like, the

methods to measure progress against the intended objectives and outputs, and the frequency of data collection and monitoring of progress.

Box 7 describes the aspects that police organisations should consider before initiating the process of designing and implementing the action plan:

Box 7. Action plan: Key considerations

The Working Group (WG) is responsible for conducting all the activities required to draft the action plan. The WG will submit Action Plan drafts to the Steering Committee.

The Steering Committee (SC) provides advice, guidance, and leadership to the WG throughout the process. The SC validates and obtains input and approval from the senior management.

Responsibilities and resources to conduct and implement the action plan should be clearly allocated.

Each institution should, according to its context, priorities, and expectations, develop its own indicators and establish ways to measure progress.

Police institutions benefit from getting better at monitoring and assessing their progress. To this effect, developing a monitoring strategy is a cross-cutting strategic output to include in the action plan.



2. Defining overarching objectives and measurable outputs

The action plan should focus on results and help to develop a shared understanding of how to pursue them.¹ This will create the space to work towards the necessary changes in behaviour, attitudes, and relationships for achieving the intended results. Examples of the type of results that police institutions may want to achieve include the following:

- Reduction in human rights abuses by police officers.
- Increased public confidence in police internal accountability mechanisms.
- Organisational culture embraces formal rules and reflects the beliefs, values and expectations of the communities being served.

- Values regarded by officers are congruent with good practices, international human rights law.

These are merely examples. Each police institution will have different priorities based on its context. The action plan will also enable police organisations to identify and address constraints to achieve the overarching objectives. The action plan aims to address the root sources of the challenges identified in the self-assessment, and not only ‘tip of the iceberg’ issues.

Box 8 lists the three key components that the action plan should include. Police organisations will need to define these components for drafting the action plan.

Box 8. Action plan: Key components

Overarching Objective: The change that the organisation wants to achieve. The overarching objective is contingent on other factors and is not entirely within the organisation’s control.

Outputs: Tangible and intangible results that will contribute to the institutional objective. Outputs are within the control of the organisation and are achieved through activities.

Indicators: Evaluative tools that help to measure how much progress is being made towards the objectives. Indicators should be S.M.A.R.T. (specific, measurable, assignable, realistic, time-related).²

4. Action Plan

The Self-assessment process is designed to guide police organisations in identifying areas that need to be prioritised, as well as the constraints they might face when working on the findings of the self-assessment. As illustrated in Table 1, the conclusions of the self-assessment will, in each case, inform the definition of the overarching objective, which in turn informs the outputs and indicators.

Outputs

The action plan should clearly identify key outputs and the activities required to implement the necessary changes. For instance, one output may relate to overcoming constraints to developing a culture of accountability. This output may include activities to improve the effectiveness of checks and balances to ensure compliance and for creating an environment where internal reporting is not only compulsory but also safe and desirable rather than seen as a threat or a sign of disloyalty. The main constraints should be included in the conclusions section of the assessment report, with subsequent recommendations for tackling them. These institutional constraints can usefully be reframed as the intended outputs of the action plan.

There might be several constraints to ensuring stronger governance of the use of force ranging from limitations on capacity, knowledge, skills, or financial resources, to insufficient support or political will. These constraints will vary and depend on the context but are most likely to fall under the three pillars: the rule of law, resources and accountability, which were analysed in earlier sections. For example, a constraint may be officers' patchy uptake of new knowledge and skills following in-service training. In such a case, the police organisation should start by identifying the factors inhibiting officers' internalisation of new knowledge and skills. This would entail an in-depth review of the training content and delivery methods. For instance, training should include a pass/fail accreditation procedure and establish a clear timelines for re-training or refresher training. In addition, there should be periodic evaluations to ensure the training is delivering the intended results. Further, besides technical proficiency for the use of firearms, it is essential to incorporate decision-making/judgement modules and modules on compliance with the legal framework. Altogether, these activities can contribute to the output of implementing internal policies consistent with human rights standards and to the objective of ensuring a strong governance system of the use of force.

The outputs will reflect the intended changes underpinning the action plan's design. For example, an

intended change could be that trained police officers are able to better apply de-escalation techniques when facing stressful situations that otherwise would require force. By framing such an intended change as an output, the action plan would include a range of activities and processes specifically designed to ensure greater application of new skills and knowledge. In this respect, the strategic planning approach is both problem-driven and solution-focused.³

The decision to prioritise a specific output falls within the purview of the Steering Committee (SC), but the framing and recommending of these outputs should initially be delegated to the Working Group (WG). Reflecting a similar division of roles and responsibilities as set out in the earlier Self-assessment process, the WG will have responsibility for the design, delivery, monitoring and reporting of the action plan. Therefore, it is vital that the WG are involved in the output framing process in consultation with the SC. The WG may also want to consult more broadly across the organisation and even externally.

The nature and scope of the outputs will be contingent on a range of internal and external factors, including senior management priorities, the feasibility of the activities and outputs, as well as available human and financial resources.

The SC will validate the selected outputs with the senior management before including them in the action plan. External stakeholders (e.g., executive, legislators and other civic oversight bodies) could also validate the outputs. External validation can help develop the coalition of support for reform and secure additional financial support, although the extent of external engagement will depend on the institutional reform context.

Indicators

At a third level, indicators can be used to measure the ongoing **activities** and **outputs** through which an institution can attain its objectives. The work plan of the Action Plan (see Annex 2) will have these third-level indicators to simply track if the planned activities and outputs are progressing as planned. The most common indicators used in this case are indicators of productivity, e.g., the number of investigations completed and the duration of those investigations. Productivity indicators can be ambiguous. For instance, the number of complaints going up or down can be a good sign (the mechanism is being used and there is a certain level of trust in it) or a bad sign (the number of abuse

cases is increasing). Therefore, it is important to have a small “basket” of powerful indicators that are simple and least expensive. Examples of indicators that could be added for a more complete picture in this example are:

- Proportion of less serious complaints. (Assumption: If people have low confidence in the police, they will use the mechanism only in the most serious cases; if people have high confidence, they will rely on it in less serious cases as well.)
- Proportion of referred cases resulting in the imposition of disciplinary action for cases with credible evidence of abuse or misconduct.
- Proportion of cases resolved informally or through mediation to the satisfaction of the individual submitting the complaint.
- Level of awareness of the grievance process AND expression of confidence in it by people - disaggregated by income, gender, religion, ethnicity, or other relevant categories.⁴

For a more detailed example, see Table 1. Keep in mind that the definition of such objectives and outputs will be unique to each police institution and help in developing the structure of an action plan.

4. Action Plan

Table 1. Example of objective, outputs, indicators and frequency of monitoring/measurement, based on the findings use of force self-assessment.

Assessment Findings	Objective	Outputs	Indicators
<ul style="list-style-type: none"> ➤ Existing complaint mechanisms are difficult to access for users. ➤ Complaint mechanisms are ineffective in addressing peoples' inquiries 		Functioning complaints system with increased effectiveness for user interactions: <ul style="list-style-type: none"> ➤ Revised policy on complaints. ➤ Development of user-friendly complaint forms. 	Proportion of self-assessment findings addressed in the revised complaints policy.
			Number of channels through which individuals can file a complaint.
			Proportion of users who report user-friendly complaint forms.
			Number of entries in the complaints system. ⁵
			Number of investigations completed.
			Proportion of timely responses (e.g., within 30 days) to public complaints about the use of force.
<ul style="list-style-type: none"> ➤ No organisational guideline specifically requires officers who use force to formally make a report. ➤ There is no standardised report form. ➤ Reports are not reviewed or validated by supervisors 	Internal mechanisms of accountability are functioning as intended.	Internal policy/guideline on the use of force reporting.	1) There is an internal police/guideline explicitly requiring: <ul style="list-style-type: none"> ➤ Officers to report any use of force (yes/no). and <ul style="list-style-type: none"> ➤ Supervisors to review the use of force reports (yes/no).
		Standardised use of force report form.	There is a standardised reporting form that allows officers to explain the rationale behind their actions and the compliance with the use of force principles (yes /no).
			Proportion of use of force reports completed according to guidelines.
		Officers internalise UoF self-reporting mechanisms.	Number of the use of force reports submitted by officers.
			Proportion of use of force reports reviewed by a supervisor.
			Proportion of officers who report self-reporting mechanisms as an insurance policy for the use of force rather than a burden (reflects a change in police culture).

Absence or insufficient protocols for public assembly management.	Policing of public assemblies is aligned with international human rights standards.	Policies and internal guidelines on policing public assemblies are consistent with international human rights standards.	Number of new /updated protocols for managing public assemblies aligned to international human rights standards.
		Training enables officers to implement new guidelines.	Proportion of officers are trained according to the latest protocols (conflict de-escalation techniques and international good practices for policing assemblies).
			Proportion of officers who report a decreased recurrence of the use of force when policing public assemblies.
			Proportion of officers who pass the annual certification on international best practices for managing public assemblies.



3. Identifying the activities or processes that contribute to outputs

The WG will also need to identify the range of activities and processes required to deliver against each output. Delivering against a single output will likely require more than one activity or process. Similarly, an activity or process can contribute to more than one output, ensuring a more holistic approach.

The WG will need to acquire an understanding of the incentives that drive the behaviour of front-line officers. For instance, if the intention is to enable front-line officers

to apply new skills and knowledge, then the WG may need to first speak to front-line officers and their superiors to assess how this might be achieved. In this case, refresher training workshops may help, but will only be part of the solution. For instance, front-line officers may respond to positive incentives for good performance as well as the increased likelihood of sanctions for poor performance. They will be more likely to respond better to pressure from inside the police, whether peers or leaders, than pressure from external public bodies or communities unless this is also backed up internally.



4. Resourcing the action plan

Similar to the earlier self-assessment process, the SC may want to review the composition of the WG to ensure the team has the right balance of competencies required to fulfil the roles and responsibilities associated with the design, delivery and review of the action plan. This also includes the skills to verify, triangulate, and, more importantly, analyse and interpret data.⁶ The SC will also need to ensure it creates an enabling

environment for the WG, for instance, by signing off on the group's Terms of Reference. It is critical that the senior management signal their high-level support to the initiative, encouraging a range of relevant departments to work together, share information, work to solve what are often collective action problems and promote collaborative cross-departmental solutions to build a wider internal coalition of support for specific institutional reforms.

4. Action Plan

For example, the WG will need to foster ties and information flows across the organisation to overcome any existing operational silos. The WG would therefore benefit from a conducive authorising environment that enables the conditions to collect data across departments.

The police may not have all the capacities needed to implement some activities. It is crucial to allocate time and resources for training WG members, procuring software, or even procuring external technical assistance. The WG will need the skills to develop the Terms of Reference for such assistance. Beyond identifying associated input costs and tracking expenditures, the WG needs to ensure that the contracted individuals or firms are held accountable for the quality of their deliverables.

Broadly, the WG should also have the responsibility to cost the Action Plan. The budget should be organised by outputs and activities, enabling the SC to compare the size and scope of respective output investments, ensuring that the allocation is commensurate with the anticipated results. It is important to allocate a budget line to cover the WG's costs related to convening, outreach, data collection and management.

The Action Plan should be time-bound. This means organising activities by output and setting a monthly schedule. Such an approach to work planning will help identify required resources, ensure timely delivery, and make monitoring and reporting easier and more strategically aligned.



5. Monitoring and reporting progress against the action plan

An essential part of the process is ensuring the availability of resources to support monitoring and reporting responsibilities. This will ensure that the SC is regularly updated with timely and accurate progress reports. These reports may be short read-outs demonstrating how the constraints to the intended objective are being tackled. Such upward reporting can also help ensure timely leadership support to clear delivery blockages and contribute to embedding the institutional reforms, hence guaranteeing the sustainability of the objectives.

For these reasons, the objectives and outputs included in the action plan need to be measurable. Conversely, it is not always necessary to measure activities. Monitoring and reporting activities should be a relatively straightforward and light touch process, with the group unencumbered by the requirement to collect large amounts of data and only limited to a simple description of the activity delivered. The action plan process will benefit more from including indicators that tell the senior management about progress toward their objectives.

In this regard, it is essential to differentiate between two different but concurrent processes:

- The measurement of whether the recommended changes as part of the self-assessment are implemented. This entails the monitoring of the delivery and implementation of the activities and outputs of the action plan.

- The ongoing monitoring of the use of force using the new approaches and systems introduced by the self-assessment project. This refers to the impact beyond the implementation of the action plan, such as the permanent monitoring of the use of force as part of the organisation's monitoring and evaluation procedures (which is beyond the scope of this document).

The monitoring of the action plan may be undertaken by the WG or by the corresponding monitoring unit (if/when existent). For instance, if the intention is tracking whether internal accountability mechanisms are becoming fitter for purpose, there is a need to first understand the current situation. Indicators are useful tools for this purpose. The selected indicators will need to have two important qualities. Firstly, they need to be relevant to the result – e.g., does it measure the perceived constraints to an effective accountability mechanism? Secondly, the data used to measure the indicator needs to be accessible and reliable – e.g., is the data readily available and accurate? There is little point in framing indicators that are too difficult to measure, particularly if the institution is not already collecting the data or if it is too sensitive to be collected. In some cases, introducing a new indicator can itself reflect the senior management's desire to solve a performance problem. For instance, if the senior management wants to ensure they are actively investigating public complaints against frontline officers, they may introduce mechanisms that track

the percentage of registered public complaints investigated and the number of complaints that resulted in prosecution or other punitive action (e.g., demotion, suspension). Such information helps drive reform and communicate successful efforts to relevant external interest groups, such as oversight bodies.

Collecting data against each results indicator will also need to be adequately described as part of the action planning process. The action plan should include data collection protocols for each output indicator. Such protocols are usually limited to describing what the corresponding indicator sets out to measure, the source of the data required and the means and frequency of data collection.

