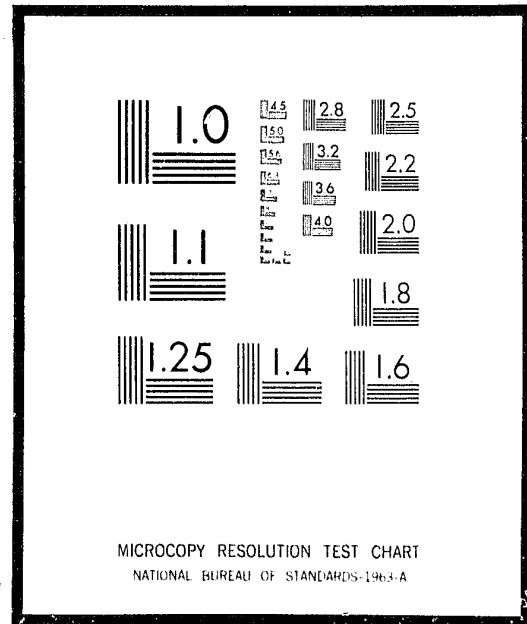


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REPORT OF THE SEMINAR ON "THE ROLES AND
FUNCTIONS OF THE POLICE IN A CHANGING SOCIETY"

The 39th Seminar Course

at

United Nations Asia and Far East Institute
for the Prevention of Crime
and the Treatment of Offenders

Fuchu, Tokyo, Japan

February - March, 1975

34277

TABLE OF CONTENTS

PART I: Seminar Summary

1. Participants
2. Perspective
3. Recommendations

PART II: Reports of Papers and Discussion

1. Participants' Papers
2. General Discussion

The United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, known widely as UNAFEI, was established in 1961 by an agreement between the United Nations and the Government of Japan as a training and research centre for the Asia region. The Institute is making every effort to enhance its contribution to the sound development of Asia through the promotion of more effective means of prevention of crime and treatment of offenders. It has so far conducted 41 international seminars (one month) and training courses (three months) for a total number of 845 participants from 34 countries. It is located in Fuchu, Tokyo.

PART I: SEMINAR SUMMARY

1. List of Participants

- Mr. Natesan Krishnaswamy (Chairman of the First and Final Plenary Sessions)
Deputy Inspector General of Police, Planning and Coordination, Tamil Nadu, India.
- Mr. Mir Bahadur Ali Khan (Chairman of the Second Plenary Sessions)
Deputy Inspector General of Police, Administration, Special Police Establishment, Pakistan.
- Mr. Thamby Thurai Rajasingam (Rapporteur of the First and Final Plenary Sessions)
Commandant, Royal Malaysia Police College, Malaysia.
- Mr. Rudra Rajasingham (Rapporteur of the Second Plenary Sessions)
Deputy Inspector General of Police, Administration, Police Headquarters, Sri Lanka.
- Mr. Kiyoshi Inoue (Co-Chairman of the First Plenary Sessions)
Judge, Osaka District Court, Japan.
- Mr. Mitsuteru Takaki (Co-Chairman of the Second Plenary Sessions)
Deputy Director, Tokyo Probation Office, Japan.
- Mr. Kōya Abe
Deputy Director, Safety Division, National Police Agency, Japan.
- Mr. Ihsan Ali Al-Hermizi
Director of Police Pension, Iraq Police H.Q., Iraq.
- Mr. Masud Ansari
Public Relations Advisor to the Chief of National Police of Iran, Iran.
- Mr. Mahesh Dutta Dikshit
Deputy Inspector General of Police, CID., Uttar Pradesh, India.
- Dr. Mochammad Hindarto
Professor, Police Science College, Indonesia.
- Mr. Abdur Raquib Khandaker
Deputy Inspector General of Police Headquarters, Bangladesh.

Mr. Bounthani Khounlavong
Chief of Narcotic Bureau, Lao National Police, Laos.

Mr. Hideichi Nakazawa
Director, Kinki Regional Narcotic Control Office, Japan.

Mr. Isao Okimoto
Public Prosecutor, Hachioji Branch, Tokyo District Public
Prosecutors' Office, Japan.

Mr. Jose Escutin Salido
Special Assistant to Secretary of National Defence and to the
Chairman, National Police Commission, Philippines.

Mr. Yasutoshi Satō
Assistant Director, Tokyo Regional Correction Headquarters,
Japan.

Mr. Lab Kumar Shrestha
Officer-in-Charge of Planning, Police Section, Home Ministry,
Nepal.

Mr. Harbans Singh
Officer-in-Charge of "RW" Division, Singapore Police Force,
Singapore.

(UNAFEI Staff Attending)

Mr. Zen Tokoi
Director

Mr. Minoru Shikita
Deputy Director

Mr. Teruo Matsushita
Chief, Training Division

Mrs. Kinko Satō
Chief, Research Division

Mr. Tomiyoshi Kawahara
Chief, Information and Library Service

Mr. Torsten Eriksson
Visiting Expert

Mr. Dean C. Smith
Visiting Expert

Dr. David H. Bayley
Visiting Expert

2. Perspective

Introduction

The Fourth United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in Kyoto, Japan, in August 1970, focussed attention on the serious consequences to society of insufficient attention being given to measures of crime prevention including the treatment of offenders; it called upon Governments of all countries to intensify their crime prevention efforts; it urged international organizations to strengthen international cooperation and aid; and finally it called for special attention to be given to the administrative, professional, and technical structure necessary for more effective action in the area of crime prevention.

At its meeting held in July 1973 the Asian Regional Preparatory Meeting of Experts examined the agenda of the Fifth United Nations Congress to be held in Toronto in September 1975 which included the subject "Emerging Roles of the Police and Other Law Enforcement Agencies with Special Reference to Changing Expectations and Minimum Standards of Performance."

This 39th Seminar Course conducted by the United Nations Asia and the Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) in February-March 1975 on "Roles and Functions of the Police in a Changing Society" represents one more response of the Asia and the Far East region to the call of the Fourth United Nations Congress and, in addition, makes a specific contribution to the forthcoming Fifth Congress. The subject of this seminar also dovetails with the subjects of earlier seminars organized in a systematic manner by UNAFEI on various facets of crime prevention as, for example, "Criminal Justice Reform in Asia and the Far East" discussed by the 32nd Seminar Course (1973) and "Planning and Research for Crime Prevention in Asia" discussed by the 35th Seminar Course (1974).

The 39th Seminar Course was attended by 19 representatives from 13 nations: one each from Bangladesh, Indonesia, Iran, Iraq, Laos, Malaysia, Nepal, Pakistan, Philippines, Singapore and Sri Lanka, two from India and six from Japan. Most of the participants were senior police officers drawn from these countries. The participants from Japan were from all sectors of the criminal justice system including the police. The discussions at the Seminar were marked by frankness and objectivity.

This Seminar was the first time that the police of this region have been called upon to state their views on the roles and functions of the police in the context of social change. Though police roles and functions have generally been accepted as important and vital, these have rarely been the subject of any detailed academic study or discussion in a sociological context let alone by police officers themselves. This Seminar has therefore enabled study and discussion in a cross-national context and has involved a scrutiny of the subject in terms of basic concepts and trends that have validity and value, not only for the police but for the society they serve. The result of these discussions, summed up in this paper, will facilitate acceptance of police roles and functions that will make a positive and constructive contribution to the welfare of society.

