

Marching to a different tune

Political change and police transformation
in South Africa and Northern Ireland

Mark Shaw



The South African Institute
of International Affairs

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OF

-FREEDOM

Marching to a Different Tune:

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Mark Shaw

**The South African Institute of International Affairs
Jan Smuts House, Johannesburg**

**Funded by
The British Council
and
The Ford Foundation**

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ISBN 1-919810-25-0

**Printed by Natal Witness
Commercial Printers (Pty) Ltd**

www.wits.ac.za/saiia

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Marching to a Different Tune

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Introduction

Drawing comparisons between conflict and political change in South Africa and Northern Ireland is common. Both societies are regarded as 'deeply divided' and both have, in the relatively recent past, undergone complex processes of transformation to new political arrangements. The validity of the comparisons between these societies has been strengthened by some important links connecting the two, both before and especially during the peace processes. This is particularly so for South Africans contributing to the peace process in Northern Ireland, given that an end to white rule was reached before the nature of a post-conflict Northern Ireland had finally been established.

On the face of it, there are obvious parallels between the conflicts and peace processes in these two contexts, an impression heightened by actual contacts and exchanges between individual actors in each. But these parallels, while impressive on paper, have their limitations. The nature of the conflict and the transitions in the two societies is far more divergent than first appears to be the case.

The transformation of the police in South Africa and Northern Ireland is one area in which divergence becomes apparent. It is a key component of the political transition in both societies, though probably more so in Northern Ireland given the degree to which the reform of the police has been at the heart of the peace process. In both cases the reorientation of the agencies of policing is a critical aspect in measuring the overall success of the transitional arrangements.

In both contexts the police have been considered by a significant minority in Northern Ireland and by a majority in South Africa as agents of oppression; now the challenge is to change the institutions of the police effectively to serve the citizenry as a whole. Yet there are significant differences in the approaches taken to police transformation in each context. In part the reason for this is the differences in the conflicts, and thus in the processes of peacemaking, which have characterised the two societies. Despite these differences, policing change during periods of dramatic political (and related economic and social) transition merits some attention. A good deal of focus has been given in the academic literature to the nature and problems of policing divided societies such as South Africa and Northern Ireland. Indeed, it is in this context that the two societies have been compared. Yet a body of literature on the nature and challenges of police transformation in such societies is only now developing. In that respect a comparative study of policing change in these two societies, despite their differences, may hold lessons for other countries struggling with similar challenges.

Despite the wider significance of such a study, the process of police transition in both South Africa and Northern Ireland has been determined by the nature of the political transition in each context. These have been radically different, yet the differences between them are instructive. As John McGarry and Brendan O'Leary note in one of the most important recent studies of Northern Ireland: 'Comparison is a key way of overcoming ethnocentricity, and even where comparisons are discovered to be inappropriate they may be as revealing as those in which directly persuasive analogies can be found.'¹

A comparative study of police change in South Africa and Northern Ireland is a case in point, since they are not uniformly analogous in this respect. While the internal mechanics of police change (such as how the process is managed and who is affected) are often similar, the contexts in which policing change has and is

¹ John McGarry and Brendan O'Leary, *Explaining Northern Ireland: Broken Images*, Oxford, Blackwell, 1999, p. 305.

occurring are different. At the most basic level the scale of the processes differ: Northern Ireland has a comparatively smaller police agency (about one tenth of the size) and a much smaller population and geographic area than South Africa.

In South Africa, policing transformation took place in a much more *ad hoc* manner than is currently occurring in Northern Ireland. This is partly because the political transition ensured a reasonably clear transfer of power from one order to the next, under which the nature of future policing arrangements was subsumed. Indeed, senior police management played an important role in shaping the new structural arrangements for policing, not necessarily following the line taken by their erstwhile political masters.