Every indicator needs a baseline. It is impossible to determine progress if the starting point is unclear. Even in cases where targets cannot be set precisely, baselines will enable monitoring trends over time. In instances where baselines are not known, allocating resources to conduct a study to determine the baselines or starting points will be necessary.

The WG should allocate responsibilities for data collection and set a clear timeline and frequency to collect data. Notably, the WG should determine whether data is available, and permission is required to

access it. The eventual values attributed to each indicator will need to be validated by the SC.

Similarly, the process of putting together regular progress reports needs to be a collaborative effort. For instance, if the police institution already has a monitoring and evaluation unit or department (M&E), the senior management may wish to ensure the WG draws on the data collected by the M&E, statistics or research units. The WG we have sketched out above is usually comprised of a few staff members with a more strategic focus and operating for a specific time period. In any case, it is important to find efficient ways to source data without duplicating existing collection systems or structures (e.g., police may opt to give access to data systems to the WG).

Whoever is tasked with undertaking progress monitoring and compiling the periodic reports should also consider how the information is presented. The senior management may be more interested in a traffic light dashboard containing a few critical indicators supported by clear and crisp analysis than having to digest detailed text. Such an approach can be a helpful way of clearly presenting complex data, aiding the senior management and SC in decision-making and enabling mid-course corrections, adaptation and learning.



Summary of the key components of the action plan

In summary, the action plan will function as a work plan to address the findings and recommendations of the self-assessment. The action plan is comprised by a set of outputs which are accompanied by output-level indicators. In some respects, the activities listed in Figure 9 will need to be delivered sequentially.

But in other cases, the activities will need to be undertaken simultaneously, emphasising the importance of following a clear work plan (See Annex 2).

Although the effective implementation of the action plan will depend on various factors, the starting point to develop the action plan will be the following considerations (Box 9):

Box 9. Action plan: Bottomline

- Clearly specified institutional transformation objective.
- Output design considers the potential challenges/contraints for achieving the objective.
- Relevant and robust indicators enabling reliable tracking of outputs.
- Detailed activities or processes contributing to output indicators.
- Clear roles and responsibilities of the Steering Committee (SC) and Working Group (WG).
- Consultation processes that ensure validation and buy-in from the senior management.
- Identification and provision of required technical and financial resources.
- Capacity and tools for concise, analytical and timely progress reporting.
- Feedback loops to senior management for mid-course correction and learning.

ANNEX 1

**INDEX: UNITED NATIONS BASIC
PRINCIPLES ON THE USE OF FORCE AND
FIREARMS**

No.	Substance of the basic principles	Located in document
1	Governments and law enforcement agencies shall adopt and implement rules and regulations on the use of force and firearms against persons by law enforcement officials.	Chapter 3: Rule of Law Section: Internal Policy and Guidelines Page: 1
2	Governments and law enforcement agencies should develop a range of means as broad as possible and equip law enforcement officials with various types of weapons and ammunition that would allow for a differentiated use of force and firearms. These should include the development of non-lethal incapacitating weapons such as shields, helmets, bullet-proof vests and bullet-proof means of transportation to decrease the need to use weapons of any kind.	Chapter 4: Resources Section: Equipment Page: 9
3	The development and deployment of non-lethal incapacitating weapons should be carefully evaluated in order to minimise the risk of endangering uninvolved persons, and the use of such weapons should be carefully controlled.	Chapter 4: Resources Section: Equipment Page: 9
4	In carrying out their duty, law enforcement officials shall, as much as possible, apply non-violent means before resorting to the use of force and firearms. They may use force and firearms only if other means remain ineffective or without any promise of achieving the intended result.	Chapter 4: Rule of Law Section: Internal Policy and Guidelines Page: 2
5	Whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall: <ul style="list-style-type: none"> Exercise restraint in the use of force and act proportionally: Minimise damage and injury, ensure that assistance and medical aid are provided and guarantee that relatives or close friends of the injured or affected person are notified. 	Chapter 3: Rule of Law Section: Internal Policy and Guidelines Page: 2
6	Where injury or death is caused by the use of force and firearms by law enforcement officials, they shall report the incident promptly to their superiors, in accordance with Principle 22 .	Chapter 5: Accountability Section: Internal - Record keeping Page: 10
7	Governments shall ensure that arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under their law.	Chapter 5: Accountability Section: External Accountability Page: 5
8	Exceptional circumstances, such as internal political instability or any other public emergency, may not be invoked to justify any departure from these basic principles.	Chapter 3: Rule of Law Section: Policy/SOPs Page: 2
9	Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury .	Chapter 3: Rule of Law Section: Internal Policy and Guidelines Page: 2
10	In the circumstances provided for under principle 9, law enforcement officials shall identify themselves as such and give a clear warning of their intent to use firearms, with sufficient time for the warning to be observed.	Chapter 3: Rule of Law Section: Internal Policy and Guidelines Page: 2
11	Rules and regulations on the use of firearms by law enforcement officials should include guidelines that: Specify the circumstances under which law enforcement officials are authorized to carry firearms and prescribe the types of firearms and ammunition permitted; prohibit the use of those firearms and ammunition that cause unwarranted injury or present an unwarranted risk ; regulate the control, storage and issuing of firearms, including procedures for ensuring that law enforcement officials are accountable for the firearms and ammunition issued to them; provide for a system of reporting whenever law enforcement officials use firearms.	Chapter 4: Resources Section: Equipment Page: 10-11
12	As everyone is allowed to participate in lawful and peaceful assemblies , force may only be used in accordance with basic principles 13 & 14 .	Chapter 3: Rule of Law Section: Internal Policy and Guidelines Page: 3
13	Dispersal of assemblies that are unlawful but non-violent, law enforcement officials shall avoid the use of force or, where that is not practicable, shall restrict such force to the minimum extent necessary.	Chapter 3: Rule of Law Section: Internal Policy and Guidelines Page: 3

No.	Substance of the basic principles	Located in document
14	In the dispersal of violent assemblies , law enforcement officials may use firearms only when less dangerous means are not practicable and only to the minimum extent necessary. Law enforcement officials shall not use firearms in such cases, except under the conditions stipulated in principle 9 .	Chapter 3: Rule of Law Section: Internal Policy and Guidelines Page: 2
15	In their relations with persons in custody or detention, law enforcement officials shall not use force, except when strictly necessary for the maintenance of security and order within the institution, or when personal safety is threatened.	Chapter 3: Rule of Law Section: Internal Policy and Guidelines Page: 3
16	In their relations with persons in custody or detention, law enforcement officials shall not use firearms, except in self-defence or defence of others against the immediate threat of death or serious injury.	Chapter 3: Rule of Law Section: Internal Policy and Guidelines Page: 3
17	As above – but relates to Prison Officers.	Chapter 3: Rule of Law Section: Internal Policy and Guidelines Page: 3
18	Governments and law enforcement agencies shall ensure that all law enforcement officials are selected by proper screening procedures , have appropriate moral, psychological and physical qualities for the effective exercise of their functions and receive continuous and thorough professional training . Their continued fitness to perform these functions should be subject to periodic review .	Chapter 4: Resources Section: Recruitment Page: 2-3
19	Governments and law enforcement agencies shall ensure that all law enforcement officials are provided with training and are tested in accordance with appropriate proficiency standards in the use of force. Those law enforcement officials who are required to carry firearms should be authorised to do so only upon completion of special training in their use.	Chapter 4: Resources Section: Training Page: 4
20	In the training of law enforcement officials, Governments and law enforcement agencies shall give special attention to issues of police ethics and human rights , especially in the investigative process, to alternatives to the use of force and firearms, including the peaceful settlement of conflicts , the understanding of crowd behaviour , and the methods of persuasion, negotiation and mediation, as well as to technical means to limit the use of force and firearms.	Chapter 4: Resources Section: Training Page: 5
21	Governments and law enforcement agencies shall make stress counselling available to law enforcement officials involved in situations where force and firearms are used.	Chapter 4: Resources Section: Improving the Wellbeing of People Page: 8
22	Governments and law enforcement agencies shall establish effective reporting and review procedures for all incidents referred to in principles 6 and 11 .	Chapter 5: Accountability Section: Internal Accountability - Record keeping Page: 10
23	Persons affected by the use of force and firearms and their legal representatives shall have access to an independent process , including a judicial process.	Chapter 5: Accountability Section: External Accountability Page: 5
24	Governments and law enforcement agencies shall ensure that superior officers are held responsible if they know or should have known that law enforcement officials under their command are resorting, or have resorted, to the unlawful use of force and firearms, and they did not take all measures in their power to prevent, suppress or report such use.	Chapter 5: Accountability Section: Internal Accountability- A Clear Chain of Command and Effective Supervision Page: 9
25	Governments and law enforcement agencies shall ensure that no criminal or disciplinary sanction is imposed on law enforcement officials who, in compliance with the Code of Conduct for Law Enforcement Officials and these basic principles, refuse to carry out an order to use force and firearms, or who report such use by other officials.	Chapter 5: Accountability Section: Internal Accountability - A Clear Chain of Command and Effective Supervision Page: 9
26	Obedience to superior orders should be no defence if law enforcement officials knew that an order to use force and firearms resulting in a person's death or serious injury was manifestly unlawful and had a reasonable opportunity to refuse to follow it. In any case, responsibility also rests on the superiors who gave the unlawful orders.	Chapter 5: Accountability Section: Internal Accountability- A Clear Chain of Command and Effective Supervision Page: 9

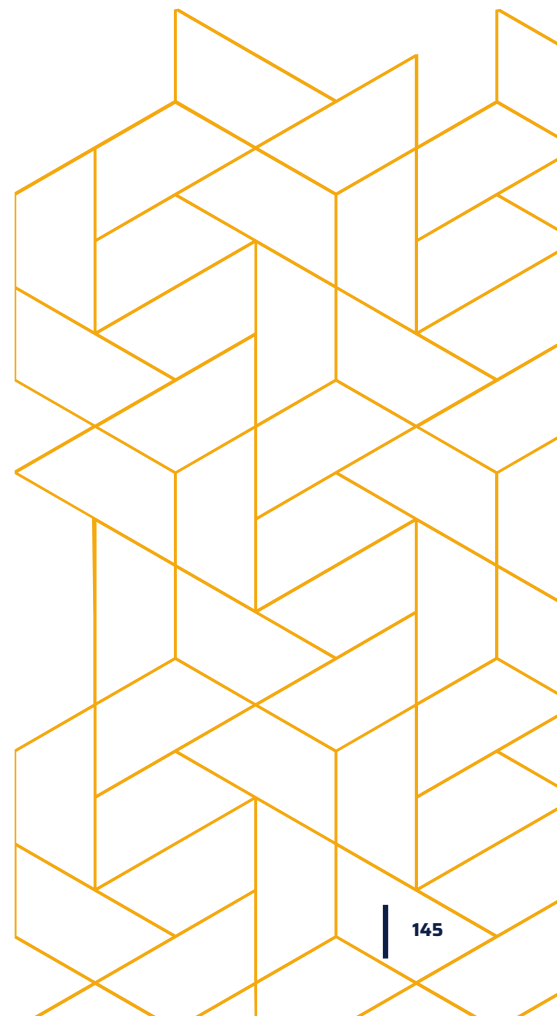
ANNEX 2

SAMPLE WORK PLAN TEMPLATE

The following example aims to illustrate sample output and activities among several others required to achieve the institutional objective of ‘Internal mechanisms of accountability are functioning as intended’. The institutional objective, output and activities in the table below are designed to address the SAG findings. The example includes columns with information allowing us to measure progress against the output (baseline, targets, indicators and data collection protocol).

Keep in mind that for Action Plan reporting purposes

(e.g., to the senior management), it will be better to include indicators that tell senior management about progress toward the institutional objectives. In addition, productivity indicators. For example, the fluctuation in the number of use of force reports can be a positive (the policy is being followed, officers see the use of force reporting as insurance / evidence of their compliance) or bad (the number of use of force cases is increasing) signal. Lastly, it will be essential to assign an individual responsible for the completion of output and to delineate clear responsibilities for the different activities.