Police in the Asian Countries

The picture presented by the participants in the Seminar showed that with a few exceptions the countries of this region shared some common features in their socio-cultural backgrounds which made for similarities in the roles and functions of their police forces and their relationship with their people. They were multi-racial, multi-lingual, and multi-religious. They had inherited police forces that were subjected to colonial police traditions. Their societies were not cohesive. A number of countries had dense populations, which were growing faster than their economies. They were facing an increase in the volume and

complexity of crime, especially violent crime, juvenile crime and crime of an economic nature. This last category of crime that was prevalent in certain countries includes offences like hoarding, black-marketing, adulteration, smuggling, tax-evasion, exchange-control violations, and corruption. Such crime led to social, political, and economic consequences more serious than the consequences of "traditional crime." The development of such countries was being slowed down by anti-social forces indulging in these types of crimes.

The Seminar however noted that in a homogeneous society like Japan the conditions mentioned above did not prevail. Police roles and functions were dynamic and positive. Despite tremendous urbanization and industrialization, there was in fact, a decline in crime.

The participants of the Seminar had the opportunity of studying the significant elements in the various police systems, and based on these comparative studies the Seminar puts forward the analytical observations set out below.

Police Roles

The police comprise the most pervasive physical presence of governmental authority in any society. The police have greater contact with the public than any other government functionary. The police image in the public eye is entirely dependent upon a willingness to help and assist the public in a vast range of human situations. It is therefore unwise for any government not to utilize in full the potential of the police in this role.

Urbanization and industrialization lead to a break-down of the traditional mechanism of social control over individual behaviour such as the family, the neighbourhood, the community, religion, etc. Increasing social complexity of urban society generates nonconformist, delinquent, and eventually criminal behaviour. The vital need of every

changing society, therefore, is a policeman who acts not only as an efficient legal instrument but also as an understanding human being, sensitive to needs of the new environment.

Police Functions

The Seminar noted that the range and relative emphasis of police functions varied from country to country and from place to place and from time to time within the same country. It was not desirable or possible to isolate any specific functions and seek to define them alone as legitimate to the police. Notwithstanding the above, it was necessary to regard crime prevention as a core police function. The Seminar concludes that crime prevention could be defined as all and any police action aimed at preventing the occurrence of any form of crime. All other police functions including detection and enforcement of law support this core function. Crime prevention should therefore be considered the main basis of police work.

Effective crime prevention includes a wide range of activities that stretch beyond the mere enforcement of law. It necessitates on-the-spot remedial handling of situations that would otherwise lead to crime. It calls for the use of discretion in the large bulk of street situations. It is obvious, therefore, that a well-informed use of discretion is of primary importance so that crime and disorder may be nipped in the bud.

If such intelligent use of discretion was not made at an incipient stage, situations would develop into violations of the law, and the entire machinery of the law would be put into motion. The consequent flooding of the criminal justice system, with cases which could have been so prevented, gives significance to the following remarks of the United States President's Commission on Law Enforcement and the Administration of Justice:

"Above all the Commission's enquiries have convinced it that it is undesirable that offenders travel any further along the full course from arrest, to charge, to sentence, to detention, than is absolutely necessary for society's protection and the offender's own welfare. Much of the congestion throughout the system from police stations to prisons is the result of the presence in the system of offenders, who are there only because there is no other way of dealing with them."

The Seminar noted that it was a unique feature of the Japanese police system that the police take notice of acts indicating the beginnings of juvenile delinquency and do not blindly initiate legal action until repeated advice from police, parents, and teachers have failed to take effect. The exercise of such discretion is accepted by the police, the public, and the criminal justice system of Japan. Within the overall prevention-correction effort of the criminal justice system in Japan, the police make a particularly important contribution towards preventing juvenile delinquency in its incipient stages. In this respect it is to be noted that juvenile delinquency is a major crime problem in many countries of this region.

Once it is accepted that discretion is vital for crime prevention it becomes obvious that both the basic and in-service training of a police officer needs to be re-oriented. High emphasis on the dynamics of interpersonal relations and a knowledge-perspective that will promote the sound use of discretion are vital necessities; with special attention in the in-service courses to replace negative by positive attitudes in the performance of police functions. This will mean greater emphasis in police law enforcement on the spirit of the law and greater reliance on street knowledge rather than book knowledge.

The second consequence is that police organization needs to be reformed. Whilst most of the police forces of the region have

centralized, unified police forces operating under some form of common legal system, their physical presence in the community is very thin. Much of the manpower has necessarily to be deployed in para-military formations on functions like border security, internal security, etc. Only a limited amount of manpower is available for crime prevention functions. There is therefore a need to ensure that sufficient manpower is provided at all times for the core crime prevention function of the police. In this respect the Seminar noted that in several countries of the region, the physical deployment of manpower within the community had visibly demonstrated its tremendous value to police crime prevention functions and to police-community relations.

With regard to the problem of corruption and white collar crime which were posing a serious threat in certain developing countries, the Seminar concluded that in such countries where economic development was of vital importance, emphasis on enforcement should be biased towards crime affecting such development. As a consequence, corruption, tax evasion, black-marketing, and such other crimes as jeopardize economic development should form the first priority of law enforcement in such countries. The hands of law-enforcement agencies should also be strengthened by a rational law of crimes, procedure, and evidence. There should also be an integrated enforcement policy against the whole gamut of crime.

Two factors that impaired the police image were corruption and partiality. While various causes contribute to these, it was felt that much could be done by leadership to generate in police forces a climate of integrity and impartiality that engenders pride and self-esteem in their members. No other method would appear to offer better results.

There was need for more systematic and meaningful research in respect of police roles and functions, not only in a sociological context, but also in a field-operational context. This would help in

formulation of basic police policies and scientific police operations. Such research should be a continuous and sustained process in every police force.

The more populous developing countries in the region have poor financial resources but have abundance of police problems. They could not afford to have their development programmes stalled by crime and anti-social activities. In this respect the Seminar noted that intelligently planned police expenditure will, in the long run, act to reduce the problems of economic crime and anti-social activities, and thus contribute to smooth and orderly economic and social development.

There was need for investment in higher quality recruitment and training; in restructuring police forces to provide adequate career prospects and functional requirements at different levels; in systematic and meaningful research; and in facilities of communication, transport, forensic science, and computer services which would raise the speed and quality of police response to public need. The countries concerned should therefore consider police expense as development expenditure and not hesitate to give it appropriate emphasis.

International aid should be forthcoming for countries seeking the same for supporting police reform programmes. Yet another aspect deserving attention is the international sharing of police experience. The UNAFEI could enlarge its activities of collection, documentation, and dissemination of resource material with the cooperation of countries of the region. The premier police research or training establishment in each country could fulfil the liaison function with UNAFEI. The training and research activities of UNAFEI could also be enlarged through seminars, courses, etc., dealing with various facets of police roles and functions in greater depth, in a sociological context.

It is to be noted in this regard that in the light of the complexities of the environment in each country, and in the present state of limited knowledge, it is premature to conceive of norms of police performance. Much more study and research will be necessary before such concepts emerge.

3. Recommendations

This Seminar unanimously agrees on the following conclusions and recommendations in respect to the roles and functions of the police force of participants' countries to the extent of their applicability:

(1) The role of the police should be not merely that of an agency to enforce the law, but also that of a social agency that acts with and on behalf of the public to prevent crime and public disorder by mediation and advice. Enforcement of law should be undertaken when these methods fail or are obviously inapplicable. The primary police function should therefore revolve around the concept of crime prevention as being the core function. In this respect all and every police activity aimed at any alleviation of the prevailing crime situation could be treated as the primary role of the police.

(2) Police training should therefore be re-oriented with this role in mind and be aimed at maximizing the intelligent use of discretion by the individual police officer to serve the spirit of the law. Training should also emphasize defensive toughness of body and mind to ensure that the individual police officer's sense of self-confidence will be heightened.