Simply put, police change in South Africa was subordinated to an overall process of political change (although the role of the police in negotiating their own future should not be ignored). In Northern Ireland, in contrast, the process of policing change is central to the political settlement itself, largely because 'winners' and 'losers' in the Northern Ireland context are less clear than in South Africa and the police are seen as an important form of protection by one community and a potential source of grievance by the other in the post-settlement arrangement.

In Northern Ireland the centrepiece of the police change process has been the appointment of an independent commission to review the requirements for policing change. This has meant that the details of police transformation have been determined less through negotiations between opposing parties (although the choice of a commission was itself the product of negotiations) or by the police themselves and more by the inputs of a group of reasonably impartial observers. Unsurprisingly then, the outcome of the review has been a highly politicised process: the degree to which the recommendations will or will not be implemented has assumed critical importance, threatening to disrupt the finely balanced peace process itself.

Yet in the case of South Africa, because police change was subsumed under the political transition as a whole, and negotiations concerning what the new police should look like were in effect the

purview of only a few, long-term policing transformation may have been disadvantaged. In part this is because police change was inherently a political process not open to public inputs. It thus sought to satisfy political criteria, such as the degree to which authority for policing should or should not be devolved and the political implications thereof. An opportunity was missed to gain wide-scale community input, as was the case in Northern Ireland, as to how people wished to be policed in the future.

This comparison points to at least one early and obvious conclusion. That is, that the higher the degree of stalemate — where neither side is seen as the clear winner, such as in Northern Ireland — the greater the conflict over the police. This goes to the heart of the problem of policing divided societies where the police have a history of being used as instruments of oppression (in the minds of the dominant community, protection) by some and of focusing on the control of those in a subordinate position. Negotiations over policing change in this scenario therefore become a contest between ensuring that the interests of both groups are (or at least are seen to be) protected.

Linked by conflict and compromise

In South Africa, after a period of intense and violent conflict during the 1980s, liberation movements were unbanned in 1990, and negotiations about negotiations begun. A ceasefire was announced and the process culminated in an intensive period of talks in 1993, which included discussions on the shape of the post-apartheid police, and the holding of the country's first democratic elections in 1994.² Subsequently a new Police Act provided a detailed structure of the new police service and related structures of accountability.

² For overviews of the South African transition see: Steven Friedman (ed), *The Long Journey: South Africa's Quest for a Negotiated Settlement*, Johannesburg, Ravan, 1993; Steven Friedman and Doreen Atkinson (eds), *The Small Miracle: South Africa's Negotiated Settlement*, Johannesburg, Ravan, 1994; Allister Sparks, *The Past is Another Country*, Johannesburg, Struik, 1994; and, Patti Waldmeir, *Anatomy of a Miracle: The End of Apartheid and the Birth of the New South Africa*, London, Viking, 1997.

In Northern Ireland the peace process got underway earlier and has yet conclusively to end. Arguably begun with the Anglo-Irish Agreement of 1985, talks about talks continued intermittently until the breakthrough of the Downing Street Declaration in December 1993. This was followed by a declaration of ceasefires by both Republican and Loyalist groups during the course of 1994. These subsequently broke down, were reinstated and a negotiated outcome was achieved with the signing of the Belfast Agreement in April 1998.³ The Agreement made provision for the devolution of power to Northern Ireland through the election of a Northern Ireland Assembly as well as the establishment of a commission to review the status of policing in Northern Ireland, aspects of which were later translated into legislation. (See Appendix 1 for a fascinating overview of this process.)

Almost uniquely, these two transitions have been connected not only by attempts to overcome deep divisions within each society, but also by ongoing connections between actors within each transition.⁴ These have almost all been directed from South Africa, given the perceived success of that country's own journey to democracy, towards Northern Ireland.