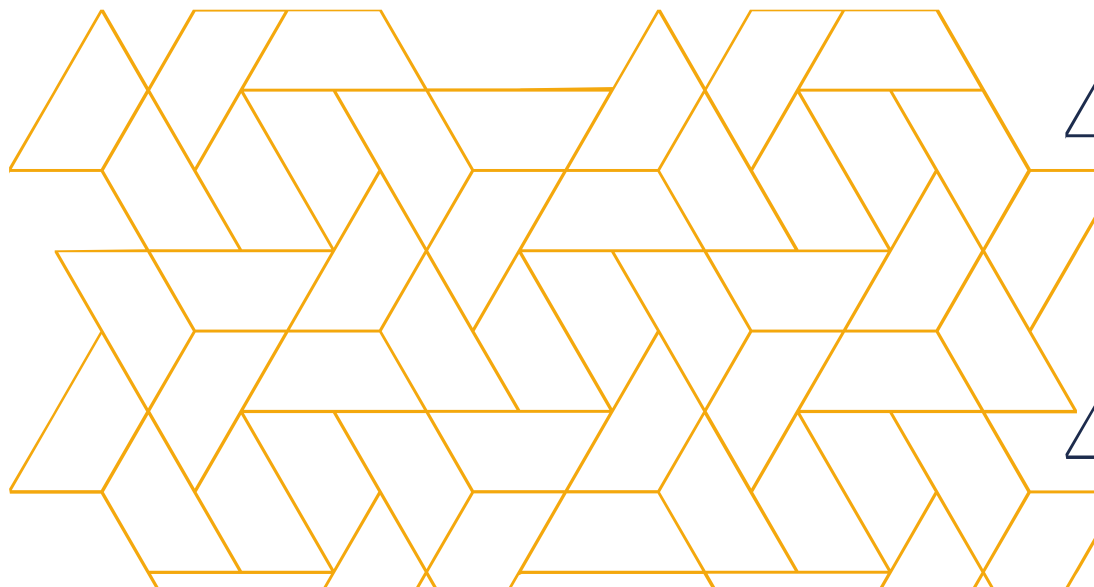
Objective: internal mechanisms of accountability are functioning as intended									
Output 1.2: Internal policy/guidelines on the use of force reporting									
Assessment Findings	Activity	Timeline	Budget items	Units/departments involved	Baseline	Targets	Indicators	Data collection protocol	Risks & responses
<p>➤ No organisation at guideline or policy specifically requires officers who use force to make a report formally.</p> <p>➤ There is no standardised report form.</p> <p>➤ Inconsistency in existing reports</p> <p>➤ Reports are not reviewed or validated by supervisors</p>	1. Review of existing reporting policies related to officers' field activity	15-30 January	<ul style="list-style-type: none"> Printing costs 	<ul style="list-style-type: none"> Policy & Planning Legal Department Office of Professional Standards Monitoring & Evaluation Department 	<ul style="list-style-type: none"> No specific policy or guideline for internal reporting on the use of police force Absence of clear parameters/ criteria for reporting on the use of force Lack of clarity on the use of force reporting responsibilities No standardised use of force report form 	<ul style="list-style-type: none"> An internal policy for reporting on the use of force Specific reporting parameters for the use of force Clarity on the use of force reporting responsibilities Standardised and consistent reporting across units Readily available information on the use of force 	<ol style="list-style-type: none"> There is an internal policy explicitly requiring: <ul style="list-style-type: none"> Officers report any use of force Supervisors to review them. Clear parameters and guidelines to report on the use of force (Yes/No) There is a standardised form for the use of force reporting (Yes/No) 	<p>Frequency: Once – (Upon approval of Use of Force reporting policy)</p> <p>Source of data: Policy & Planning Department</p> <p>Responsibility: Self-assessment Working Group</p>	<ol style="list-style-type: none"> Resistance to flag gaps in existing policies. Response: Regular updates and consultation with senior management; statement of support from the police organisation's Director. Differences in policy content between departments involved slow the process. Response: Validation sessions with senior management.
	2. Drafting of use of force reporting policy	1 March to 1 May	<ul style="list-style-type: none"> Focus group: materials, coffee break. External expert fees Printing costs 	<ul style="list-style-type: none"> Policy & Planning Legal Department Training Department Office of Professional Standards Communications Department Monitoring & Evaluation Department 					
	3. Training police officers on new use of force reporting policy	1 June to 30 June	<ul style="list-style-type: none"> Coffee break and training materials Venue rental (if applicable) Printings costs 	<ul style="list-style-type: none"> Policy & Planning Legal Department Training Department Office of Professional Standards Monitoring & Evaluation Department 			<ol style="list-style-type: none"> Proportion of use of force reports submitted using the standardised reporting form Proportion of use of force reports completed according to guidelines Proportion of use of force reports reviewed by supervisors 	<p>Frequency: Monthly</p> <p>Source of data: Office of Professional Standards</p> <p>Responsibility: Monitoring & Evaluation Department</p>	<ol style="list-style-type: none"> Reluctance from frontline officers to complete the use of force reports partly due to resistance to bureaucracy but also increased oversight and accountability. Response: Use of force reports will serve as insurance / evidence of their compliance to address users' complaints about the use of force. This is explicitly mentioned in the policy document and explained during training. Statement of support from the senior management. Low return rate of reports. Response: Statement of support from the organisation's Director; contact and follow-up via e-mail and phone; internal communication campaign; incentives / penalties scheme to incentivise reporting

END NOTES

Glossary

1. See United Nations Office on Drugs and Crime (UNODC). (2011). *Handbook on police accountability, oversight and integrity*. Criminal Justice Handbook Series. New York: United Nations, page IV.
2. DCAF – Geneva Centre for Security Sector Governance. 2012. Toolkit on Police Integrity. DCAF: Geneva. Available at <https://www.dcaf.ch/toolkit-police-integrity>
3. This definition builds on Montesquieu’s notion about the separation of powers, in which different bodies of government (legislative, executive and judicial power) exercise are subject to the rule of law. See The Montesquieu, Charles de Secondat, baron de, 1689-1755. *De l'Esprit Des Loix*. Edinbourg: G. Hamilton & J. Balfour, 1750. Available at <https://archive.org/details/delespritdesloi00alemgoog>
4. DCAF – Geneva Centre for Security Sector Governance. 2012. Toolkit on Police Integrity. DCAF: Geneva. Available at <https://www.dcaf.ch/toolkit-police-integrity>
5. United Nations Human Rights Office of the High Commissioner (UNOHCHR) 2020. “Guidance on Less-Lethal Weapons in Law Enforcement”. United Nations, page 42. Available at https://www.UNOHCHR.org/sites/default/files/Documents/HRBodies/CCPR/LLW_Guidance.pdf
6. DCAF – Geneva Centre for Security Sector Governance. 2015. Security Sector Governance: Applying the principles of good governance to the security sector. SSR Backgrounder. DCAF: Geneva. https://www.dcaf.ch/sites/default/files/publications/documents/DCAF_BG_1_Security_Sector_Governance_EN.pdf
7. European Website on Integration. What are ‘good practices.’? European Commission. Available at https://ec.europa.eu/migrant-integration/page/what-are-good-practices_en
8. Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (A/HRC/26/36), para. 59; see also UNODC/UNOHCHR, Resource book on the use of force and firearms in law enforcement, p. 21. In United Nations Human Rights Office of the High Commissioner (UNOHCHR) 2020. “Guidance on Less-Lethal Weapons in Law Enforcement”. United Nations, page 43.
9. Code of Conduct, commentary (a) and (b) to article 1; footnote to the Basic Principles. In United Nations Human Rights Office of the High Commissioner (UNOHCHR) 2020. “Guidance on Less-Lethal Weapons in Law Enforcement”. United Nations, page 44. Available at https://www.UNOHCHR.org/sites/default/files/Documents/HRBodies/CCPR/LLW_Guidance.pdf
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11. Natural Resource Governance Institute (2015). Legal Framework. Navigating the Web of Laws and Contracts Governing Extractive Industries. NRG Reader 2015.
12. Code of Conduct, commentary (a) and (b) to article 1; footnote to the Basic Principles. In United Nations Human Rights Office of the High Commissioner (UNOHCHR) 2020. “Guidance on Less-Lethal Weapons in Law Enforcement”. United Nations, page 44. Available at https://www.UNOHCHR.org/sites/default/files/Documents/HRBodies/CCPR/LLW_Guidance.pdf
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15. DCAF – Geneva Centre for Security Sector Governance. 2015. Security Sector Governance: Applying the principles of good governance to the security sector. SSR Backgrounder. DCAF: Geneva. https://www.dcaf.ch/sites/default/files/publications/documents/DCAF_BG_1_Security_Sector_Governance_EN.pdf
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21. DCAF – Geneva Centre for Security Sector Governance. 2012. Toolkit on Police Integrity. DCAF: Geneva. Available at <https://www.dcaf.ch/toolkit-police-integrity>
For more information about whistleblowers, see United Nations Office on Drugs and Crime (UNODC). 2015. The United Nations Convention against Corruption: Resource Guide on Good Practices in the Protection of Reporting Persons. United Nations: New York. Available at https://www.unodc.org/documents/corruption/Publications/2015/15-04741_Person_Guide_eBook.pdf



Introduction and methodology

1. International Association of the Chiefs of Police, Police Use of Force in America. Alexandria, 1.
2. DCAF 2021 publication, 'Police Use of Force – A framework to ensure good governance on the Use of Force' describes how there is a wide range of factors that impact the police use of force. Some factors are external to the police organisation (including strategic and political direction set by governments, the role of courts and even the construction of the law itself). Others include internal issues that the police have more control over, including policy guidelines and procedures, how they develop and deliver training, and a range of issues related to the wellbeing of police officers that impact recruitment and retention of quality personnel. Mechanisms of accountability operating both within and outside the police organisation also play a critical role in the good governance of the use of force.
3. United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. It was adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990.
4. Annex 1 contains an Index that describes how the GUoF_PSAG sections relate to the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.
5. The WG may include members of areas such as policy development, legal services, human resources, professional standards, public order, operations, statistics collection and management, research and development, public relations, staff associations, among others.

The cross-cutting role of organisational culture

1. DCAF Geneva Centre for Security Sector Governance. (2019). Training Manual on Police Integrity. DCAF: Geneva, p. 65. Available at <https://www.dcaf.ch/training-manual-police-integrity>
2. DCAF Geneva Centre for Security Sector Governance. (2019). Toolkit on Police Integrity. DCAF: Geneva, p. 56. Available at <https://www.dcaf.ch/toolkit-police-integrity>
3. 'Organizational culture' in Mercadal, Trudy. (2021). Trait Leadership., Salem Press Encyclopedia [Preprint]. Available at: <https://search.ebscohost.com/login.aspx?direct=true&AuthType=sso&db=ers&AN=94895786&site=eds-live>
4. Edward Bennett, Anna K. Tsotsias, Carolyn M. Wesnousky, Williams & Connolly LLP. Motion for leave to file and brief of Professor Seth Stoughton and policing scholars as Amici Curiae in support of petitioner in the Supreme Court of the United States, No. 20-951 p. 5-6.
5. "Negative peer pressure and the deep-rooted idea that you do not inform on colleagues create codes of silence, often referred to as the 'blue wall'." At the same time, "police officers work under the eyes of their fellow officers and can help to prevent wrongdoing or at least inform their managers. In that sense, they exercise a control function." DCAF Geneva Centre for Security Sector Governance. (2019). Toolkit on Police Integrity. DCAF: Geneva, p. 158 and 162. Available at <https://www.dcaf.ch/toolkit-police-integrity>
6. Park Elliott Dietz M.D., M.P.H., Ph.D., James T. Reese, 1986, The perils of police psychology: 10 strategies for minimizing role conflicts when providing mental health services and consultation to law enforcement agencies. Wiley Online Library, Volume 4(4): 385-400
7. Van Hulst, M. (2013), 'Storytelling at the Police Station: The Canteen Culture Revisited', British Journal of Criminology, 53:624–42.
8. Waddington, P. A. J. 1999. 'Police (Canteen) Sub-Culture', British Journal of Criminology, 39:287–309; Waddington, P. A. J. 2015. Revisiting the Classics: Police: Streetcorner Politicians: William K. Muir, Policing and Society, 25: 681–6.
9. United Nations Office on Drugs and Crime (UNODC). (2011). Handbook on police accountability, oversight and integrity. Criminal Justice Handbook Series. New York: United Nations, p. 73.
10. See Lamar Wright, Plaintiff-Appellant, v. City of Euclid, Ohio (Wright, 962 F.3d at 881); see City of Canton, Ohio v. Harris et al. (City of Canton, 489 U.S. at 390).
11. For more information about the perception on female officers, see: Waddington, P. A. J. 1999. 'Police (Canteen) Sub-Culture', British Journal of Criminology, 39:287–309; Waddington, P. A. J. 2015. 'Revisiting the Classics: Police: Streetcorner Politicians: William K. Muir', Policing and Society, 25: 681–6. P 298; To learn more about the impact of female officers on the use of force see: Amie M. Schuck & Cara Rabe-Hemp (2005) Women Police, Women & Criminal Justice, 16:4, 91-117, DOI: 10.1300/J012v16n04_05; Shoub, K., Stauffer, K.E. and Song, M. (2021), Do Female Officers Police Differently? Evidence from Traffic Stops. American Journal of Political Science, 65: 755-769. <https://doi.org/10.1111/ajps.12618>.
12. Balko, Radley, Rise of the Warrior Cop: The Militarization of America's Police Forces, New York: Public Affairs Books, 2013.
13. Whereas the restraint paradigm is characterised by "restraint, minimal force, the rule of law, not setting out to kill the suspect, discretion at the moment of firing for the officers involved and the legal responsibility of the individual officer", the military paradigm "tends towards secrecy, overwhelming force, uncompromising tactics and military solutions". For more information, see Squires, Peter, and Kennison, Peter. Shooting to Kill? Policing, Firearms and Armed Response. Chichester, England: Wiley-Blackwell, 2010.
14. Balko, Radley, Rise of the Warrior Cop: The Militarization of America's Police Forces, New York: Public Affairs Books, 2013.
15. DCAF Geneva Centre for Security Sector Governance. (2019). Toolkit on Police Integrity. DCAF: Geneva, p. 89. Available at <https://www.dcaf.ch/toolkit-police-integrity>