(3) The laws of crime, procedure and evidence, and enforcement policy should be re-oriented to deal effectively with the crime problem in a comprehensive, rational and integrated manner, based on

trust in the enforcement agency.

(4) It is vital for public confidence and for maintenance of the police image that the police should maintain a high standard of integrity and impartiality. They should enforce the law without any bias towards any groups or interests. Leadership should endeavour to create an internal climate of pride and self-esteem in police forces, which will sustain high standards of integrity and impartiality in their members.

(5) With the dual objective of crime prevention and seeking to bridge the gap between the police and the public, the police organization should ensure that a maximum proportion of the police force is dispersed physically as close as possible to the community. In this manner the police will be able to respond to public needs and expectations. A suitable feedback system should also be established to gauge public opinion at regular intervals for assessment of public needs and expectations and to see how far they are being fulfilled.

(6) Methods of recruitment and placement will need to be sophisticated and based on aptitude and performance. Entry qualifications for police personnel should be raised where necessary.

(7) All police forces should be structured so as to carry adequate career prospects, while fulfilling functional requirements at different levels.

(8) To raise the speed and quality of police operations and response to the public, provision of facilities like communications, transport, forensic science, and computer services should be given priority.

(9) There should be sustained and meaningful research on police roles and functions in both a sociological and an operational context.

PART II: REPORTS OF PAPERS AND DISCUSSION

(10) The necessary financial resources should be provided for a clear-cut plan of police reform to be implemented in a phased, systematic manner. International aid should be forthcoming for countries seeking such support for their police reform programmes.

(11) The UNAFEI should enlarge its training and research activities for the benefit of countries of the region and also its collection, documentation, and dissemination of resource material relating to international police experience. The premier police research or training establishment in each country could fulfil the liaison function with UNAFEI in this regard.

1. Participants' Papers

Introduction

All work of the Seminar was done in general sessions with participants, visiting experts, and faculty members of UNAFEI in attendance. Participants were organized into two groups, each with its own chairman, co-chairman, and rapporteur. Each group was responsible for conducting the sessions allocated to it, for summarizing the papers of its members, and for reporting the content of discussion. The reports of each group are presented below:

Group 1:

Chairman: Mr. Natesan Krishnaswamy (India)
Co-Chairman: Mr. Kiyoshi Enoue (Japan)
Rapporteur: Mr. Thamby Thurai Rajasingam (Malaysia)
Participants: Mr. A.R. Khandaker (Bangladesh),
Mr. M.D. Dikshit (India),
Mr. N. Krishnaswamy (India),
Mr. M. Ansari (Iran),
Mr. I.A. Al-Hermizi (Iraq),
Mr. T.T. Rajasingam (Malaysia),
Mr. K. Abe (Japan),
Mr. K. Inoue (Japan).

Group 2:

Chairman: Mr. Mir Bahadur Ali Khan (Pakistan)
Co-Chairman: Mr. Mitsuteru Takaki (Japan)
Rapporteur: Mr. R. Rajasingham (Sri Lanka)
Participants: Mr. L.K. Shrestha (Nepal),
Mr. M.B. Ali Khan (Pakistan),
Mr. J.E. Salido (Philippines),
Mr. H. Singh (Singapore),
Mr. R. Rajasingham (Sri Lanka),
Mr. H. Nakazawa (Japan),

Mr. I. Okimoto (Japan),
Mr. Y. Sato (Japan),
Mr. M. Takaki (Japan).

Each session was opened by the chairman briefly introducing the panel members who then presented their individual papers by reviewing and highlighting items of interest contained therein. At the end of each individual presentation time was allotted for clarification and discussion on particular points by all members of the seminar after which the chairman briefly summed up the major points covered.

Individual Presentations

Presentations by members of the first panel followed the sequence as contained in this report. The points covered by them may be briefly summarized as follows:

Mr. Abdur Raquib Khandaker (Bangladesh) briefly discussed the changing variety of crime in Bangladesh with special emphasis on the problems of law and order and the increase in white-collar crime. He reiterated that though the strength of the police in his country was low when compared to other countries he believed that with better training and modern logistic facilities this shortage of manpower would be satisfactorily overcome. He agreed that police efficiency depended on good and satisfactory laws and their impartial enforcement. He analyzed the role of political leaders especially in developing countries and the contribution by educational institutions and other important agencies in society in remodelling and establishing a society on the basis of acceptable norms. He emphasized the need for wider public/police cooperation in overcoming criminal problems and suggested that the initiative for bridging this "gap" should come from the police. In conclusion, whilst advocating a happy blending of the courts, legislature and the police, he emphasized that greater stress should be placed on the rehabilitation

aspect of corrections. He argued that the criterion of successful enforcement can never be measured in terms of the number of persons arrested.

Mr. Mahesh Dutta Dikshit (India) outlined the changing nature of Indian society since independence and the consequent complexity of the problems faced by the Indian Police. He attributed these problems, amongst other things, to an awakening sense of greater expectation amongst the previously under-privileged classes; growth of militant trade unionism; multiplicity of political parties; urbanization and the related problems of overcrowding, slums, delinquency and unemployment; rising student expectations and subsequent indiscipline owing to a lack of sufficient opportunities. He considered that the key to the problem lay in a better police image. This the police in India were attempting to achieve through various campaigns like "police weeks," "courtesy weeks," "safety weeks," and the like. He suggested that consideration should be given to continuing these campaigns throughout the year. In summary he made the following pertinent points: (i) that senior police officers should ensure that all personnel discharged their duties in an efficient and impartial manner with all aberrations being adequately dealt with; (ii) police behaviour should be exemplary; (iii) effective two-way communication between the public and police should be established and maintained; (iv) the public should be actively involved in crime prevention activities; (v) area and city cooperation committees should be formed to bridge the "gap"; (vi) all personnel should be trained in public relations. In conclusion he reiterated that it is most important that efforts should be made by the police to win over the active support of youth through various meet-the-people sessions and extra-curricular activities. Only by such activities could the police hope to change their image.

Mr. Natesan Krishnaswamy (India) in presenting his paper deviated from the contents therein as much of the situation in an Indian context had been already covered by Mr. Dikshit. Mr. Krishnaswamy

therefore took the opportunity to make some astute and perceptive observations on "police problems" in an Asian perspective. He observed that except for Japan, which was the only developed country in Asia, the remaining countries represented in the Seminar had much in common, being multi-racial, multi-lingual, and multi-religious. They did not therefore enjoy social and cultural cohesion. They had also suffered years of colonial exploitation. Their populations are out-stripping their economic capabilities. Development was further slowed by anti-democratic and anti-social forces. All these factors he suggested culminated in an increase in all forms of crime, especially economic crime. A probable contributory factor was inadequate laws and inadequate enforcement. On the other hand, Japan had been able to accomplish three miracles: population control, economic growth, and a decline in crime. All participants therefore had much to learn from the Japanese system of criminal justice. With the Japanese example in mind he suggested that the requirements of all countries could be summarized in order of priority as:

- i) maintenance of police neutrality from politics;
- ii) rational and comprehensive laws that will engender trust in law enforcement agencies, judicial and correction systems;
- iii) review and reorganization of police manpower requirements to achieve greater emphasis on prevention;
- iv) improved training;
- v) improved equipment and communication facilities;
- vi) welfare requisites;
- vii) increases in manpower.

Mr. Krishnaswamy concluded by suggesting that UNAFEI play a greater role in international police aid especially in relation to training and equipment for modernization. This he suggested could be done through the setting up of regional sub-centres of UNAFEI and the subsequent codifying and sharing of resource materials.