Most notably, the recent and high profile role played by Cyril Ramaphosa, former Secretary General of the African National Congress (ANC), as one of two international figures responsible for inspecting Irish Republican Army (IRA) arms dumps, has served to highlight possible comparisons between the peace processes in the two societies. While Ramaphosa is the most visible element of the

³ For an overview of the Irish peace process see: Paul Bew and Gordon Gillespie, *Northern Ireland: A Chronology of the Troubles 1968–1999*, Dublin, Gill and MacMillan, 1999; Eamonn Mallie and David McKittrick, *The Fight for Peace: The Inside Story of the Irish Peace Process*, London, Manderin, 1997; and, Brendan O'Brien, *The Long War: The IRA and Sinn Féin*, Dublin, O'Brien Press, 1999.

⁴ See Helen Brocklehurst, Noel Stott, Brandon Hamber and Gillian Robinson, 'Lesson Drawing from Negotiated Transitions in Northern Ireland and South Africa', Paper prepared for the Annual Meeting of the American Political Science Association, Marriot Wardman Park, 31 August – 3 September 2000.

connection, a variety of 'peace links' have been spawned between South Africa and Northern Ireland.

Most important in the context of this study, is the fact that the Royal Ulster Constabulary (RUC) has been co-operating with the South African Police Service (SAPS) to learn some lessons for its own transition to policing a post-settlement society. RUC officers have visited South Africa and senior SAPS managers have paid a short visit to Northern Ireland and compared experiences.⁵ (Appendix 2 contains a summary of this interaction.)

Earlier the Independent Commission on Policing for Northern Ireland (generally referred to as the Patten Commission after its chairperson)⁶ and the Criminal Justice Review, both bodies established under the terms of the Belfast Agreement, visited South Africa in search of lessons. Indeed, one member of the Patten Commission, Professor Clifford Shearing was a South African. Shearing, from the Universities of the Western Cape and Toronto, was a controversial appointment for Unionists, who had noted with *unease his earlier writings on community justice initiatives in South Africa.*

In the annual marching season this year, South African mediator, Brian Currin, sought to negotiate between parties to the now ritual stand-off at Drumcree. Here, the Protestant Orange Order have sought to secure 'their right' to march down the same road as they have done for generations. Since the Garvaghy Road now runs through fiercely Republican territory, the march was blocked by the ruling of the Parades Commission — an independent body designed to rule on where and when such marches can take place. Currin, with wide experience of resolving conflict through negotiation in South Africa, was well-qualified, although the deadlock was ultimately not resolved through negotiations. But Currin's role

⁵ The interaction was largely the result of one Durban-based NGO, The Independent Projects Trust, and was funded through the British Foreign and Commonwealth Office and The British Council.

⁶ *A New Beginning: Policing in Northern Ireland*, The Report of the Independent Commission on Policing in Northern Ireland, September 1999.

highlights the fact that at least one of the reasons for the relative prominence of South Africa and South Africans in the Northern Ireland peace process is a perception that the country has successfully managed her own transition and is now in a position to make an input into others.

Equally important, however, are the links between Sinn Féin/IRA and the ANC and, in the words of one commentator, 'the awe in which the ANC is held among republicans'.⁷ In turn, 'the ANC has treated the objective of a united Ireland as the goal of an anti-colonial struggle analogous to their own against minority rule and deserving of the ANC's solidarity without consideration of any benefits.'⁸ Thus, on 23 June 1990, when Nelson Mandela, then Vice-President of the ANC, was asked about the IRA at a press conference in New York, he replied that 'every community is entitled to fight for the right to self-determination'. Early the next month in Dublin, Mandela called for talks between the British government and the IRA. Both statements were widely denounced but were welcomed by Sinn Féin.⁹

South African media coverage of developments in Northern Ireland has lauded (and probably exaggerated) the role played by South Africans in securing a peace deal. In 1997, a conference in South Africa for all parties to the Northern Ireland peace process sought to draw lessons from the South African transition, which could be applied to ongoing debates in Belfast, London and Dublin.¹⁰ These perhaps have less impact than is claimed. In the words of two participants in the peace process: 'Trips abroad sponsored by international non-governmental and inter-governmental

⁷ Adrian Guelke, 'Goodbye to all that', *Fortnight*, June 2000, No 386, p. 11.