16. See the main values common to police services on DCAF Geneva Centre for Security Sector Governance. (2019). Toolkit on Police Integrity. DCAF: Geneva, p. 66. Available at <https://www.dcaf.ch/toolkit-police-integrity>
17. “The values in the society are another significant factor that needs to be considered when identifying the values and core principles of a police organisation. Police officers are also members of the community; they live in their society and are influenced by its values. Thus, values can vary from one police service to another [...] values can also be different within the same police service”. DCAF Geneva Centre for Security Sector Governance. (2015). Training Manual on Police Integrity. DCAF: Geneva, p. 65. Available at <https://www.dcaf.ch/training-manual-police-integrity>
18. Kelling, George L., Wasserman, Robert, Williams, Hubert. “Police Accountability and Community Policing”. Perspectives on Policing – US Department of Justice, Program in Criminal Justice Policy Management, John F. Kennedy School of Government, Harvard University. November 1988 <https://www.ojp.gov/pdffiles1/nij/114211.pdf>
19. Edward Bennett, Anna K. Tsiotsias, Carolyn M. Wesnousky, Williams & Connolly LLP. Motion for leave to file and brief of Professor Seth Stoughton and policing scholars as Amici Curiae in support of the petitioner in the Supreme Court of the United States, No. 20-951 p. 21.
20. Kelling, George L., Wasserman, Robert, Williams, Hubert. “Police Accountability and Community Policing”. Perspectives on Policing – US Department of Justice, Program in Criminal Justice Policy Management, John F. Kennedy School of Government, Harvard University. November 1988 <https://www.ojp.gov/pdffiles1/nij/114211.pdf>
21. International Association of Chiefs of Police. About Policing. U.S. Department of Justice, Office of Community Oriented Policing Services. Available at <https://www.discoverpolicing.org/aboutpolicing>
22. Schneider, Benjamin, Goldstein, Harold W., Smith, D. Brent. “The ASA Framework: An Update”. Personnel Psychology, 1995(48), p. 758.
23. For instance, while 65% of surveyed officers in the U.S. favour the approach of ‘procedural justice’, which involves showing “respect, concern and fairness when dealing with the public”, only 45% report having their department’s leadership significantly supporting the approach. Having a larger percentage of support for such an approach could potentially lead to progress in police reform efforts in the U.S. Source: Pew Research Center and National Police Research platform (NPRP) – University of Illinois at Chicago. Results from online interviews with 7,917 law enforcement officers from 54 police departments across the U.S. Surveys were administered between May 19 and August 14, 2016.
24. Sue Rahar, Stephen K. Rice, 2016, From Warriors to Guardians: Recommitting American Police Culture to Democratic Ideals, New Perspectives in Policing, Harvard Kennedy School – Program in Criminal Justice Policy and Management, and National Institute of Justice. April 2015.
25. Sue Rahar, Stephen K. Rice, 2016, From Warriors to Guardians: Recommitting American Police Culture to Democratic Ideals, New Perspectives in Policing, Harvard Kennedy School – Program in Criminal Justice Policy and Management, and National Institute of Justice. April 2015.
26. “The role of managers is very important. As they interact with the personnel, they get to know them better and have a strong influence on them. Their leadership style, the way in which they talk or set a good example, will or will not have a positive influence on their personnel and encourage them or not to adhere more easily to the ethical principles of the organisation,” DCAF Geneva Centre for Security Sector Governance. (2019). Toolkit on Police Integrity. DCAF: Geneva, p. 72. Available at <https://www.dcaf.ch/toolkit-police-integrity>
27. The Colombian National Police, for instance, has recently created “a high-level centre within the institution, called the National Police Standards Center, in charge of establishing the minimum professional standards for the provision and improvement of the police service, as well as validating officers’ competencies.” See Ley 2179 de 2021 - Gestor Normativo - Función Pública (funcionpublica.gov.co)
28. Edward Bennett, Anna K. Tsiotsias, Carolyn M. Wesnousky, Williams & Connolly LLP. Motion for leave to file and brief of Professor Seth Stoughton and policing scholars as Amici Curiae in support of petitioner in the Supreme Court of the United States, No. 20-951 p. 21
29. Known as the ‘blue wall of silence’. UNODC, United Nations Office on Drugs and Crime. Handbook on police accountability, oversight, and integrity.

- Criminal Justice Handbook Series. New York: 2011, p. 73.
30. Alpert, Geoffrey P. and Dunham, Roger, G. 1997. The Force Factor: Measuring Police Use of Force Relative to Suspect Resistance. Police Executive Research Forum, p. 109.
 31. Erica Marat, The Politics of Police Reform: Society against the State in Post-Soviet Countries, Oxford: Oxford University Press, 2018, Chapter 1.
 32. Edward Bennett, Anna K. Tsotsias, Carolyn M. Wesnousky, Williams & Connolly LLP. Motion for leave to file and brief of Professor Seth Stoughton and policing scholars as Amici Curiae in support of petitioner in the Supreme Court of the United States, No. 20-951 p. 18.
 33. Bradford, Ben, Jonathan Jackson, and Elizabeth A. Stanko, "Contact and Confidence: Revisiting the Impact of Public Encounters with the Police," Policing and Society: An International Journal of Research and Policy, 19(1) 2009:20-46.
 34. The Office of Community Oriented Policing Services (COPS Office). 2019. Community Policing: A Patrol Officer's Perspective. U.S. Department of Justice
 35. Upon identifying "problems stemming from, among other things, a prevailing macho culture that had a negative impact on women within policing" as well as a working environment claimed to be "characterised by the development of group loyalties that promoted the cover-up of malfeasance ...[and by] bullying and intimidation", [Macauley, Michael and Rowe, Michael (2020) Happy Ever After? Making Sense of Narrative in Creating Police Values. Public Management Review, 22 (9). pp. 1306-1323. ISSN 1471-9037], the New Zealand Police embarked on a 10-year journey to develop a new cultural model based on values such as integrity, empathy, and valuing diversity. This cultural transformation was enabled by a set of changes that included the implementation of new policies and updating instructions and directives related to complaints of misconduct and the disciplinary system, the strengthening of its communication and training practices, changes in management systems, higher efforts to increase gender equality and diversity, the encouragement of a culture of reporting, and the implementation of mechanisms to get feedback from the community. [<https://www.police.govt.nz/sites/default/files/publications/plc455-strategy-document.pdf>]. This was accompanied by "consistent leadership at many levels of the service, by articulating organisational values in terms of operational police work, and through engaging staff in the creation of those values in the first instance". Nowadays, the New Zealand Police is regarded as more inclusive and collaborative [...], and much more attuned to community perspectives". Macauley, Michael and Rowe, Michael (2020) Happy Ever After? Making Sense of Narrative in Creating Police Values. Public Management Review, 22 (9). pp. 1306-1323. ISSN 1471-9037
 36. Task Force on 21st Century Policing, Final Report of the President's Task Force on 21st Century Policing 11-12 (2015).
 37. Edward Bennett, Anna K. Tsotsias, Carolyn M. Wesnousky, Williams & Connolly LLP. Motion for leave to file and brief of Professor Seth Stoughton and policing scholars as Amici Curiae in support of the petitioner in the Supreme Court of the United States, No. 20-951. p. 16, 18.

Module A: Rule of law

1. United Nations Human Rights Council. Report of Special Rapporteur for Extra Judicial, Summary or Arbitrary Executions: Study on Police Oversight Mechanisms. Geneva: United Nations, 28 May 2010.
2. Basic Principle 1, UNOHCHR. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles Use of Force and Firearms by Law Enforcement Officials (UNBPUFF). States that are not signatories to international conventions may not be under conventional obligations but are called to observe standards such as the UNBPUFF.
3. In February 2021, the Georgian police raided the headquarters of the United National Movement (UNM) opposition party in Tbilisi to arrest the party's leader Nika Melia. There were allegations of excessive use of force against individuals blocking police from entering the premises. According to Amnesty International's Deputy Director for Eastern Europe and Central Asia, Denis Krivosheev, the arrest of Mr. Melia using violence and without due process suggests political interference. See Amnesty International. "Georgia: Police storm opposition headquarters to arrest leader Nika Melia". February 23, 2021, <https://www.amnesty.org/en/latest/press-release/2021/02/georgia-police-storm-opposition-headquarters-to-arrest-leader-nika-melia/>. The Sri Lankan government has been accused of using emergency regulations to persecute and arbitrarily detain activists promoting political reform and accountability in the current context of the country's economic crisis. According to Human Rights Watch South Asia Director Meenakshi Ganguly, "the Sri Lankan government's crackdown on peaceful dissent appears to be a misguided and unlawful attempt to divert attention from the need to address the country's urgent economic crisis". This exemplifies a case of political interference. For more information see Human Rights Watch. Sri Lanka: Heightened crackdown on Dissent, End Arbitrary Arrests, Harassment of Protesters, Activists, and Journalists. August 2nd, 2022. <https://www.hrw.org/news/2022/08/02/sri-lanka-heightened-crackdown-dissent>. Similarly, although Cambodia's security sector - comprised of the Royal Cambodian Armed Forces, Royal Cambodian Police, Royal Gendarmerie of Cambodia and associated paramilitaries – fall under civilian control ([Articles 21, 23, 24 Cambodian Constitution](#)), efforts to effectively systematise civilian control over security forces have been unsuccessful. The police and army lack clear lines of authority and have often been tied to political factions in the government, and they seem to be under the 'de facto' control of the Prime Minister. In addition, the judiciary is not independent and is subject to the influence and control of the main political party, making it difficult to monitor security forces in an impartial manner. See Mario J. Aguja, Hans Born (2016). Good governance of the security sector in Southeast Asia: What role for parliament? DCAF, Geneva; Human Rights Watch, Causes of Impunity in Cambodia, <https://www.hrw.org/reports/1999/cambo2/index.htm#TopOfPage>; Freedom House, Freedom in the world 2022, <https://freedomhouse.org/country/cambodia/freedom-world/2022#CL;ASEANPOL>, Cambodian National Police, <http://www.aseanapol.org/information/cambodian-national-police>. At the other end of the spectrum, the Norwegian National Police is attached to the Ministry of Justice and the Police, which grants it operational independence from both the Executive and Legislative branches; and it is completely separated from the military forces. The Norwegian constitution provides the basis for an independent judiciary (third branch of the government) and rules for protecting human rights. In fact, under specific circumstances, the Police can request military forces' support, in which the military is subject to Police authority and rules. See OSCEPOLIS, Country Profile: Norway, <https://polis.osce.org/country-profiles/norway>; US Department of State, 2020 Country Reports on Human Rights Practices: Norway, Bureau of Democracy, Human Rights and Labor, March 20 2021 <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/norway/>; Norway Ministry of Justice and Public Security, Police Department, <https://www.regjeringen.no/en/dep/jd/organisation/Departments/the-police-department/id1469/>; Walter Katz, (2015) Enhancing Accountability and Trust with Independent Investigations of Police Lethal Force, Harvard Legal Review Forum, <https://harvardlawreview.org/2015/04/enhancing-accountability-and-trust-with-independent-investigations-of-police-lethal-force/>.

4. [Sweden](#) has one national police force, which is organised and overseen by the federal government; [England and Wales](#) police forces (which include more than 40 separate and independent police services) must comply with central government standards, but have regional forces with a certain degree of autonomy; the [United States](#) has around 18,000 law enforcement agencies at the local, state and federal level with a significant degree of autonomy and independence; [Netherlands](#) has now one national police force rather than 25 police divisions. In India, the constitution stipulates that states govern law enforcement, and each of the 29 states have their own police force. Ministers have superintendence and control powers over the police. Additionally, India maintains several central police organizations, central armed police forces and paramilitary forces (see PRS Legislative Research – India <https://prsindia.org/policy/analytical-reports/police-reforms-india>).
5. See Article 1, Commentary 4 United Nations Code of Conduct for Law Enforcement Officials and United Nations Basic Principles on the Use of Force and Firearms, General Provisions point 7.
6. The [Pan-African Parliament's Model Police for Law in Africa](#) specifies that “The State is liable for misconduct by police officers in the course of their duty... and... where the conduct of the individual officer is found to be a willful or negligent act or omission, the State may initiate recovery proceedings against the officer. [The European Convention on Human Rights and Policing](#) states that disciplinary proceedings can take place irrespective of whether the police officer’s misconduct may constitute a criminal offence. This has also been reflected in the Inter-American and European Courts rulings. Examples include the *Nadege Dorzema et al. v. Dominican Republic* (Series C No. 251) case at the Inter-American Court of Human Rights (2012), which set a precedent for holding states accountable for excessive use of force. This entails adapting domestic legislation for ensuring a legitimate use of force with strict respect to the right to life. In addition, states are responsible for providing security forces with a range of equipment and training that allows a proportionate response. Cases like [Shmorqunov and Others v. Ukraine](#), [Lutsenko and Verbytskyy v. Ukraine](#), [Kadura and Smaliy v. Ukraine](#), [Dubovtsev and Others v. Ukraine](#), [Vorontsov and Others v. Ukraine](#), [Franciska Stefancic v. Slovenia](#), [Şimşek and Others v. Turkey - 35072/97](#) involve police officers being found criminally liable. The European Court of Human Rights found violations of Article 2 [right to life], Article 3 [prohibition of inhuman or degrading treatment], Article 5 [right to liberty and security], Article 6 [right to a fair trial], and Article 11 [freedom of assembly] of the Convention. See also the African Commission on Human and Peoples’ Rights, concerned about law enforcement officers’ non-compliance with fundamental human rights during the COVID-19 pandemic, reminded State parties that “the right to life, protection against torture, cruel and degrading treatment are absolute and irrevocable rights, even in a State of Emergency”. In addition, it noted the requirement to provide access to remedial measures such as legal assistance, reparations and compensation to those who have suffered human rights violations by law enforcement officers. It cites reports on [Human Rights Violations by Law Enforcement Institutions in Nigeria](#) (12 and 22 October 2020) and the [Socio-Political Situation in the Republic of Uganda](#) (23 November 2020). See Resolution 474 on the Prohibition of Excessive Use of Force by Law Enforcement Officers in African States -ACHPR/Res. 474 (EXT.OS/ XXXI) 2021 31st Extraordinary Session, held February 19-25, 2021. Consult [open cases](#) in the African Court on Human and Peoples’ Rights.
7. In Colombia, for instance, the Director of the Colombian National Police (CNP) is empowered to propose to the Minister of National Defence the creation and modification of the legal framework that allows the fulfilment of the CNP’s constitutional mission (Decree 113 of 25 January 2022, Art. 2, numeral 7). In addition, numeral 3 of Art. 2 confers the Director of the CNP the faculty to issue manuals, regulations and other administrative acts to direct the CNP throughout the territory (among other powers).
8. Principle No. 8. United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. It was adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990.
9. Gary White, Natalia Escobar. Use of Police Force: A framework to ensure good governance overuse of force (Geneva: DCAF 2021), pages 7, 21.
10. General comment no. 37 (2020) on the right of peaceful assembly (article 21): UN Human Rights Committee of the International Covenant on Civil and Political Rights.