Mr. Mochammad Hindarto (Indonesia) emphasized the important role played by the police in any changing society since law and order are the requisite conditions that enable any society to achieve its goal. He then outlined the historical background of the Indonesian police, which has since August 17, 1945, had to change its status and organization on a number of occasions to adjust to the needs of the social situation, especially in view of the fact that Indonesian society had to achieve its identity through violent revolution from colonialism. The attitude of the police had therefore to change to suit the times. As an integrated part of the Indonesian Armed Forces the duties of the police not only include the maintenance of peace and order in the community but the additional duties of (i) participation in defence and the preparations needed for this and (ii) performing the functions of a social-political force actively taking part in various sociological activities of the state. The police, in addition to their law and order functions, therefore, partake in and are represented on regional consultative bodies which are responsible for the coordination of various regional government agencies. Sociological activities include leadership of local community organizations in which resident police personnel act as leaders, promoters, stabilizers, and the dynamic force in all aspects of the activities of the local community. He concluded by stating the basis of pre-service and in-service training made available to Indonesian police officers and suggested that only through satisfactory education and training could the quality of police personnel be raised.

Mr. Masud Ansari (Iran) briefly traced the history of the police in civilization. He stated that though the police were highly respected at their inception in early history, the same was not true in modern times though the scope and duties of the police had vastly increased. He suggested that to command good will and respect the police should render services with the aid of psychological techniques and that selection of personnel should be confined only to those who are psychologically capable of rendering such service. Candidates for

police service should therefore be subjected to stringent tests to ensure their suitability and possession of appropriate human values. Education should be considered as the prerequisite to development of character; character development get precedence over mere book knowledge. Promotions and increments should be based on conduct, degree of respectability achieved, and public satisfaction of services rendered. Emphasis should be placed by police management personnel on character development. He concluded by suggesting that cybernetics could be used to advantage by the police in determining the exact requirements of society. Only in this way could the police hope to bridge the gap between them and the public.

Mr. Ihsan Ali Al-Hermizi (Iraq) in his presentation covered the topic "How to Improve Relations between the Police and the Community," and suggested that this could be done by a public relations programme aimed at achieving better public understanding, public confidence, and public support. To overcome any obstacles the problem should be tackled on a short-term and a long-term basis. On a short-term basis he suggested that some of the efforts by the police should include television programmes, citizens committees, organized visits to police establishments, joint citizen/police patrols, and a reward system for those who have helped the police in their duties. On a long-term basis he suggested that the police should seek to win over citizens through contacts and lectures at schools, more social services, and the setting up of special departments of police like "flying help" and crime prevention branches to concentrate on public service aspects of police duties.

Mr. Bounthanh Khounlavong (Laos) in presenting his paper outlined the historical background of Laos, its society, economy, politics and culture in an effort to present the drastic changes facing the Laos National Police. Laos has since independence in 1945 been engaged in civil strife. This has led to a neglect of development in national and socio-cultural activity. The kingdom of Laos is currently governed by a coalition form of government. As a consequence of this a combined

force of Laos National Police and the armed element of the "left wing" conduct combined policing in two provinces, namely the Royal City of Luang Prabang and the capital city of Vientiane. This has created problems of liaison, command and jurisprudence. This change in Laotian society has increased policing problems faced by the National Police of Laos. Nevertheless, the Laos National Police is seeking to enhance the effectiveness of the police by undertaking (i) a reorganization of the police and (ii) improvement of the criminal justice administration system. Reorganization will, it is envisaged, take the form of reduction in numbers of personnel and departments, revitalizing authority and command, and increasing police morale through an incentive system. In addition to this the Laos police are seeking to improve their image and public cooperation through a revitalized public relations programme. In conclusion he stated that the police are seeking to improve efficiency through an improvement in crime reporting and the maintenance of adequate and satisfactory statistics.

Mr. T. Rajasingam (Malaysia) reviewed very briefly the background of Malaysia, its social conditions and reiterated that policing in Malaysia is basically rural with some element of urban policing needs. He outlined the Salleh system of policing through which Malaysia was in the main policed, whereby selected police rank and file were required to reside in their areas of responsibility and act as the eyes and ears of the police. From these beats they would perform their normal functions and not only get to know the local community but also take an active part in local community activities. Superimposed on this system was the normal mobile patrols and visits by senior officers. He then explained the special repressive nature of the Special Prevention of Crime Ordinance and gave an indication of the Secret Society menace in Malaysia which necessitated the existence of this repressive law. The third point elaborated upon in his presentation was the system of selection of senior police officers, who undergo a week's selection programme to test their suitability for police duty from a psychological point of view. He concluded by stating that time prevented him from

elaborating all the points brought out in his paper but hoped that the points contained therein would be considered and weighed by all participants in the discussion sessions.

Mr. Kōya Abe (Japan), before presenting his paper entitled "Crime Prevention Police in Japan," suggested that crime prevention was the most vital of police functions. However, the balance between emphasis on crime prevention and suppression should be well maintained and must always be within reasonable bounds. Statistics and research show that crime amongst juveniles in Japan is not caused by necessity but by greed or the desire to get something for nothing. It was therefore important that correct training in morals should be given to youth. He was thus of the opinion that the main emphasis on crime prevention should be given to the guidance of youth. In conclusion, law enforcement procedures in Japan are aimed not at merely following the letter of the law but at the crucial question of what serves the cause of justice. He then presented his paper which outlined the duties of the National Police Agency and the functions of the crime prevention police, the Crime Prevention Movement, the Crime Prevention Association, and the role played in crime prevention by police boxes and police patrols.

Mr. Kiyoshi Inoue (Japan) in his presentation covered the important and vital question of "To What Degree the Japanese Police were Faithful to Law." He cited reported cases where the District Court and the High Court had different views on the right of the police to "stop and question" suspects. He then gave some examples of unreasonable investigative activities of police officers and the problems faced by law enforcement officers. He concluded his presentation by explaining the powers of the courts in Japan in entertaining or refusing applications for warrants of arrest and the system of checks inherent in law against decisions by public prosecutors not to prosecute certain cases. The chairman then closed the session by summarizing his observations on the criminal justice system of Japan, characterizing it as one which gave the maximum amount of discretion to its officers, like the police

and the public prosecutors, and, on the other hand, had a system of checks and balance to ensure non-abuse. The object of the whole system was to enforce criminal justice in a fair and humane manner. In spite of this great discretion, abuses were very small in number as evidenced by the small number of violations.

Mr. Lab Kumar Shrestha (Nepal) in his paper discussed the relation between police and public and police training in the context of Nepal. He said that the police could not function in an effective manner if its internal operations deviated from society's norms and values. Further he explained how his country is encouraging crime prevention through public education programmes and dialogue with the community. He suggested that law enforcement is concerned primarily with human conduct rather than physical objects, and because of this the success of the police department is much more dependent upon the qualities of its personnel and its behaviour than upon the suitability of its equipment. Talking about the importance of training, he said "an important training objective is, therefore, an understanding of human drives, inhibitions, emotions, reactions, and attitudes, and of techniques that promote a desirable relationship between the police and the public." The Nepal police force is looking ahead in that particular line in order to serve the society and nation with a touch of modern reorganization, he said.

Mr. Mir Bahadur Ali Khan (Pakistan) gave the historical, cultural, and social background of his country and explained the difficulties the police is facing in their relations with the community. The unsavoury impression created during the colonial days still persists to some extent in the minds of the public and will require lot of effort on the part of police to improve. The police must work sincerely and honestly and in order to obtain their cooperation acquaint the public with their difficulties.