⁸ Adrian Guelke, *South Africa in Transition: The Misunderstood Miracle*, London, I. B. Tauras, 1999, p. 154. See also Adrian Guelke, 'The Influence of the South African Transition on the Northern Ireland Peace Process', *South African Journal of International Affairs*, Vol 3, No 2, 1996.

⁹ Bew and Gillespie, *op. cit.*, p. 237.

¹⁰ See Padraig O'Malley, *Northern Ireland and South Africa: Conflicts Without End, Guns Beyond Use*, Supplement to *Fortnight*, June 2000, No 386.

organisations had provided opportunities for interpersonal contact, but the potential, certainly between Sinn Féin and Ulster Unionist Party (UUP) members, was not realized on returning to Northern Ireland.¹¹

Selected senior South African politicians, notably the National Party's chief negotiator Roelf Meyer and the ANC's Mac Maharaj have visited Dublin and Belfast to persuade the parties to keep on track. By all accounts, this influence, most clearly from members of the ANC, has been critical both in persuading rank and file members of Sinn Féin to accept a ceasefire, and in putting the ANC in a position to suggest when the process broke down over the issue of decommissioning, that the initiative lay with the IRA to take steps to resuscitate the Good Friday Agreement.¹²

There seems little doubt, then, that South Africans have played a productive role. There is in the words of one South African academic working in Belfast, however, a certain 'element of romanticism' in the relations between Sinn Féin and the ANC.¹³ Thus for example, journalist Brendan O'Brien in a recent overview of Sinn Féin and the IRA's engagement in the peace process suggested important links to the ANC's experience in South Africa: 'Britain wanted a cessation [of violence] first and talks second, whereas the Republican movement wanted talks in order to bring about a cessation. Their model was the African National Congress in South Africa, which engaged in constitutional negotiations without formally ending armed struggle'.¹⁴ That reflects in part the 'validation comparison' that South Africa provides to the Republicans to the

¹¹ Monica McWilliams and Kate Fearon, 'Problems of implementation', in Clem McCartney (ed), *Striking a Balance: The Northern Ireland Peace Process, Accord*, Issue 8, 1999, p. 64.

¹² Guelke, *op. cit.*, June 2000.

¹³ *Ibid.*

¹⁴ O'Brien, *op. cit.*, p. 242.

effect 'that they have been engaged in a noble anti-colonial cause analogous to the ANC's struggle for democracy.'¹⁵

These links and some of the media hype around them have exaggerated the similarities between the conflicts and largely ignored their differences. Thus, drawing parallels between Unionists in Northern Ireland and whites in South Africa is nothing new.¹⁶ Nationalists were apt to 'draw damaging parallels between the social vision of unionists and the whites of South Africa'.¹⁷ Expressions of solidarity with the ANC, for example in the form of wall murals in republican neighbourhoods (such as the one depicted on the cover of this book), have been a feature of republican politics.¹⁸

These comparisons made political sense; they identify the struggle of Nationalists in Northern Ireland with the moral purpose and success of the struggle of the majority of South Africans for an end to apartheid. Surprisingly though, unionists have identified themselves with white South Africa.

A recent and acclaimed book on Northern Ireland Protestants illustrates the point. Working class loyalists identified strongly with those elsewhere in the world who were perceived to be embattled. A working class loyalist activist is quoted as saying: 'The Israelis and

¹⁵ Guelke, *op. cit.*, June 2000. For the ANC's view of the Northern Ireland conflict see, Guelke, *op. cit.*, 1999, p. 154.

¹⁶ These comparisons have perhaps been reinforced by connections between apartheid South Africa and loyalist terrorist groups. In the late 1980s, for example, South African government agents concluded a deal with loyalist paramilitary groups whereby in exchange for the obtaining of missile parts from the Shorts aircraft factory in Belfast a shipment of arms would be supplied to three Protestant paramilitary groups, the Ulster Volunteer Force (UVF), the Ulster Defence Association (UDA) and an organisation that had been established to fight the Anglo-Irish Agreement of 1985, known as Ulster Resistance. While arms supplies to the UVF and UDA were intercepted, those that reached Ulster Resistance were subsequently shared among the three groups. These weapons allowed a loyalist escalation of the violence in the following number of years. See Jack Holland and Susan Phoenix, *Phoenix: Policing the Shadows*, London, Hodder and Stroughton, 1996, pp. 236-237.