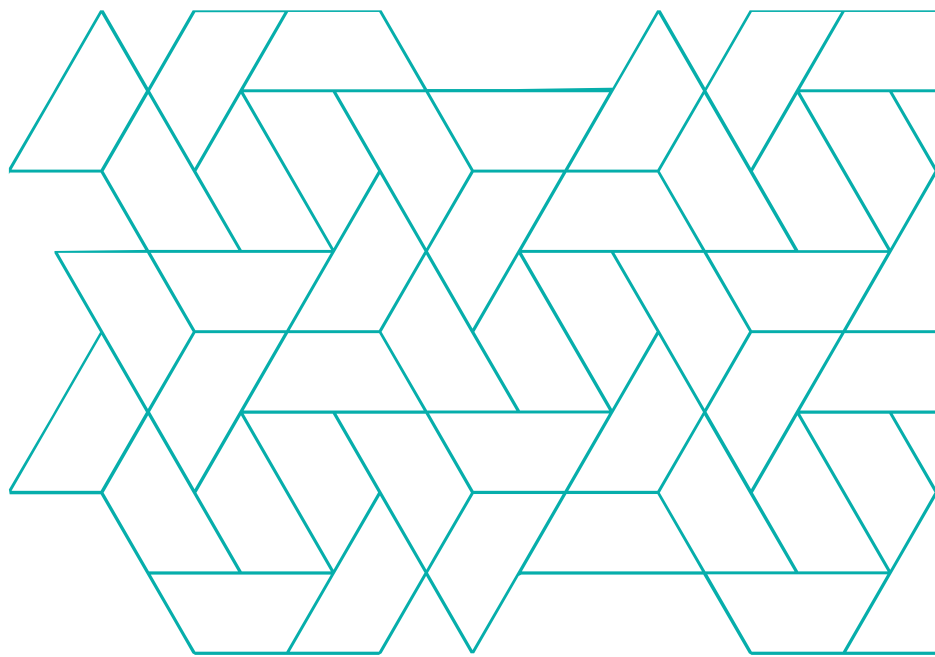
11. Legality: For example, to arrest an offender or to protect someone from being attacked. The use of force which does not aim at achieving a legitimate objective is not in compliance with this principle (e.g., using force for punishment or to extract a confession).
Necessity: Requires prioritising communication and de-escalation techniques. It also incorporates the principle that a warning should precede all uses of force and that the use of force must stop once the objective has been achieved. See Basic Principle 4; UNOHCHR. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles Use of Force and Firearms by Law Enforcement Officials (UNBPUFF).
Proportionality: Basic Principle 5; UNOHCHR. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles Use of Force and Firearms by Law Enforcement Officials (UNBPUFF).
Precaution: Even necessary and proportionate force might be unlawful if the need for it could reasonably have been avoided. The availability of training and equipping of law enforcement officials with adequate protective equipment and less lethal weapons are essential measures of precaution. See Joint Report of UN Special Rapporteur on rights to freedom of assembly/Special Rapporteur on Extrajudicial, summary or arbitrary executions: Proper Management of Assemblies (2016, E-50).
Accountability: A key mechanism in ensuring individual accountability is the requirement to create audit trails. Officers of all ranks should be obliged to document their rationale and justification for every use of force incident (issues of accountability are covered in Module C). See Basic Principle 6; UNOHCHR. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles Use of Force and Firearms by Law Enforcement Officials (UNBPUFF).
Non-discrimination: To ensure non-discrimination and the equal treatment of persons, a heightened level of care and precaution should be exercised with respect to individuals who are known to be especially vulnerable to the effects of a particular weapon. This is a crucial driver for police agencies' requirement to record and monitor the 'use of force' to be able to examine and identify instances or trends of unequal application of force. See Universal Declaration on Human Rights, Article 7; and International Covenant on Civil and Political Rights Articles 4 and 26; and For example, in the case of conducted electrical weapons, the United Kingdom's Defence Scientific Advisory Council Sub-Committee on the Medical Implications of Less-Lethal Weapons advises that 'individuals with heart disease, or who have taken certain prescriptions or recreational drugs, may be more likely to experience adverse cardiac effects as a result of Taser discharge'. Defence Scientific Advisory Council Sub-Committee on the Medical Implications of Less-Lethal Weapons, 'Statement on the Medical Implications of Use of the Taser X26 and M26 Less-Lethal Systems on Children and Vulnerable Adults', 2012, para. 77, at: <https://bit.ly/2tFIS8f>.
12. Basic Principles 9 & 10; UNOHCHR. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles Use of Force and Firearms by Law Enforcement Officials (UNBPUFF).
13. Special Rapporteur on extrajudicial executions, UN Doc. A/HRC/26/36 (2014).
14. Nachova and Others v. Bulgaria (43577/98 and 43579/98), European Court of Human Rights Grand Chamber (2005).
15. Basic Principle 14; UNOHCHR. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles Use of Force and Firearms by Law Enforcement Officials (UNBPUFF).
16. Basic Principles 15 & 16; UNOHCHR. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles Use of Force and Firearms by Law Enforcement Officials (UNBPUFF).
17. Amnesty International: Guidelines for the implementation of the UN Basic Principles on Use of Force or Firearms.
18. The United States Department of Justice. Justice Department Applauds Adoption of Police Department-Wide Tactical De-escalation Training Program in Seattle. Office of Public Affairs. April 16, 2015. Available at: <https://www.justice.gov/opa/pr/justice-department-applauds-adoption-police-department-wide-tactical-de-escalation-training#:~:text=De%20Escalation%20more%20broadly%20refers,dynamic%20situations%20on%20the%20street>.
19. Guiding Principles on Use of Force: Police Executive Research Forum (PERF), United States.
20. See Aepli, P., Ribaux, O. & Summerfeld, E. (2011). Decision Making in Policing: Operations and Management. Lausanne: EPFL Press. They provide a comprehensive decision-making framework to enhance policing. Chapter 1 outlines the elements and relevance of "A coherent system of Decision-making".

21. The Burlington, North Carolina Police Department in the US tailored the Critical Decision-Making Model (CDM) into its policies, procedures and training. They use it in (1) Remedial Training, (2) After Action and Debriefs, (3) Vehicle Operations, (4) Firearms, and (5) Scenario-Based Training. It has allowed officers to obtain a better understanding and internalisation of the benefits of CDM which are reflected in improvements in their work, and to undertake corrective measures to correct pitfalls and capture and disseminate successes. See more information in Police Executive Research Forum. Promising Practice: How the Burlington, NC Police Department Uses the CDM. Available at <https://perf.memberclicks.net/promising-practice--how-the-burlington--nc-police-department-uses-the-cdm>; As part of the integrated management system, Honduras National Police developed a guide to orient the Directorate and Deputy Directorate General, as well as the directors, chiefs and commanders of the region, metropolitan and police departments for decision-making regarding the planning of the provision of the police service in all its context. It helps to anticipate or counteract disruptive phenomena of public order identified by the intelligence service. For more information, see Honduras National Police, *Guía para planear la prestación del servicio de policía. Direccionamiento del Sistema de Gestión Integral*. Código 1DS-GU-0006. 28 February, 2017.
22. Police Executive Research Forum. Promising Practice: How the Burlington, NC Police Department Uses the CDM. Available at <https://perf.memberclicks.net/promising-practice--how-the-burlington--nc-police-department-uses-the-cdm>; Guiding Principles on Use of Force: Police Executive Research Forum (PERF), United States.

Questionnaires

1. Some countries have issued specific legislation to govern the use of force, such as Mexico which issued the National Law on the Use of Force in 2019. On the other hand, other countries don't have such specificity and instead adhere to international law and more general domestic frameworks, either common law (like the UK) or civil law/constitutional (like Germany). For instance, the United Kingdom's rules on police use of force are found in statutory instruments and common law. The 1994 Federal Police Law governs Germany's police.
2. The use of force must be governed by domestic and international human rights law. The United Nations provides crucial international guidance with the UN Code of Conduct for Law Enforcement Officials (CCLEO) of 1979 and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF) of 1990. The content of both, the CCLEO and BPUFF is based on various human rights treaties, whose compliance is mandatory for Member States that have ratified such conventions.
3. Basic Principle 9 – UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations.
4. See United Nations. Office of the United Nations High Commissioner for Human Rights (UNOHCHR). 2020. Guidance on Less-lethal Weapons In law enforcement; United Nations Human Rights Office of the High Commissioner. Code of Conduct for Law Enforcement Officials: Adopted by General Assembly resolution 34/169 of 17 December. New York: United Nations, 1979; UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations; Human Rights Council, "The Promotion and Protection of Human Rights in the Context of Peaceful Protests" (United Nations General Assembly, April 11, 2014).
5. United Nations Code of Conduct for Law Enforcement Officials & United Nations Basic Principles Use of Force and Firearms by Law Enforcement Officials.
6. UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations.
7. Idem.
8. Basic Principle 5 - UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations.
9. UNOHCHR Report of the Special Rapporteur on extrajudicial, summary, or arbitrary executions (A/HRC/26/36), New York: United Nations 2014.
10. Basic Principle 13 - UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations.
11. Para 5.1: African Commission on Human and Peoples Rights (ACHPR). 2017. Policing Assemblies in Africa: Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa. ACHPR: The Gambia.
12. Basic Principle 13 - UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations.
13. Basic Principles 9, 12, 14 – UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations.
14. Basic Principle 5c – UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations.

15. Article 1 of the Code of Conduct for Law Enforcement Officials, the term “law enforcement officials” includes all officers of the law, whether appointed or elected, who exercise police powers, especially the powers of arrest or detention. In countries where police powers are exercised by military authorities, whether uniformed or not, or by State security forces, the definition of law enforcement officials shall be regarded as including officers of such services.
16. African Commission on Human and Peoples Rights (ACHPR). 2017. Policing Assemblies in Africa: Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa. ACHPR: The Gambia.
17. Basic Principle 15 – UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations.
18. See Rule 82, The United Nations Standard Minimum Rules for the Treatment of Prisoners – ‘The Nelson Mandela Rules’ (2015 Rev).
19. See Article 3 United Nations OHRHC Human Rights Office of the High Commissioner. Code of Conduct for Law Enforcement Officials. Adopted by General Assembly Resolution 34/169. 17 December 1979.
20. See Rule 43, The United Nations Standard Minimum Rules for the Treatment of Prisoners – ‘The Nelson Mandela Rules’ (2015 Rev).



Module B: Resources

Recruitment

1. The platform [discoverpolicing.org](https://www.discoverpolicing.org) provides information and resources about police careers. It is used by both potential candidates and police organisations. For more details, visit: <https://www.discoverpolicing.org/story/> (project supported by the US Department of Justice and the International Association of Chiefs of Police).
2. Cox and Fitzgerald (1996) noted that the police will not be viewed as understanding community problems unless they have members reflecting the community's perspective. See Cox, S.M., and Fitzgerald, J.D. 1996. *Police in Community Relations: Critical Issues*. 3rd edition. W.C. Brown
3. Amie M. Schuck & Cara Rabe-Hemp (2005) *Women Police, Women & Criminal Justice*, 16:4, 91-117, DOI: 10.1300/J012v16n04_05; Shoub, K., Stauffer, K.E. and Song, M. (2021), Do Female Officers Police Differently? Evidence from Traffic Stops. *American Journal of Political Science*, 65: 755-769. <https://doi.org/10.1111/ajps.12618>.

Questionnaires: Recruitment

4. For instance, if a police organisation within a large city are underrepresented by a certain section of the community, and that community is particularly prevalent in certain parts of the city, then it makes sense to focus efforts on recruitment in those areas.
5. Some ethnic groups may, in general, be smaller in size than the general population.

Training

6. Basic Principle 20: UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* (BPUFF). United Nations; UNOHCHR Report of the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions (A/HRC/26/36), New York: United Nations, 2014.
7. United Nations Office on Drugs and Crime (UNODC) and the Office of the United Nations High Commissioner for Human Rights (UNOHCHR). 2017. *Resource book on the use of force and firearms in law enforcement*. United Nations: Vienna.
8. Some police institutions have mechanisms specifically created for this purpose. The Colombian National Police, for instance, has recently created "a high-level centre within the institution, called the National Police Standards Center, in charge of establishing the minimum professional standards for the provision and improvement of the police service, as well as validating officers' competencies". In addition, an External Commission was created to provide steering and oversight. See Ley 2179 de 2021 - Gestor Normativo - Función Pública (funcionpublica.gov.co)
9. Office of the United Nations High Commissioner for Human Rights (UNOHCHR). 2020. *Guidance on Less Lethal Weapons in Law Enforcement*. United Nations, p. 14.
10. The right is enshrined in many State's Constitutions; Article 20 of the Universal Declaration of Human Rights protects the right to freedom of peaceful assembly; the International Covenant on Economic Social and Cultural Rights (ICCPR) also contains provisions to protect civil and political rights, including the right to peaceful assembly (Art. 21).
11. United Nations Human Rights Committee, General Comment No. 37 (2020) par. 15, 17-19; and UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* (BPUFF). United Nations, Principles 12-14.
12. African Commission on Human and Peoples Rights (ACHPR). 2017. *Policing Assemblies in Africa: Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa*. ACHPR: The Gambia.
13. Basic Principle 24: UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials* (BPUFF). United Nations; UNOHCHR Report of the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions (A/HRC/26/36), New York: United Nations 2014.