Discussing the attitudes of police towards criminals, he compared the severe enforcement methods and laws of Saudi Arabia with those of the U.S.A. Crime in Saudi Arabia is very much under control whereas in the U.S.A. it is going up. He advocated a balance between these two extremes. For countries where there is still a great percentage of illiteracy and political stability is lacking, a greater amount of repression is necessary. As the circumstances improve, there should be more and more stress on preventive and corrective aspects.

Crime figures indicated that the standards of investigation, clearance of cases, and convictions were satisfactory. These could be improved further with the use of modern scientific techniques if the equipment-budget permits.

Commenting on the modes of supervision by senior officers, he advocated stress on inspecting the quality of work of subordinates rather than mere quantity. Sometimes this undeserved attention to figures alone encourages a tendency towards non-registration of cases by the station officers. The first step in criminal justice is proper reporting and registration of all offences taking place. Proper supervisory techniques and contact of senior officers with the public can go a long way in achieving this objective.

Mr. Jose E. Salido (Philippines) stated that prior to September 21, 1972, the police agencies in the Philippines were virtually autonomous and independent from the national government. The situation encouraged political intervention and influence by local and national politicians.

With the declaration of Martial Law on September 21, 1972, President Marcos integrated the 1500 police forces into the Integrated National Police, pursuant to the New Constitution. Predicated on the four imperatives of discipline, professionalization, integration and community action aimed at promoting the credibility of the police, the

public image was improved. The National Police Commission through its regional academies standardized training. The national government expedited subsidizing the pay of police officers in poor municipalities. The residents of the community were involved in reporting the presence of criminals through the Barangay System. People also started denouncing abusive police officers and corruption. The appropriate disciplinary punishments are meted out. Steps are actively being taken to show the members of the police as men of character and fortitude - impervious to corruption, political influence, and fair, impartial and just in carrying out his duties.

He concluded that substantial success has undoubtedly been realized by the Philippines. However, reformation and improvement being a continuing process, the Philippine Government is strengthening the police agencies through further expansion and training under the Philippine Constabulary.

Mr. Harbans Singh (Singapore) said that in Singapore there exists now a healthy rapport, cooperation, and understanding between the public and the police.

With regard to the crime situation, a recent study for the period 1962-1972 showed that the overall crime situation has remained more or less constant. The disturbing factor is that crime has now become more sophisticated and organized and there are indications that a large number of offences are being committed by juveniles in the age group of 15-19. With rapid industrialization and development of new towns there is a tremendous shift in population and this has compounded both traffic and crime problems. A high powered Road Transport Committee was set up to tackle the traffic problem with the firm objective of improving the public transport and reducing traffic congestion. The police on its part has instituted more scientific methods of law enforcement and enforcement of traffic regulations, viz., a traffic ticketing system has been introduced, traffic records are computerised,

and the mobile squad is equipped with radio transceivers. To combat crime and to effectively deal with the mobile criminal the operational infrastructure of the force has been modernised - for example, "team policing" has been introduced. A blueprint setting up new divisional boundaries and the construction of new police stations has been accepted by the Ministry of Home Affairs which will not only meet the challenges posed by changing population patterns, urbanisation and future urban/ industrial expansion but will also provide a sound basis for the efficient deployment of manpower and will bring about an approximate equality among station jurisdictions in terms of area, population, property and crime. The Criminal Investigation Department has been streamlined and a new unit, the Criminal Intelligence Unit with offshoots in all divisions, has been set up to regularise the entire field of intelligence gathering and utilization.

To raise the morale of junior officers the "Lee Soo Ann Committee" was set up which made recommendations inter alia for better housing conditions and an increase in salaries. It can confidently be asserted that these improvements will make a police career more meaningful and rewarding.

In concluding, he suggested and recommended that UNAFEI could play a more meaningful role by introducing a seminar for front-line supervisors like the sergeants and also the inspectors who do most of the supervisory and legwork in any police service and by establishing a police college in this region to teach techniques and management-oriented subjects at the highest levels.

Mr. Rudra Rajasingham (Sri Lanka) briefly outlined Sri Lanka's history and pointed out the changes that had taken place in its economic and social life as a result of foreign domination, and the changes that were still taking place in its advancement towards the establishment of a Socialist Democracy. With this background he traced the changing roles of the police since its establishment on organized lines in the early 19th century.

During the period of colonial rule the police were used fundamentally in a deterrent role, and as a result they lost contact with the mass of the people. Just prior to and after Independence in 1948, however, a voyage of 'Re-discovery' was started by the police to establish good faith in the villages by taking the initiative in establishing welfare societies, in an effort at rural upliftment, and latterly with the establishment of Anti-Crime Societies to seek their active cooperation in the task of crime prevention.

The change of emphasis from a deterrent role to a friendlier role identifying the police with the people was by no means an easy one. This required on the part of the police a re-orientation, not only in attitudes but also in methods of training. During this period, however, a social revolution, described as the most significant upheaval in Asia, occurred, ushering in what has been termed the era of the 'Common Man.' The police began to be called upon to perform a wide variety of functions not directly concerned with the prevention and detection of crime, such as maintaining industrial peace as well as enforcing a range of new laws resulting from numerous progressive measures of the State. The police service had to realign itself in order to act firmly but with acceptance in a rapidly changing social environment.

In this context programmes of recruitment and training had to be radically altered to meet the new challenge. There is still much more that can be done in this field and in the methods of selection by the introduction of psychiatric testing and other modern selection systems. He also pointed out the need to provide incentives in order to obtain the services of talented officers to serve on the staff of the police college as well as the need to establish in a police academy, the need for which was now manifestly felt.

In conclusion, he felt that it was imperative that there should be a constant review of police methods and procedures in the

light of the constantly changing role of the police. As the less affluent nations may not find it possible to allocate the desired amount of resources in the form of money, equipment, and trained manpower to this all important task, he recommended the setting up of a regional institute for research on law enforcement problems which were common to countries in Asia and the Far East.

Mr. Isao Okimoto (Japan) mentioned that the notable features of the Japanese system of public prosecution are, firstly, security of tenure of public prosecutors and secondly, control and supervision by the Minister of Justice for the purpose of maintaining fair, impartial, and independent prosecution.

Japanese public prosecutors can investigate all criminal offences and have sole authority to prosecute. Public prosecutors play a quasi-judicial role from the viewpoint of "due process of law."

Moreover, Japanese public prosecutors can suspend public prosecution even if there is enough evidence for conviction, if, after considering the character, age and situation of the offender, the gravity of the offence, the circumstances of the offence, the prosecution is deemed unnecessary.

Japanese public prosecutors are playing a vital role in adjusting the administration of criminal justice to the changing needs of society. Effective countermeasures taken by the prosecution against the rapid increase of traffic accidents and public pollution cases are good examples of this.

Mr. Mitsuteru Takaki (Japan) explained briefly the organisation and functions of probation and parole services in Japan. He stated that 70,000 probation and parole cases are handled by 780 probation officers and 47,000 volunteer probation officers. Japanese probation services are characterized by the extensive participation of

volunteers. In addition to supervision and after-care of offenders, the probation office is in charge of promoting crime prevention activities in the community. He emphasized particularly the crime prevention activities organised by the probation office. In order to mobilize the interest of the public probation offices, volunteer probation officers' associations, women's associations for rehabilitation aid, and B.B.S. (Big Brothers and Sisters) associations have organised yearly a nationwide crime prevention campaign - "the Movement to Enlighten the Society." The aim of this campaign is to get rid of the people's prejudice against offenders and to make people more aware of offenders' needs and potentialities for participating in the community. Volunteer probation officers are in very advantageous positions to gain the interest of the public, because many of them are leaders of other activities in the community too.