¹⁷ Fionnuala O'Connor, *In Search of a State: Catholics in Northern Ireland*, Belfast, The Blackstaff Press, 1993, p. 195.

¹⁸ McGarry and O'Leary, *op. cit.*, p. 313.

the white South Africans are in a very similar situation to us...there's the IRA, the Palestine Liberation Organisation and the African National Congress, and I detest all three of them.'¹⁹

In truth, however, nationalists are far more likely to be comfortable with the comparison than are unionists, particularly since the end of apartheid. In the words of one commentator: 'Mindful of the comparisons' which have been made between Protestants in Northern Ireland and whites in South Africa, the Protestant Orange Order 'had appropriated the anti-apartheid stance'.²⁰ For nationalists however, the connection remains a powerful one, not only in securing the moral high ground, but more importantly given the current context of Northern Ireland, because the ANC achieved its goals through a negotiated settlement.

Academic comparisons between the position in South Africa and Northern Ireland have also been made. Perhaps the most important of these, driven by the efforts of academics based in South Africa, was a comparative study of the reasons for the intractable nature of the conflicts in Northern Ireland, Israel/Palestine and South Africa.²¹ Interestingly, the book contained a chapter on policing divided societies.²² Most critically, the challenge for reform in South Africa was seen less as one of decolonisation as in the case of the rest of Africa but as a 'deeply divided society', similar to that in Northern Ireland and Israel/Palestine. 'One of the attractions of comparing the three situations', Adrian Guelke has argued, 'was that it facilitated departure from the zero-sum thinking which had tended to

¹⁹ Susan McKay, *Northern Protestants: An Unsettled People*, Belfast, The Blackstaff Press, 2000, pp. 96–97.

²⁰ *Ibid.*, p. 143.

²¹ Hermann Giliomee and Jannie Gagliano (eds), *The Elusive Search for Peace: South Africa, Israel, Northern Ireland*, Cape Town, Oxford University Press, 1990.

²² John Brewer, 'Policing', in *Ibid.*, pp. 78–94.

characterise the attitude of the principal parties in each of the three cases.²³

Perhaps for these reasons there has been a surprising degree of interaction between South Africans and the Northern Ireland peace process. Ironically, however, the aptness of the comparison may have been more appropriate when the societies were in a state of conflict rather than when peace processes had been initiated in each. The process of achieving peace in each case has led to diverging paths: South Africa (further ahead than either Northern Ireland or Israel in its transition to peace) is confronted with the legacy of apartheid and the challenge of development in an unstable region of the world, and Northern Ireland with a shaky political compromise within the wider context of the closer ties (and declining national identities) being forged through European integration.

Political transition and policing change

The very real differences between the transitions in the two societies have, in both cases, had a critical impact on the nature of police change.²⁴

Perhaps most critical is the role that external actors have played in the transition in each case. In Northern Ireland, two prominent 'external' players, the British and Irish governments have been key determinants in the management of the peace process. As Hermann Giliomee has argued in a comparative study (see above) of the prospects for peace in Northern Ireland, South Africa and Israel: 'To be sure, Northern Ireland is rarely an item for debate in international forums, yet of the three societies discussed in this book, it is by far the most affected by external interference. This profoundly shapes the

²³ Guelke, *op. cit.*, 1999, p. 8.