14. Case of McCann and The Others v The United Kingdom [1995] ECHR Application No.18984/91. Available at [https://hudoc.echr.coe.int/eng#{%22itemid%22:\[%22001-57943%22\]}](https://hudoc.echr.coe.int/eng#{%22itemid%22:[%22001-57943%22]})

Questionnaires: Training

15. There is no agreed 'International Standard' that delineates the percentage of time that should be spent on these areas of training. The purpose of the question is to encourage an enquiry about whether there is a general balance within the training towards ensuring minimum use of force.
16. African Commission on Human and Peoples Rights (ACHPR). 2017. Policing Assemblies in Africa: Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa. ACHPR: The Gambia.

Improving the well-being of people

17. Rani, R., Kumar, N., Rastogi, R., & Garg, P. (2012). Quality of work life: Predictor of psychological wellbeing of police employees. *Indian Journal of Positive Psychology*, 3(4), 356-364.
18. DCAF – Geneva Centre for Security Sector Governance. 2012. Toolkit on Police Integrity. DCAF: Geneva. Available at <https://www.dcaf.ch/toolkit-police-integrity>
19. Houdmont, J. 2016. "Stressors in police work and their consequences", in *Stress in Policing*. 1st Edition, Routledge, ISBN:9781315611075.
20. Philadelphia Police Department award a medal for 'Tactical De-escalation' recognising officers' exceptional tactical skills in de-escalating potentially deadly force situations in order to save/protect life.
21. UNOHCHR. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations.
22. Police Executive Research Forum. 2016. Guiding Principles on the Use of Force. Critical Issues in Policing Series. Washington, D.C.
23. Lang S.E., Solé B.C., Morrozoff L.A., McFadden S.M., 2010. 'A Guide to Occupational Health and Safety for Law Enforcement Executives', Police Executive Research Forum – Office of Justice Programs, Washington D.C. The Camden County Police Department in New Jersey, US, has combined different initiatives to strengthen police officers' well-being. The initiatives combine: The Blue Guardian Training Program (fostering a 'guardian' mindset and using resources for de-escalation, communication, and recurring tactical training focused on reducing tensions and control – resulting in a decline of 30% in the use of force and 35% on police's injuries since 2013); a Wellness Coach conducting monthly visits and advising on physical and mental health aspects, including stress management; the State's Cop 2 Cop program providing 24-hour confidential counselling services, staffed by retired officers and licensed clinical social workers; and the Police Chaplain Program (spiritual guidance-support). See International Association of Chiefs of Police. 2018. Officer Safety and Wellness, Practices in Modern Policing. Alexandria, VA: International Association of Chiefs of Police.

Equipment

24. United Nations Human Rights Office of the High Commissioner UNOHCHR. Code of Conduct for Law Enforcement Officials. Article 3. Adopted 17 December 1979, General Assembly resolution 34/169.
25. Basic Principle 24: UNOHCHR. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations; UNOHCHR Report of the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions (A/HRC/26/36), New York: United Nations 2014.
26. United Nations Human Rights Office of the High Commissioner (UNOHCHR): Guidance on Less-Lethal Weapons: Weapons designed or intended for use on individuals or groups of individuals and which, in the course of expected or reasonably foreseen use, have a lower risk of causing death or serious injury than firearms. Less-lethal ammunition may be fired from conventional firearms. The term includes conventional firearms when they are used to discharge less-lethal ammunition but not when they are used to discharge conventional bullets or other ammunition that would likely result in life-threatening injuries.
27. 'Training' has been excluded from the bullet point list. See previous content on Training on pages 54-63.
28. Projectile Electric-shock weapons. An Amnesty International Position Paper – Extended Version. February 2019.
29. United Nations Human Rights Council. Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions (A/69/265), paras. 77–89. 24 April 2015.

30. Basic Principle 11 – UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations; UNOHCHR Report of the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions (A/HRC/26/36), New York: United Nations 2014
31. 'Guide on Law Enforcement Equipment' published by OSCE/Omega Research Foundation in 2021, provides guidance for monitors and observers of police operations on a range of less than lethal equipment.
32. Basic Principle 5c – UNOHRHC. United Nations Human Rights Office of the High Commissioner. 1990. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (BPUFF). United Nations; UNOHCHR Report of the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions (A/HRC/26/36), New York: United Nations 2014; Office of the United Nations High Commissioner for Human Rights (UNOHCHR). 2020. Guidance on Less Lethal Weapons in Law Enforcement. United Nations.

Questionnaires: Equipment

33. Office of the United Nations High Commissioner for Human Rights (UNOHCHR). 2020. Guidance on Less Lethal Weapons in Law Enforcement. United Nations.

Modules C: External Accountability

1. United Nations Office on Drugs and Crime (UNODC). (2011). Handbook on police accountability, oversight and integrity. Criminal Justice Handbook Series. New York: United Nations
2. Aguja, Mario J., and Hans Born, provide seven recommendations for improving accountability of the police to parliament. These lessons learned were drawn from the eight cases studies in: Aguja, M. J., & Born, H. (2017). Who is Policing the Police? – The Role of Parliament in Police Governance in Asia and Europe. *Sicherheit Und Frieden (S+F) / Security and Peace*, 35(2), 72–78. <http://www.jstor.org/stable/26428669>
3. Some countries, such as the United Kingdom of Great Britain and Northern Ireland, have established independent custody visitor schemes, whereby a group of community representatives, usually including professionals such as engineers, medical officers and social workers, visits places of police detention unannounced, usually every few weeks. Establishing a system of independent visits is a requirement under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. See: UN General Assembly, Optional Protocol to the Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, 9 January 2003, A/RES/57/199, available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-against-torture-and-other-cruel>
4. DCAF Geneva Centre for Security Sector Governance. Parliaments: Roles and responsibilities in good security sector governance. SSR Background Series, Geneva, 2015. https://www.dcaf.ch/sites/default/files/publications/documents/DCAF_BG_8_Parliaments.pdf
5. Fluri, P., & Johnsson, A.B. Parliamentary oversight of the security sector: Principles, mechanisms and practices. Inter-Parliamentary Union (IPU), DCAF Geneva Centre for Security Sector Governance. Geneva, 2003 https://www.dcaf.ch/sites/default/files/publications/documents/ipu_hb_english_corrected.pdf
6. Association of Police and Crime Commissioners England and Wales. Available at <https://www.apccs.police.uk>
7. In Nigeria, the Constitution contains detailed provisions for different structures for police oversight, such as the National Human Rights Commission and the non-government sector The Police Council oversees organisation and administration matters and general supervision of the Police. It is comprised by the President, the Governors, the Police Inspector-General, and the Chair of the Police Service Commission. The Police Service Commission has faculties for appointing, dismissing and exercising disciplinary control over the police. It is comprised by 7-9 members from across the community, including retired judge, senior police officer and representatives from the media, human rights organisations, women and industry and commerce chambers. The National Human Rights Commission has an advisory role and lacks judicial / prosecutorial powers; however, it can investigate human rights violations. See African Policing Civilian Oversight Forum (2008). *An Audit of Police Oversight in Africa*. Cape Town: African Minds.
8. In 2016, the County of Los Angeles launched the Sheriff Civilian Oversight Commission, which “provides ongoing review, analysis and oversight of the Sheriff’s Department’s policies, practices and procedures”. See more information in Los Angeles County Civilian Oversight Commission, available at <https://coc.lacounty.gov/Our-Work>
9. [Toronto Police Service Board](https://www.tpsb.ca), <https://www.tpsb.ca>
10. Policing & Community Safety Partnerships, <https://www.pcsp.org>
11. Pakistan’s Public Safety & Police Complaints Commission was an attempt to pursue good practice. The Pakistan Police Order of 2002, amended in 2004, clearly stated the role of ‘superintendence’ in ensuring police duties are performed efficiently and in strict adherence to the law. The lack of political ownership resulted in a non-functional/dormant Commission. See Home & Tribal Affairs Department http://hd.kp.gov.pk/index.php/Cms/Cms_Pages/MjU; Mehta, S., & Woods, D. (2007) *Feudal Forces: Democratic Nations, Police accountability in*

- Commonwealth South Asia. New Delhi, India: Commonwealth Human Rights Initiative.
12. Uganda, for instance, has a robust Human Rights Commission (HRC), whose resources are allocated by the parliament. It has a legal department empowered to grant legal redress and its decisions are equivalent to court decisions. The Ugandan Human Rights Commission also conducts visits to places of detention and delivers human rights trainings for the police. It cannot investigate matters which are already pending before a court or judicial tribunal. For more information visit their website: <https://www.uhrc.ug/about/uhrc-background/>
 13. Police Assessment Resource Center. (2005). Review of National Police Oversight Models for the Eugene Police Commission. Los Angeles
 14. Open Government Partnership. (2020). Open Justice: Oversight and monitoring of police, Justice Policy Series Part II. Available at https://www.opengovpartnership.org/wp-content/uploads/2020/12/Open-Justice_Justice-II_Oversight-Monitoring_Dec2020.pdf
 15. See National Human Rights Commission of India: <https://www.nhrc.nic.in>
 16. Lagassé, P., & Saideman, S. (2019). When civilian control is civil: Parliamentary oversight of the military in Belgium and New Zealand. *European Journal of International Security*, 4(1), 20-40. doi:10.1017/eis.2018.17
 17. See Bennet, W., et. Al. (2014). Community Safety Handbook. Saferworld; and various project reports via <https://www.saferworld.org.uk>
 18. Uildriks, N. (2009). Policing Insecurity: Police Reform, Security, and Human Rights in Latin America. UK: Lexington Books
 19. See also: United Nations Human Rights Office of the High Commissioner. The Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016): The Revised United Nations Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions. 01 January 2016. The Protocol outlines procedures to guide criminal investigations related to suspicious deaths, conduct interviews of suspects and witnesses, and post-mortem examinations. The Protocol provides a practical tool for ensuring accountability in cases involving violations of the right to life.
 20. A number of countries have developed specific criminal offences of misuse of force by law enforcement agents (LEAs). See the cases of Armenia, India and Korea – see page 67 of Amnesty International. (2015). Use of Force: Guidelines for Implementation of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Amsterdam, page 67
 21. In Kenya, the Independent Policing Oversight Authority was established in 2011 “to provide civilian oversight over the work of the police”; visit: www.ipoa.go.ke. Likewise, the Independent Police Investigative Directorate (IPID) in South Africa, has the mission to “conduct independent, impartial and quality investigations of identified criminal offences allegedly committed by members of the South African Police Services (SAPS) and Metro Police Services (MPS)”. Visit: <http://www.ipid.gov.za/>
 22. Mandates vary across countries. In some cases, there are limits for receiving, investigating and addressing complaints (in France only the Prime Minister and individual members of parliament can file complaints; Hong Kong delegates the investigation to the Internal Investigations Office of the Police); while the scope of these powers is broader in other cases (Malaysia, British Columbia – Canada, Philippines). Another relevant feature that goes beyond the often ‘reactive’ role that these structures can have, are the faculties to conduct research and develop recommendations to move towards a more preventive role (see The Queensland Crime and Misconduct Commission; Jamaica’s INDECOM provides pattern analysis and submits quarterly reports that present an opportunity for dialogue between the parliament and civil society). For more details see: United Nations Office on Drugs and Crime (UNODC). 2011. “Handbook on police accountability, oversight and integrity”, Criminal Justice Handbook Series, New York. and Open Society Justice Initiative. 2021. “Who Polices the Police? The Role of Independent Agencies in Criminal Investigations of State Agents”, Open Society Foundations, New York.
 23. The New Zealand Police have one of the most comprehensive reporting systems. They publish annual reports on several themes such as the Tactical Options Research Report. This detailed report describes the circumstances and rationale for the use of force. Visit New Zealand Police. Publications and Statistics. Available at <https://www.police.govt.nz/about-us/publication/tactical-options-research-reports>

24. Higgins, K.C. (2020). Why police violence is a media problem. Department of Media and Communications, London School of Economics and Political Science. Last updated 9 June 2020. Available at <https://blogs.lse.ac.uk/medialse/2020/06/09/why-police-violence-is-a-media-problem/>
25. Fairlie Chappuis. Toolkit for Security Sector Reporting - Media, Journalism and Security Sector Reform I DCAF – Geneva: DCAF, 2021.
26. The European Code of Police Ethics, Recommendation Rec(2001)10 adopted by the Committee of Ministers of the Council of Europe on 19 September 2001 and explanatory memorandum. Art. 18. Council of Europe Publishing. Available at <https://polis.osce.org/european-code-police-ethics>
27. African Policing Civilian Oversight Forum is a coordinating network of independent oversight bodies and civil society organisations from across Africa. For more information visit <https://www.apcof.org>
28. European Platform for Policing and Human Rights. Police and NGOs: Why and how Human Rights NGOs and police services can and should work together. December 2004. https://www.academia.edu/38118450/Police_and_NGOs_Why_and_how_human_rights_NGOs_and_police_services_can_and_should_work_together_European_Platform_For_Policing_and_Human_Rights_EPPHR
29. The Elaborated Social Identity Model of understanding crowd behaviour (Reicher/Stott/Drury) has significantly influenced public order policing in Europe in the last 20 years.communication/media-relations; Last accessed on 02.05.2022

Self-assessment modules-questionnaires

Module C: External Accountability

Questionnaires

30. The College of Policing (UK), for instance, provides guidance on relationships with the media, see <https://www.college.police.uk/app/engagement-and-communication/media-relations>; Last accessed on 02.05.2022
31. Art.18 of The European Code of Police Ethics says that “The police shall 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.” See DCAF Geneva Centre for Security Sector Governance. International Police Standards: The European Code of Police Ethics. Council of Europe Committee of Ministers. Toolkit – Legislating for the Security Sector. Geneva, 2005. Available at <https://www.dcaf.ch/sites/default/files/publications/documents/CoE.pdf>

Modules C: Internal Accountability

32. Other mechanisms such as Policy guidelines, Training standards, and Performance reviews are addressed in the corresponding modules of the GUoF_PSAG.
33. See UN Basic Principle 24. United Nations Human Rights Office of the High Commissioner. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Havana: Eight United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 1990.
34. See UN Basic Principles 24 & 26. United Nations Human Rights Office of the High Commissioner. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Havana: Eight United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 1990. UN Basic Principle 25
35. African Commission on Human and Peoples Rights (ACHPR). 2017. Policing Assemblies in Africa: Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa. ACHPR: The Gambia.
36. European Court of Human Rights: McCann -v- UK (1995) 21 EHRR para. 194
37. The European Code of Police Ethics, Recommendation Rec(2001)10 adopted by the Committee of Ministers of the Council of Europe on 19 September 2001 and explanatory memorandum. Council of Europe Publishing. Available at <https://polis.osce.org/european-code-police-ethics>
38. Baumann, K., and Murray, S., and Costa P. The Use of Video Surveillance for Police Accountability: Benefits, Limitations, and Considerations. Geneva: 2021.
39. See UN Basic Principles 6 & 22. United Nations Human Rights Office of the High Commissioner. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Havana: Eight United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 1990.
40. See UN Basic Principle 11. United Nations Human Rights Office of the High Commissioner. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Havana: Eight United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 1990.
41. UK College of Policing Briefing and Debriefing Processes. First published 23 October 2013. Updated 30 January 2020. Available at <https://www.college.police.uk/app/operations/briefing-and-debriefing>.