2. General Discussion

Chairman: Professor David H. Bayley,
Visiting Expert
Rapporteur: Mr. T. Rajasingam (Malaysia).

Introduction

The general discussion sessions covering a total of eight periods were conducted by Mr. David H. Bayley, Professor at the Graduate School of International Studies, University of Denver (U.S.A.), who presented a series of six papers and led the various discussion sessions. The purpose of these papers were to examine police practices comparatively across national boundaries with special emphasis on the tasks police perform and the implications which such task-objectives have on operational behaviour and organisational management. He sought

in these papers to develop hypothesis as to why police practices varied among nations or over a period of time. Mr. T. Rajasingam acted as the Rapporteur throughout the sessions.

Section 1: Appropriate Police Tasks and Social Change
and Police Tasks

Presentation

In this paper Professor Bayley touched on the problems of whether the police should restrict their activity to pure criminal detection and prevention or expand their services to other "extraneous duties." He defined his views as to what most police forces undertake in the course of their duties as, firstly, the enforcement of laws; secondly, the prevention of crime; thirdly, the mediation of possible conflicts; fourthly, the regulation of various aspects of social life; and, fifthly, the providing of various social services. However, the scope of activities varied between police forces even in the same country. He suggested that any argument for the elimination of any of these functions as being inappropriate to police functions was unrealistic, as all five functions mentioned above were inter-related. The police could not seek to escape from performing a variety of functions. In graphic form the work of a police force should be thought of as occupying concentric circles around a core function -- the core being enforcement and prevention, and the concentric circles representing mediation, services, regulation and miscellaneous duties, in that order of decreasing emphasis. The police should therefore seek to undertake any activity that eventually assists the core function of enforcement and prevention. This thesis therefore should provide some form of answer to the question: (i) what is the range of actual police activity? and (ii) are there any principles that can be used to determine which of the police activities undertaken are more appropriate?

Professor Bayley also sought to discuss why various police forces emphasise different activities at different times with a view to seeking to identify the outside factors if any that may determine police activities. In brief, the question was whether police tasks change according to social evolution. He suggested that there were two factors that condition what the police do in any given society, namely, the nature of interpersonal relations and political culture. As regards interpersonal relations he argued that as interpersonal contacts in urban industrial areas are lessened the nature of police activities in such communities are biased towards non-enforcement type duties. The police are therefore required to perform in a non-enforcement mode in communities where informal sanctions are declining, i.e., urban industrial areas and large cities. He however agreed that this may not be necessarily so in all communities. In tight communities in certain countries like Japan, this lessening of informal sanctions may not apply. As regards political culture, which he defined as the customary attitudes and behaviour of people in a community with regard to their government, authority, and political processes, he advanced several propositions. Firstly, that non-enforcement aspects would be higher where political trust was high, civility in politics common, and compromise a characteristic of political process, i.e., like Britain. Secondly, that non-enforcement aspects will also be greater in countries where the people tend to identify themselves with the Government, i.e., statist countries. In non-statist countries the police would be considered as agents of formal law. They would therefore lack the moral standing the police enjoy in other countries and their functions would as a consequence be more enforcement orientated. Whilst differences in police activities within countries may be explained by differences in political culture, differences in police activities within the same country will be attributable to changes in interpersonal relationship. On this hypothesis it would be possible to make predictions about what kind of work the police of various countries will be doing in the future. The challenge for the police in developing nations would therefore be to provide more non-enforcement type of services in the future. Police

organisations should therefore be reorganised to cope with this coming need. Training requirements must be reviewed and old military type ideas of discipline changed. To the extent that police forces in the future will stress non-enforcement duties, progress must mean (a) enhanced discretion at lower levels, (b) command structure democratised and decentralised, (c) training expanded, (d) recruitment standards in education raised.

Discussions

Many points were raised by various members. Points were made as to whether the police should undertake any extraneous duties and whether such duties were in fact impinging on the duties of other related agencies. During these discussions it became evident that only in America and only recently at that had any time and motion study been undertaken to compare the percentage of enforcement duties to non-enforcement type duties performed by the police. It was a consensus of opinion that there was however a gap between what the police were expected to perform and what they were actually doing by way of non-enforcement duties but that police forces were generally reluctant to admit even the existence of this gap. This was a defence mechanism employed by police management.

Mr. Krishnaswamy then enquired as to how a police force could seek to identify what the public actually wanted of their police. The chairman suggested that as no specific machinery existed for this purpose, greater contact and feedback between higher and lower ranks of the force would provide some of the answers. In this respect he was of the opinion that it was the responsibility of police management to find the answers as to what the public expected through a judicious use of the method suggested by him.

Mrs. Sato (Faculty) in her observations touched on the paradox of apparent conflict between enforcement and non-enforcement functions of the police especially in the field of juvenile delinquents. As the chairman explained there was in the final analysis no conflict as long as the ultimate objective of enforcement and prevention was maintained. He was supported in this view by Mr. Abe.

Conclusions

Though no firm conclusions were reached by the participants, many of the ideas and suggestions contained in the two papers generated much discussion. The following were the general opinions reached:-

(a) As to police tasks, the police must undertake certain social non-enforcement types of work because, firstly, they are in the front line and are in a position to perform this task and, secondly, such activity assists them in their primary or core responsibility in the enforcement of laws and the prevention of crime. As to the question of the extent of these services, it was the consensus of opinion that the police should not tread in fields that were the exclusive right of other government agencies. In such cases refusal was preferable. The sole measure of police responsibility in this respect was whether such non-enforcement duties were directly or indirectly assisting the core function of police, i.e., the enforcement of laws and the prevention of crime.

(b) As to the role of social evolution in police tasks it was agreed that both interpersonal relationships and what may be termed political culture determines the role the police have to play in society. Society therefore decides the role of the police and this role will change so long as society changes. As regards the contention that the nature of change in interpersonal relationships in urban

industrial societies would lead to an emphasis on non-enforcement functions by the police, it was agreed after some discussion on the points made by Mr. Rajasingham, that there were possibly some other factors that may have a bearing on this question. As no studies had been made on the subject and no statistics were available it was unsafe to make firm conclusions at this stage. It was however agreed that non-enforcement aspects of police duties will increase in the future regardless.

Section 2: Specific Tasks that Penetrate the Police Role

Presentation

In this paper Professor Bayley discussed the three aspects of policing that in his opinion were highly controversial and presented enormous difficulties for police administrators, namely (i) the use of discretion by police officers, (ii) citizen counselling, and (iii) crime prevention. He contended that these three aspects were in separable parts of "real police work" and any attempt to separate them from law enforcement was artificial.

Policemen were however embarrassed by the issue of discretion and sought to pretend that they only enforced laws. However the police were, for various reasons, never able to enforce all laws. This meant that they used discretion in law enforcement; they were not blindly applying the law under all circumstances. However, being afraid of criticism for judgements they ought not to make, the police denied the use of discretion and become secretive in their actions. This secrecy tended to inhibit open discussion with the result that discretion by individual officers tended to become haphazard and unsystematic. He argued that though the status and education of police officers tended to be lower than court officers, police officers were exercising as much, if not more, freedom of choice as were judges. These two segments

of criminal justice were discrepant with respect to discretion and status.