²⁴ A number of excellent comparative analyses have already been written on South Africa and Northern Ireland. Apart from the work of Guelke cited above, see John McGarry, 'Political Settlements in Northern Ireland and South Africa', in *Political Studies*, Vol XLVI, 1998; and, Alexander Johnson, 'Politics, Violence and Reconciliation in Northern Ireland and South Africa', *South African Journal of International Affairs*, Vol 4, No 2, 1997.

hopes and fears of the disputants as they consider their political options.²⁵

Writing in the same comparative volume as Giliomee, R W Johnstone argues that 'in South Africa, more than is the case in [Northern Ireland and Israel], a compromise solution will have to be generated internally by the main adversaries, with little or no assistance from the outside.'²⁶ Indeed, this turned out to be the case.

Northern Ireland, then, has simply not been an example of, as in South Africa, the parties coming together to negotiate peace urged on (or pressured) by outsiders. In Northern Ireland, the 'outsiders' are themselves players in the peace process. In effect, the conflict is characterised by a 'nationally divided society... divided between two national communities who want to be ruled by their respective nation-states', unionists by Britain and nationalists by the Republic of Ireland.²⁷

Importantly for the process of police transformation, the debate on and eventual passing of legislation concerning the future of policing took place in the House of Commons in London and not in the Assembly in Belfast. Both prominent Northern Ireland parties who have taken up their seats in the House of Commons, the UUP and the Social Democratic and Labour Party (SDLP), were uncomfortable with some of the provisions of the proposed legislation, yet it was passed anyway given that the UUP and the SDLP make up only a tiny proportion of the overall number of seats in the House. In South Africa, in contrast, the future of the police was decided among South Africans and passed by the new South African Parliament.

The external role of the United Kingdom and the Republic of Ireland has further implications. In South Africa the minority (white)

²⁵ Hermann Giliomee, 'The elusive search for peace', in Giliomee and Gagliano, *op. cit.*, p. 303.

²⁶ The words are Giliomee's in an introduction reviewing the content of the book. Hermann Giliomee, 'Introduction', in *Ibid.*, p. 7.

²⁷ Brendan O'Leary and John McGarry, *The Politics of Antagonism: Understanding Northern Ireland*, London, The Athlone Press, 1996, p. 341.

and majority (African) communities clearly understand and agree on the boundaries of the other. In the case of Northern Ireland, disputes over who is in the 'minority' and who in the 'majority' community underpin the very nature of the conflict. While unionists are technically a majority in the north, they are a minority in the Republic of Ireland as a whole. And, while Catholics are a minority in Northern Ireland they are in a majority in Ireland itself.

Accepting the established boundaries of Northern Ireland does little, however, to advance the comparison with South Africa. In the words of McGarry and O'Leary: 'The analogy is inexact in so far as Northern Ireland was the site for majoritarian oppression of a minority, and because the minority was not formally excluded from citizenship. It also poses problems for republicans, as the South African conflict has been in part a conflict between natives and settlers, rather than between a nation and foreign imperialists [as the conflict has been understood by many republicans]. There are some African nationalists in South Africa (particularly in the Pan African Congress) and some republicans in Northern Ireland who regard their ethnic enemies as aliens ripe for "repatriation" on the nearest available boats or aeroplanes, but these "arguments" are incompatible with the formally dominant ideology in Sinn Féin (and the ANC) which is civic and inclusive.'²⁸

Who is in the 'majority' and who in the 'minority' has had some important implications for policing in both societies. Perhaps most important is the fact that white South Africa could not have policed the majority without recruiting Africans to the police force. That meant that the South African Police (SAP) has almost always been majority African (although white officered) while apartheid created satellite police agencies in each of the bantustans. To a significant degree policing change in South Africa, at least in its early stages, involved the incorporation of 11 police agencies into one, the South African Police Service (SAPS).

In the case of Northern Ireland, in contrast, a significant point of debate continues to be the degree to which Catholic people are

²⁸ McGarry and O'Leary, *op. cit.*, pp. 313–314.

represented within any new police service. Of course, debates in South Africa centered on the speed at which affirmative action for Africans should take place within management ranks, but these were muted in comparison. In reality, there was often more tension within the SAPS as to the slowness of promoting African officers, rather than external debates as to how large numbers of African people would be accommodated in the new police service. In short, debates here were about promotion of existing officers, not the entry of new ones, although there were a few important exceptions.