Module C: Internal Accountability

Questionnaires

42. United Nations Office on Drugs and Crime (UNODC). (2011). Handbook on police accountability, oversight and integrity. Criminal Justice Handbook Series. New York: United Nations.
43. Rule 24 UN Basic Principles. United Nations Human Rights Office of the High Commissioner. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Havana: Eight United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 1990; See Amnesty International. (2021). Police in the spotlight: Towards police accountability for human rights violations in the Americas. Page 9: “[A] commanding officer will be responsible if they commit or assist in a human rights violation. However, commanding officers who do not take direct part in the events may bear responsibility if their decisions in the planning and preparation of operations significantly impact the unlawful use of police force. The command responsibility becomes relevant when commanders issue orders to their subordinates that lead to human rights violations or when, knowing about violations by their subordinates, they fail to fulfil their duty to prevent and punish such conduct.”
44. DCAF – Geneva Centre for Security Sector Governance. (2022). Internal Control in Intelligence Services: Thematic Brief. Geneva: DCAF.

45. African Commission on Human and People's Rights (ACHPR). Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa. Banjul, 2017.
46. National Policing Improving Agency. (2010). Manual of Guidance on Keeping the Peace. Association of Chief Police Officers and Association of Chief Police Officers in Scotland
47. United Nations Special Rapporteur Maina Kiai and Christof Heyns. (2016). 10 Principles for the proper management of assemblies: Implementation Checklist. A/HRC/31/66. United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association.
48. Joint report of the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association and the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions on the proper management of assemblies: note / by the Secretariat. Para 52 (2017). A/HRC/31/66. (Geneva 02 04, 2016). Retrieved from <https://digitallibrary.un.org/record/831673>
49. Rule 25 UN Basic Principles. United Nations Human Rights Office of the High Commissioner. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Havana: Eight United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 1990.
50. "Firearms are not an appropriate tactical tool for the policing of assemblies. Firearms must never be used to disperse an assembly. The indiscriminate discharge of firearms into a crowd is a violation of the right to life." African Commission on Human and Peoples Rights (ACHPR). 2017. Policing Assemblies in Africa: Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa. ACHPR: The Gambia.
51. Rule 22 UN Basic Principle. United Nations Human Rights Office of the High Commissioner. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Havana: Eight United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 1990.
52. Examples of countries that had implemented standard forms for police officers to report any use of force include Belgium and the UK:
 Belgium introduced a standard form that is "generated based on any official report that contains reference to the use of force by the police [...] Within this standard form the following elements must be described: reasoning of the use of force, description of the situation, identification of the main civilian involved, behaviour of the suspect, signs of aggression of the civilian involved, attempted disarmament of an agent, tactical considerations, type of communication by police, use of physical force, use of weapons, following actions taken by involved police officer, medical evaluation and the name of the police officer involved."
 They introduced its standard form in 2017. Police members are required to fill in this form whenever they use any form of force. "The form includes information about the person on whom force is used (including officer perceived gender, ethnicity and age) as well as demographic information about the officer who used force, the circumstances and the type of force used. The form also asks, 'what subsequently happened to the subject', with an option to record that they died." The form is available online at <https://www.npcc.police.uk/Publication/SDAR/Use%20of%20Force%20Monitoring%20master%20V4Mar18.pdf>, (accessed 13 March 2022).
 Whereas in the UK, the complaint form is subject-based, meaning that if the same officer uses force on multiple people, s.he has "to fill out a separate use of force form for each person and if multiple officers use force on the same person, each officer has to fill out a form documenting their own use of force", the Belgium reporting form (as well as the complaint form) is event-based. "This implies that different complaints about police uses of force are bundled when they are about the same event". Rapport, B., Adang, O., Daillère, A., de Paepe, J., Dymond, A., Easton, M., & Skinner, S. (2020). Police lethal force and accountability: Monitoring deaths in Western Europe. University of Exeter; pages 19, 20, 26, and 31.
53. Research shows use of force complaints tend to be lower in cases where a supervisor is required to complete the report rather than the involved officer. Alpert, G., and John Macdonald, J. "Police Use of Force: An Analysis of Organizational Characteristics." Justice Quarterly 18 (June): 393-409, 2001.
54. Alpert, G., and John Macdonald, J. "Police Use of Force: An Analysis of Organizational Characteristics." Justice Quarterly 18 (June): 393-409, 2001.
55. United Nations Special Rapporteur Maina Kiai and Christof Heyns. (2016). 10 Principles for the proper management of assemblies: Implementation Checklist. A/HRC/31/66. United Nations Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association

56. "It is crucial for members of the public to be able to file complaints against the police. In most countries, people can file a complaint directly with the police, usually with the station commander or a district chief of police, who then decides on the next steps, which could include an investigation. However, members of the public may feel reluctant to file a complaint about the police with the police themselves. Usually, a complaint can also be filed directly with the prosecutor's office. Members of the public should be in a position to file a complaint against the police (and indeed be facilitated in doing so), if they feel they have been wrongly treated." United Nations Office on Drugs and Crime (UNODC). (2011). Handbook on police accountability, oversight and integrity. Criminal Justice Handbook Series. New York: United Nations.; page 33.
57. Open Society Justice Initiative. 2021. "Who Polices the Police? The Role of Independent Agencies in Criminal Investigations of State Agents", Open Society Foundations, New York.
58. Council of Europe, Commissioner for Human Rights. (2009). Opinion of the Commissioner for Human Rights concerning independent and effective determination of complaints against the police. Paragraph 22.
59. Council of Europe, Commissioner for Human Rights. (2009). Opinion of the Commissioner for Human Rights concerning independent and effective determination of complaints against the police.
60. "Police personnel, who deal with general enquiries from members of the public in the reception area in police premises or on the telephone, should receive training and be able to give basic advice on the complaints system." Council of Europe, Commissioner for Human Rights. (2009). Opinion of the Commissioner for Human Rights concerning independent and effective determination of complaints against the police. Strasbourg, 12 March 2009, paragraph 47. In Scotland, for instance, the Police Investigations and Review Commissioner (an independent body responsible for investigating serious incidents involving the police senior officer conduct, and criminal allegations against police officers or deaths involving the police) and the Scottish Police teamed up to design and deliver a one-day module for inspectors and chief inspectors aiming to improve the awareness of the complaints process and to generate consistency across Police Scotland. The Rt. Hon. Dame Elish Angiolini DBE QC. Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing. Final Report, November 2020; page 357.
61. "A failure to register a complaint is neglect of duty representing a disciplinary offence. It can prove helpful to install a system where records are kept of all complaints, which can be traced. This will help to prevent officers from trying to dismiss complaints." Neild, R. (2000). Themes and Debates in Public Security Reform: A Manual for Public Society. Washington, D.C.: Washington Office on Latin America.
62. In Belgium, for example, the Ethics Commission, which is presided over by the Director General of the Secretariat of the Technical Administration of the Minister of the Interior, deals with issues such as unwillingness to deal with complaints from the public by means of updating the Code of Conduct. Group of States against Corruption -GRECO- Fifth Evaluation Round: Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies Compliance Report Belgium. Adopted by GRECO at its 89th plenary meeting (Strasbourg, 29 November – 3 December 2021). GrecoRC5(2021)11.
63. "The complaints system needs to be tested regularly to assess whether it meets current needs. Additionally, it is good practice to audit the entire Complaints system". United Nations Office on Drugs and Crime (UNODC). (2011). Handbook on police accountability, oversight and integrity. Criminal Justice Handbook Series. New York: United Nations; page 36. In Australia, for instance, the NSW Police, uses the 'mystery shopper' method to test and measure citizens satisfaction with police procedures, including making a complaint. See: NSW Police https://www.police.nsw.gov.au/data/assets/pdf_file/0008/234656/nsw-police-customer-service-guidelines.pdf
64. In Belgium, there is event-based complaint form "that can be downloaded and sent back by email or ordinary post. Complaints are then directed to whichever body is best suited to deal with them [...] There are no formal requirements or costs associated with submitting complaints and anonymous complaints are accepted". Group of States against Corruption -GRECO- Fifth Evaluation Round: Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies Evaluation Report Belgium. Adopted by GRECO at its 84th plenary meeting (Strasbourg, 2-6 December 2019). GrecoEval5Rep(2019)3; paragraph 246.
65. In Sweden, "if an official becomes aware of corruptive or other criminal behaviour by an employee

- at the Police Authority, s/he is obliged to report it. This obligation can be satisfied either by informing a superior or by filing a criminal report in the relevant reporting system.” Group of States against Corruption -GRECO- Fifth Evaluation Round: Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies Evaluation Report Sweden. Adopted by GRECO at its 82nd Plenary Meeting (Strasbourg, 18-22 March 2019). GrecoEval5Rep(2018)4; page 41. Similarly, the Police Scotland staff has “the positive obligation to question the conduct of colleagues that they believe falls below expected standards and, if necessary, challenge, report or take action against such conduct.” The Rt. Hon. Dame Elish Angiolini DBE QC. Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing. Final Report, November 2020; page 161
66. Police staff must also be in a position to file complaints, for example when they experience discrimination or harassment, Organization for Security and Cooperation in Europe (OSCE), Guidebook on Democratic Policing by the Senior Police Adviser to the OSCE Secretary General, 2nd ed. (Vienna, 2008).
 67. The Rt. Hon. Dame Elish Angiolini DBE QC. Independent Review of Complaints Handling, Investigations and Misconduct Issues in Relation to Policing. Final Report, November 2020; page 25
 68. Council of Europe, Commissioner for Human Rights. (2009). Opinion of the Commissioner for Human Rights concerning independent and effective determination of complaints against the police. Paragraph 81
 69. Council of Europe, Commissioner for Human Rights. (2009). Opinion of the Commissioner for Human Rights concerning independent and effective determination of complaints against the police. Paragraph 56
 70. “It is [...] important to establish procedures for informing complainants about the progress of the investigation. In some countries, a special person is appointed for this purpose. While rules for confidentiality criteria usually require that not all information be disclosed to the complainant, some information on the progress of the investigation or on whether a decision has been made can help to restore confidence.” United Nations Office on Drugs and Crime (UNODC). (2011). Handbook on police accountability, oversight and integrity. Criminal Justice Handbook Series. New York: United Nations.; page 36.
 71. Open Society Foundations. (2013). Tshwane Principles on National Security and the Right to Information. Open Society Justice Initiative. Principle 25.
 72. “Where an individual is taken into police custody in good health but is found to be injured at the time of release, it is incumbent on the State to provide a plausible explanation as to the causing of the injury, failing which a clear issue arises under Article 3 of the Convention (art. 3).” European Court of Human Rights, Reports of Judgments and Decisions 1996–VI, para. 61. *Aksoy v. Turkey* case (100/1995/606/694), delivered on 18 December 1996.
 73. Svanidze, E. (2009). Effective investigation of ill-treatment: Guidelines on European standards. Directorate General of Human Rights and Legal Affairs, Council of Europe.
 74. “It is good practice, and in fact mandatory where the aim is to establish, restore or enhance public confidence, to disclose the number of complaints received, the nature of the complaints and their consequences, including numbers of officers that have been disciplined and criminally prosecuted” William G. O’Neill, Police Reform and Human Rights: A HURIST Document (New York, Joint Human Rights Strengthening Programme of the United Nations Development Programme and the Office of the High Commissioner for Human Rights (HURIST), 2004).
 75. An example of this can be found in Australia, where the Victoria government has announced a review of the effectiveness of the entire integrity and anti-corruption system including its complaints system. See www.ssa.vic.gov.au/CA2571410025903D/0/579DC317D4CD4BACCA25735C000E61B4?OpenDocument
 76. Council of Europe, Commissioner for Human Rights. (2009). Opinion of the Commissioner for Human Rights concerning independent and effective determination of complaints against the police; United Nations Office on Drugs and Crime (UNODC). (2011). Handbook on police accountability, oversight and integrity. Criminal Justice Handbook Series. New York: United Nations.; page 36.
 77. Smith Graham. ManReg: The Manchester Centre for Regulation and Governance, School of Law, University of Manchester, UK. International police complaints reform.