If discretion was necessary to responsible police work, then he argued that it must be legitimized. He suggested that this could be achieved by, firstly, the police developing the courage to discuss the reality of police work and, secondly, by the various segments of the criminal justice system beginning a dialogue amongst themselves about what the police should do. In short, the change must begin from within the criminal justice system, especially from within the police force itself. Legitimizing the use of discretion would protect the police from uninformed criticism and raise their status as professionals. Furthermore, any denial by the police in the use of discretion creates a vicious circle of denial followed by unjust criticism and by more secretiveness by police officers and suspicion of police actions.

On the subject of counselling he observed that the police were reluctant to develop an efficient counselling ability as they regarded this as diversionary. The pitfall in this respect was to consider counselling as a public relations ploy rather than as an essential part of the police function. To be performed well, support for all ranks by training and proper organisation were essential. He suggested that basic requirements in this respect were, firstly, the existence of a specialised unit within the police for this function, secondly, the police must become an effective referral agency with a knowledge of all the services available from government and allied agencies; thirdly, training of all ranks to ensure that they can recognise referral situations and take appropriate action; fourthly, officers in counselling work should receive appropriate training in interpersonal communication; and, fifthly, that counselling officers must ensure that, where necessary, adequate follow-through action is taken to ensure that citizens' interests are satisfied.

As to crime prevention he observed that this was often a forgotten aspect of the police role. Crime prevention was the basic rationale for police work yet not only was it often neglected but many police officers considered it a detraction from more important tasks. If crime prevention was made the core of police work then the case for discretion and counselling to avoid situations that lead to crime assumed importance. He therefore suggested two steps for reform; firstly, police forces should enhance their capacity for advising about crime prevention by establishing special crime prevention units and, secondly, the police should expand their role as advisors to the community on the relationship between crime and social policy. The police know at first hand about the realities of life. They should therefore organise this information systematically and relate it to the problem of deviance and thus play an advising role to the nation.

Once the idea that these three aspects of policing are closely related is accepted, there arises the need to consider appropriate training. Though legalistic training would continue to be necessary, it should be supplemented by courses on the social realities policemen had to confront and the discretionary decisions they would have to make. The content and mode of training would therefore have to be reorientated. Furthermore, the form of training needed also to be examined. Traditional systems of stress-training of an inflexible nature need to give way to more flexible non-stress training as recent studies revealed that the latter method produced a higher level of efficiency, job satisfaction, and performance acceptability by persons served. It follows that the instruction of instructors at police institutions will also have to be changed.

Discussion

The discussions during this session were more active and lively because of the fundamental nature of some of the arguments

presented by Professor Bayley. There was no argument over the fact that the police were in the course of their duties exercising discretion at various levels, and furthermore, that they were hesitant as a general rule to publicly admit to this function. There was also general consensus that the police should continue to perform this function. As no speaker was in opposition to this proposition, the questions of paramount importance that evolved were therefore:

- a) how much discretion and subsequent counselling should the police undertake?
and
- b) should the police publicise this fact and if so, to what extent?

Mr. Salido contended that the police should first establish their credibility before seeking to undertake function (a) and also stated that one of the problem areas in effective performance of task (a) would be the existing professional jealousies between other government agencies undertaking counselling type functions. The chairman observed that for the police to effectively undertake this function the public should have confidence in the police. It was not sufficient for the public to think of the police as "legal agents." The police should be "moral agents," only then could there be confidence and acceptance by the public.

Mr. Rajasingam quoted the situation in his country whereby the Conciliation Board Act allowed the police to perform limited conciliatory activities. However, he admitted that training in this aspect was lacking. Mr. Khandaker suggested that "discretion" was an abstract term and could not be defined. It would therefore be difficult to lay down clear-cut terms of reference. Furthermore, the Police Rules in Bangladesh inhibited the police in acting as mediators. Professor Bayley agreed that world-wide standards could not be set up. Circumstances and scope of discretion would vary according to countries.

Mr. Krishnaswamy then expressed his opinion that though the police, the prosecution, the courts, and the correction institutions had discretion in enforcement aspects, the police had greater discretion in that not only could they decide to investigate or not investigate an "enforcement type" case, they had discretion in other non-enforcement spheres of crime prevention as they performed administrative, regulatory, mediation, and social service functions. The police could therefore be said to have the greatest discretionary power within the criminal justice system. Suitable training of police officers in the exercise of discretion was therefore important.

Judge Inoue observed that the police should have good grounds before exercising discretion. He stressed that all government servants must be careful not to abuse their powers and to ensure that they upheld and maintained their moral right to exist.

Conclusion

In view of the far-reaching nature of the problem and the fundamental nature of the issues raised, no firm conclusions could be drawn to cover the situation in all countries. From the comments and observations made by all participants, the general consensus was:

- a) that the police should continue to exercise discretion in their duties;
- b) that appropriate training should be given to policemen to undertake this job. For this purpose training should be re-examined both as to extent and mode. The suitability of specific subjects would depend on the political culture of the country concerned, together with social norms and expectation of the society;
- c) that attempts should be made to legalise or institutionalise the use of discretion by the police. As there

would be much reaction from various quarters, this process should be undertaken with patience and circumspection;

- d) that the method employed should begin with discussions from within the criminal justice system in general and the police forces in particular;
- e) that as far as public acceptance was concerned, it would be wiser to begin in one field like the use of discretion in traffic offences, etc., and to widen the scope once the public have become used to the idea;
- f) that in regard to the question of counselling, the police should in the main act as a referral agency and not seek to dominate this field.

Section 3: Force and Authority in the Police Role

Presentation

At this session Professor Bayley sought to examine national differences in the use of authority and force by police and to analyse the factors that account for these differences. He began his presentation by stating that different police forces used different levels of force to enforce their authority and that such differences were apparent even within the police of the same country. Though on the whole not much force was used by the police nor were the incidents large in number, they were significant because of public sensitivity. Thus in terms of public relations the issue of force was crucial. The area discussed in his paper was not inclusive of riot situations where the police were compelled to use force to restore law and order. This was a special circumstance. What he wished to discuss was the situation with regard to routine encounters between the police and the public. In view of the infrequent use of actual force by the police in such

routine encounters it would perhaps be more useful to discuss the amount of deference in police-public relations, i.e., the degree of respect, politeness, and civility shown by the police to the public in the course of their dealings. Force, then, may be conceived as an extreme lack of deference.

In discussing the concept of deference he suggested that there were three factors that determine the degree of deference shown by the police. He agreed however that his propositions were hypotheses and needed testing before acceptance. The factors were:

1) The greater the amount of social distance between the police and the public the greater was the possibility that the police officer will show less deference, and thus the greater the possibility that he will use force, as when the police are dealing with persons of a different race or cast, or culture, or with criminals. As a further example, in heterogeneous societies where social distance was likely to be great, there was a greater likelihood of force being used by the police regardless of the fact that no offence had actually been committed by the suspect. Social science researchers had often noted this phenomenon.

2) The lower the self-esteem of a police officer the more likely he was to employ force in his dealings with the public. Thus if his self-esteem was high, he was more likely to remain poised and not lose his temper in spite of any lack of deference by the public. Closely coupled with low self respect was the problem of low public regard. The lower the public regard the lower was self respect generally. Thus a vicious circle was created by the cycle of low public regard leading to low self-esteem and this in turn leading the police to use greater force to offset this image. The continuing use of force in turn tended to reinforce the negative public image of the police and further lower public regard. This was a major problem and effective social engineering was necessary to rectify the situation. One

possibility was an improvement of the public image through administrative action like increasing pay, etc., or adequate training to improve self respect.

3) The last factor related to cultural regard for the physical display of authority. This was a factor dependent on the cultural state of a particular community and on the regard in which physical force was held in the particular society. He cited examples of training and attitudes of the police in America, Britain and Japan. In American society the "he-man" approach was held in high esteem, whereas this was not so in Britain or Japan, where the police went about their affairs in a more unobtrusive manner.