78. Among the State Legal obligations to prevent torture is “Ensuring that education and information regarding the prohibition of torture is included in the training of law enforcement personnel (civil and military), medical personnel, public officials and other appropriate persons (art. 10 of the Convention against Torture, art. 5 of the Declaration on the Protection against Torture, para. 54 of the Standard Minimum Rules for the Treatment of Prisoners).” United Nations Office of the High Commissioner for Human Rights. (2004). Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. [ST/HR/P/PT/8/Rev.1. New York/ Geneva: UN
79. United Nations General Assembly. (1979). Code of Conduct for Law Enforcement Officials: Adopted by General Assembly Resolution 34/169 of 17 December. New York: United Nations
80. Prince Edward Island Government. Police Act: Code of Professional Conduct and Discipline Regulations. Legislative Counsel Office. April 1, 2019. Prince Edward Island, Canada.
81. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment “has stressed repeatedly that one of the most effective means of preventing ill treatment by law enforcement officials lies in the diligent examination by competent authorities of all complaints of such treatment brought before them and, where appropriate, the imposition of a suitable penalty. This has a strong dissuasive effect.” United Nations Office of the High Commissioner for Human Rights. (2004). Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. [ST/HR/P/PT/8/Rev.1. New York/ Geneva: UN; paragraph 43.
82. Office of the United Nations High Commissioner for Human Rights. (2016). The Minnesota Protocol on the Investigation of Potentially Unlawful Death. New York/Geneva, 2017; paragraph 22.
83. “[Police] “internal affairs or other appropriate investigative authority should review all use-of-force reports. Further investigations should be conducted in cases where there are inconsistencies in reports by officers, supervisors, or witnesses; in instances of irregularities in reports; or in other cases deemed necessary”. The International Association of Chiefs of Police (IACP). (2017). Reporting Use of Force. Law Enforcement Policy Center. Page 5.
84. In the USA the case of *Garrity v New Jersey*, 385 U.S. 493 (1967) established the principle of different levels of proof for employees and that they should be compelled to co-operate with an internal investigation.
85. The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials indicate that persons affected by the use of force and firearms should have access to an independent process, including a judicial process. Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.2, annex.
86. UK Statutory Instruments. The Police (Conduct) Regulations 2020: England and Wales. UK Statutory Instruments. 2020 No. 4. Available at <https://www.legislation.gov.uk/ukSI/2020/4/made>
87. “[...] where an individual raises an arguable claim that he has been seriously ill-treated by the police or other such agents of the State unlawfully and in breach of Article 3, that provision, read in conjunction with the State’s general duty under Article 1 of the Convention “to secure to everyone within their jurisdiction the rights and freedoms defined in [the] Convention”, requires by implication that there should be an effective official investigation. This investigation should be capable of leading to the identification and punishment of those responsible. If this were not the case, the general legal prohibition of torture and inhuman and degrading treatment and punishment, despite its fundamental importance..., would be ineffective in practice and it would be possible in some cases for agents of the State to abuse the rights of those within their control with virtual impunity.” European Court of Human Rights, Reports of Judgments and Decisions 1998–VIII, para. 95. -*Assenov and Others v. Bulgaria* (90/1997/874/1086), delivered on 28 October 1998.
88. A number of Police organisations in the United States, conduct Early Intervention Systems, to identify, address and prevent problem behaviour before it escalates: (Walker, Milligan, et al., 2006). Quoted in COPS: An Internal Affairs Promising Practice Guide for local law enforcement.
89. Group of States against Corruption -GRECO- Fifth Evaluation Round: Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies Evaluation Report Sweden. Adopted by GRECO at its

- 82nd Plenary Meeting (Strasbourg, 18-22 March 2019). GrecoEval5Rep (2018)4.
90. In a slightly similar way, The Netherlands has a state criminal investigations department (Rijksrecherche), which “falls in fact under the jurisdiction of the public prosecutor’s office and is not part of the police”. Rapport, B., Adang, O., Daillère, A., de Paepe, J., Dymond, A., Easton, M., & Skinner, S. (2020). Police lethal force and accountability: Monitoring deaths in Western Europe. University of Exeter, page 56.
 91. United Nations Office on Drugs and Crime (UNODC). (2011). Handbook on police accountability, oversight and integrity. Criminal Justice Handbook Series. New York: United Nations.
 92. In Belgium, for instance, the Standing Committee for Monitoring Police Departments (P Committee) publishes reports on the use of force, including non-lethal force, by police. In 2019, the P Committee “qualitatively analysed a selection of dossiers involving both local and federal police. The cases were selected from the database of Committee P in the period of 2001 to 2016”. Rapport, B., Adang, O., Daillère, A., de Paepe, J., Dymond, A., Easton, M., & Skinner, S. (2020). Police lethal force and accountability: Monitoring deaths in Western Europe. University of Exeter; page 13. The P Committee drew three lessons learned: (i) to give greater importance to continuous professional performance appraisal to make it easier to address and adjust impulsive and aggressive attitudes and behaviour that become apparent over time; (ii) to appoint preparatory investigators or experts in disciplinary matters; and to establish a system to centralize data about specialist training in order to facilitate monitoring of training needs. Committee P, Judicial decisions concerning members of the police: 2015, 2016 and 2017 and Police brutality: 2013 to 2017, 2019, <https://comitep.be/document/cahiers/Cahier%2033%20-%20%20Rechterlijke%20beslissingen.pdf>. Similarly, in the UK, the Independent Office for Police Conduct (IOPC), periodically publishes “Learning the Lessons bulletins”. Several of its issues have focused on use of force. <https://www.policeconduct.gov.uk/search/node/use%20of%20force>
 93. In Europe, 21 countries (including Sweden, United Kingdom, Spain, Slovenia, Slovakia, Poland, Norway, Netherlands, North Macedonia, Latvia, Lithuania, Luxembourg, Malta, Finland, France, Germany, Greece, Iceland, Albania, Belgium, and Croatia) members of the Group of States against Corruption -GRECO- (established in 1999 by the Council of Europe to monitor States’ compliance with anti-corruption standards) engage in country-based evaluations on corruption and integrity in central governments and law enforcement agencies. Evaluation procedures involve the collection of information about police internal accountability mechanisms. These reports contain recommendations to the evaluated countries in order to improve their level of compliance with the provisions under consideration. Measures taken to implement recommendations are subsequently assessed by GRECO under a separate compliance procedure. Most of the 21 countries have made public both their evaluation and compliance reports. Council of Europe. Evaluation Reports and Compliance Reports adopted by GRECO: Fifth evaluation round. <https://www.coe.int/fr/web/greco/evaluations/round-5-new>. Examples of other country-led initiatives include the case of Scotland, where a comprehensive and independent review of complaints against the police was undertaken in 2018. The report was also made public. Visit: Scottish Government. (2020). Policing – complaints handling, investigations and misconduct issues: independent review. Cabinet Secretary for Justice and Veterans. <https://www.gov.scot/publications/independent-review-complaints-handling-investigations-misconduct-issues-relation-policing/>. Similarly, “Over the past decades the Dutch police has commissioned a large number of independent studies into police use of force, including police use of firearms. These studies have been used explicitly to change the Ambtsinstructie (Police Instruction), to adjust training in the use of force and to make decisions about (the need to) acquire new weapons.” Rapport, B., Adang, O., Daillère, A., de Paepe, J., Dymond, A., Easton, M., & Skinner, S. (2020). Police lethal force and accountability: Monitoring deaths in Western Europe. University of Exeter; page 56.
 94. “Internal [accountability] mechanisms are often limited in scope and tend to concentrate only on reactive (punitive) measures, as opposed to proactive (preventive) measures.” UN Handbook on police accountability, oversight and integrity, 2011; page 14. Acting on the findings allow organisations to take proactive (preventive) measures to reduce incidents related to excessive use of force. In the UK, for example, Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) reports that police departments have

- indeed made some changes to policies and practices following the introduction of the use of force reporting system. Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services. (2017). PEEL: Police Legitimacy Reports for individual police forces. Available at <https://www.justiceinspectors.gov.uk/hmicfrs/publications/peel-police-legitimacy-2017>.
95. "Along with annual and special reports, INDECOM produces quarterly reports that document general indicators related to the complaints received and include analysis of patterns that are of concern. Among the issues that have been addressed in the quarterly reports are abuses during police searches, the misuse of less lethal weapons and the planting of evidence by police." Amnesty International. Police in the spotlight: Towards police accountability for human rights violations in the Americas, 2021; page 9.
 96. "Accountability also means that the police as a whole need to be accountable to society at large for their success in maintaining order and security and in controlling crime in a cost-effective way and with integrity." United Nations Office on Drugs and Crime (UNODC). (2011). Handbook on police accountability, oversight and integrity. Criminal Justice Handbook Series. New York: United Nations; page 11.
 97. DCAF Honduras programme contributed to the advancement of this initiative. For more information visit: <https://seguridad.gob.hn/>
 98. "Involving civil society with gender expertise, including women's organizations, men's organizations and gender experts, can strengthen both formal and informal security sector oversight mechanisms. They have the expertise and capacity to: Provide gender-responsive policy advice on improving transparency, accountability and responsiveness; Monitor the implementation of international and regional agreements on gender equality as related to security sector institutions; Provide capacity-building for governance and oversight bodies on gender and security issues; Help ensure that oversight is comprehensive and responsive to communities' needs". Kristin Valasek, "Security sector reform and gender", Tool 1, Gender and Security Sector Reform Toolkit, Megan Bastick and Kristin Valasek, eds. (Geneva, Geneva Centre for the Democratic Control of Armed Forces, Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe and International Research and Training Institute for the Advancement of Women, 2008).
 99. DCAF – Geneva Centre for Security Sector Governance. (2021). Diálogo y reflexión sobre el uso de fuerza policial entre la Policía Nacional y la sociedad civil. Geneva: DCAF.

Action plan

1. Robinson, Abigail; and Barabant, Line. Guidelines Results-Based Project Design, Monitoring, Evaluation and Learning. DCAF Operations Department: Geneva (2021)
2. The S.M.A.R.T. concept is often credited to George T. Doran (1981) along with other authors. The concept is also referred to Peter Drucker's Management by Objectives (1954). For more information visit the United States of America Bureau for Education and Cultural Affairs (ECA). "A good start with S.M.A.R.T. indicators". Available at https://eca.state.gov/files/bureau/a_good_start_with_smart.pdf; Morrison, Mark. "History of SMART objectives". 19 January 2022. Available at <https://rapidbi.com/history-of-smart-objectives/>
3. Problem-driven and solution-focused means that the police institution has a clear definition of what change looks like, has identified the main constraints to achieve the intended change and has outlined the specific steps to tackle such constraints and thus achieve or make progress towards the desired change.
4. This indicator requires either annual public surveys, stratified focus groups discussion, or surveys of people who file complaints. It is a very meaningful but also costlier and time-intensive indicator.
5. It is important to emphasise that having a high (or increasingly) high number of complaints initially can demonstrate that the complaint mechanisms are effective. Therefore, it is not necessarily a negative finding. The number of complaints should start to decrease when coupled with other actions to improve the governance of the use of force.
6. Numbers alone can be misleading. For instance, an increase or decrease in the number of complaints submitted can mean different things. It can suggest the effectiveness and trust of the complaint mechanisms, but it can also point towards an increased number of complaints on the use of police force. Reporting should not just be a forwarding of the data that has been collected but an analysis that turns data into information that contextualises and allows management to take informed decisions. It is crucial to have these skills within the WG team, which often means adding additional resources.

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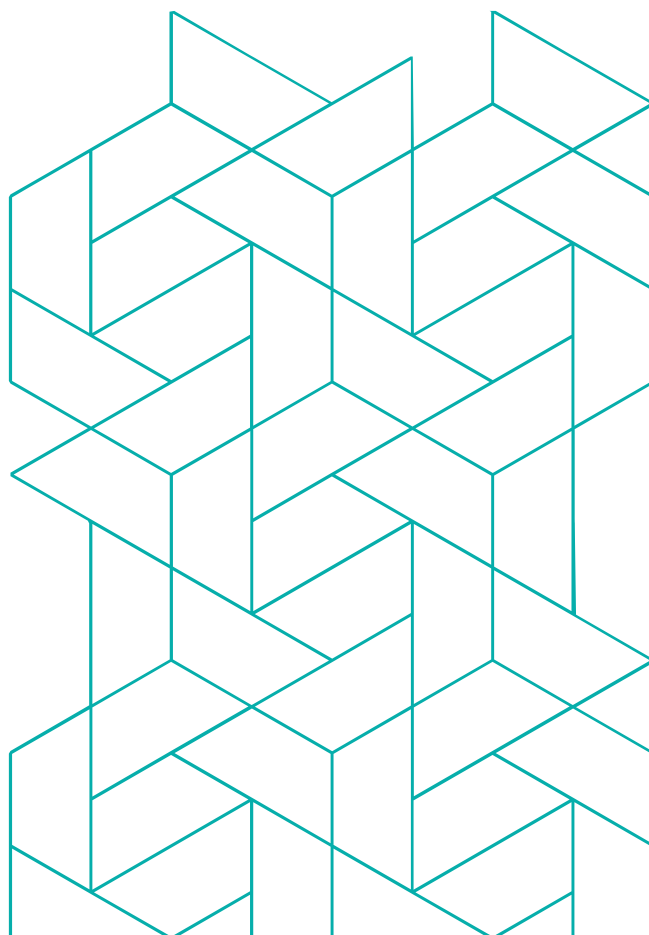
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