Discussion

In the discussion that followed a number of views were put forward to both reinforce the points made by Professor Bayley and to seek solutions. Mr. Salido explained the situation in the Philippines with respect to the use of force and suggested that in his society the possibility was that restraint by the police would be construed as weakness. He felt that a "he-man" approach was therefore the solution. The chairman agreed that factor 3) mentioned above covered this aspect and much depended on the culture of the community. Mr. Krishnaswamy of India compared the training practices of India and Japan and noted that in India the emphasis was on parade ground training with the men trained as symbols of force. In Japan this was not so and training was slanted towards individual power and this tended to increase self esteem. Mr. Rajasingam suggested that amongst the qualities that increased self esteem was higher education of policemen. This was accepted by the chairman after some discussion. Mr. Kandaker expressed any misuse of the police for political purposes and the lack of moral training as factors that lowered self esteem. The chairman agreed with his observations and those of Mr. Ali Khan who suggested that a differen-

tiation should be made between the use of force during a crowd control situation and normal police responses. Judge Inoue agreed with the hypothesis presented by Professor Bayley and added further that with regard to the third factor much depended on the cultural nature of the society. In Japan it was generally accepted that rule by virtue was better than rule by force. The chairman concluded that the character of a police force depended on the society it served. By this token the Japanese police could not work in another country or vice versa. Mr. Harbans Singh suggested that the role of the police changes with changes in the society it served, especially from a colonial to a post-colonial period. He was of the opinion that this gap would be narrowed in the future. The chairman agreed with this and stated that the political climate in certain ex-colonial countries could lead to the police being continued to be used as if they were the tool of a colonial power. This could lead to a widening of any gap between police and public. The role senior officers could play was probably restricted by certain factors. Mr. Kandaker agreed with this and cited examples where the police were under the jurisdiction of the Minister of Home Affairs who was the sole arbiter of their use, unlike Japan where the police were more independent under the public safety commission.

Conclusion

The general consensus of opinion regarding the three factors discussed was:

- a) It was true that the three factors enunciated by Professor Bayley had a bearing on the use of force by the police in situations other than those covered by a public order situation;
- b) In heterogeneous societies, class, colour, creed, and other differences aggravated the problem outlined in

factor 1). Even in homogeneous societies, differences in political or religious beliefs created situations where factor 1) applies;

- c) It was important that police forces gave considerable attention to reviewing training methods and emphasis to give sufficient importance to the individual self esteem of policemen. Allied to this problem of training was the question of raising public regard through administrative action like increasing educational qualification for entry, police pay, etc.;
- d) As regards factor 3), society decided this to a certain extent. However, the example of the London Metropolitan Police should be borne in mind. The police by refraining from using force over the years changed public attitudes;
- e) The major factors that contribute to a lowering of the public's image of the police were social conditions in a community and the misuse of police by political leaders. Police officers therefore had a role to play in this respect. Political leaders were doing a disservice to their own causes and their countries by misusing the police;
- f) Though Japanese police philosophy was good, it was not always possible to transplant this ideology in other countries owing to cultural differences;
- g) Though the police are often thought of as a "containing force," they can play a creative role. Thus, though the police cannot transcend cultural differences, they can do certain things to improve society. This should therefore be undertaken by the various forces in the context of their national backgrounds.

Section 4: Police Reform and International Comparisons

Presentation

In presenting his paper Professor Bayley emphasized the element of accountability or, in other words, mechanisms that can ensure proper police behaviour. He listed police self esteem and related ethics/esprit-de-corps as crucial elements in the incidence of good or bad police behaviour. He was of the opinion that education, training, equipment pay, etc. were by themselves not adequate guarantees of right behaviour. The institutional climate of police operations should be studied because the organisation could as a whole influence individual conduct considerably. He suggested the following strategies to achieve improved police behaviour:

- 1) The responsibility for supervising and monitoring discipline must be internal and not external to police forces. The police organisation's capacity to handle this responsibility must therefore be enhanced. Any external intrusion in this sphere may be detrimental because it could lead to defensive reaction on the part of police personnel.
- 2) The climate for generating right attitudes must be created within the police by police officers themselves. This should include a willingness to punish or expose those who fall below set standards.
- 3) External measures to check on police behaviour should be reserved as a last resort when the police fail to put their own house in order through internal measures.

He further added that the police would generally tend to reflect the cultural situation prevailing in a particular region. Nevertheless there is a need for the police to set for themselves

higher standards than may prevail. Reforms can enhance the police image not only in the public eye but in their own eyes. Policemen should be trained to look upon themselves as elite personnel.

Discussion

The discussions during these sessions centred around what the police could or should do to improve their image and thus raise standards. Mr. Dikshit stated his opinion that corruption permeated all strata of some societies and enquired therefore whether the police could be singled out for improvement within the context of such a society. The chairman replied that though the police could not be separated or taken out of the context of society, they should make a certain effort to "swim upstream." He quoted the example of the Japanese police who think their own standards of conduct higher than those of politicians and businessmen. In fact the police represents one of the most convenient pressure points where social reform could begin, and the Philippines' attempt to reform the police "root and branch" was most interesting. Mr. Smith considered that police pay should not be linked to civil service salaries and that police requests for manpower should receive special attention. Mr. Khandaker suggested that there was a need for specialized study in each country of the factors that lead to corruption. Mr. Al-Hermizi was of the opinion that external supervision of the police was more harmful to the police because it reduces effectiveness. Internal leadership should be of a high standard and should not hamper discretion at lower levels. Any inefficiency could be traced to top leadership and only good police performance through example will eventually enhance the public image of the police. Dr. Bayley agreed with this view and reiterated that good leadership by senior officers was essential.

Judge Inoue in seeking to explain the reason for police self esteem in Japan stated that the Japanese regarded Government as a

source of moral authority and every public servant including the police tried to live up to this expectation. The chairman agreed with this explanation and stated that therein lay the difference in outlook between a Japanese civil servant and one from another society. Mr. Rajasingam drew attention to the idea that discipline should be collegiate and suggested that it was the cohesive factor that allowed the police to function in a pre-determined manner. The question as to whether it should be collegiate or hierarchical therefore required further study. The chairman agreed with this and added that the way discipline operated should be related to different situations in different ways.

Conclusion

At the end of the discussion, Professor Bayley remarked that on an international level the police had a lot to learn from one another. However, the police should be cautious of their ability to export practices from one country to another. There was a tendency to provide too much free advice. This was not always suitable because conditions (social and political) were not similar. It is often found that certain police advisors are biased toward their own methods and procedures which were not necessarily suitable to other countries. A study of local conditions prevailing was required before a decision was taken as to what was best copied or imported.

In conclusion he put forward four points which he considered were vital and which were unanimously agreed upon:

- 1) A great deal more information on national police practices and methods was needed to be made available internationally. Nations must therefore be more willing to be informative on their own police operations. Some

governments were reluctant to do this but to achieve results the initiative must be taken.

- 2) When studies are made of police activities in other countries more attention should be paid to everyday activities of the police and less to command structure, organisation, and equipment. In short the practical aspects of policing at street and village level in the various countries require priority in study and not the functions of central headquarters.
- 3) Any study of police activities should relate them to the social and cultural context of the country concerned.
- 4) Based on what the police are really doing, police officers, especially senior officers, must have the courage to accept the responsibility that is theirs. They are crucial in criminal justice administration and have enormous potential influence in society. They must accept, and society must be prepared to give, responsibility which they cannot really avoid.

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Page 1000