In the longer term, the fact that policing change in South Africa has entailed so little external recruitment to the SAPS could have important implications. One of the most important being that the overall culture of the police has been slow to change. Another is that demands for affirmative action have in large part been accommodated by the creation of new positions rather than the vacation of old ones. One result has been the onset of rank inflation — there are more sergeants than constables, for example — and (with many people with similar ranks) confused lines of command.

The 'threat' faced by each of the two police agencies also provides an important point of contrast. In both South Africa and Northern Ireland conflict has been characterised by violence emanating from three sources: those engaged in a self-styled war of liberation, the IRA and the ANC; violent responses from the state to the 'liberation war', including the engagement of some state actors in unconstitutional actions; and violence from those within the ruling or dominant community (the white right-wing or Protestant loyalists) who are opposed to change.

Right-wing or loyalist violence contains some important similarities but also some important differences. Guelke suggests the following similarities: 'In both cases there were numerous instances of violence being directed in a totally indiscriminate manner against members of the subordinate community. Another similarity between the paramilitaries in the two cases was their links with elements in the security forces, especially within the lower ranks of those drawn from the dominant community. In both there were allegations of collusion between the security forces and right-wing paramilitaries

that led to suspicion being cast on the role and attitude of government, though the most common charge against government was of failure to control rogue members of elements of the security forces.²⁹

Guelke however recognises that these similarities between the two cases are outweighed by some significant differences. Most notably, the scale of right-wing violence in South Africa (despite the campaign of bombings in the run-up to the first democratic elections in April 1994) was not close to the scale of that perpetrated by loyalist paramilitaries in Northern Ireland. Indeed, officers from the RUC repeatedly mentioned that the scale of violence perpetrated by the loyalists was one of the key factors bringing nationalists to the negotiating table. This could never have been true in South Africa.

Guelke argues that historically the threat of force by the Ulster Volunteer Force helped prevent the imposition of Irish home rule before World War One, effectively creating a precedent for the use of violence to influence the British government. In contrast, the National Party rejected an overtly violent road to power and achieved control of government through constitutional means. Indiscriminate violence against the African majority was mostly hidden from public view, was less organised and more ingrained in the nature of South African society. Moreover, 'the numerical preponderance of the subordinate community in South Africa meant that indiscriminate violence against members of the subordinate community appeared (and was in practice) more obviously self-defeating than in a situation where the subordinate community was a minority.'³⁰

At the same time, the South African state's campaign of overt and covert violence was effective enough to ensure that white citizens (largely isolated from the lives of their African counterparts) were not, with only a few exceptions, victims of inter-racial violence. Also, reform in South Africa had a broad mandate from the white

²⁹ Guelke, *op. cit.*, p. 85.

³⁰ *Ibid.*

population since a government elected by whites carried it out. In Northern Ireland the imposition of direct rule in 1972 resulted in the unionist community losing its ability to steer the process and outcomes of change, even if these were in line with what they had desired to achieve.

In South Africa, the process of change was driven in part by a recognition among whites that the system was unsustainable. In order to ensure their future it was in their interest to initiate and control a process of change (although they may not have grasped how far-reaching change would be) rather than having it forced upon them. It was not anticipated by many whites nor by their leaders that change would assume a dynamic of its own in the country by 1993, as the government seemed all-powerful at the end of the 1980s.

These contrasts have important implications for the police. While the SAP engaged in the policing of the white right-wing to a limited extent, this was generally more of a terrorist threat (and even then a relatively small one) than a public order one. There was less a sense of the police holding the middle line and facing challengers on two fronts as in Northern Ireland.

In Northern Ireland now and in recent years, the greatest public order management problems do not come from nationalists but from Orange Order marches, which have consistently raised tensions as the peace process has progressed.³¹ While there are some parallels in the South African context, they are nowhere near the same scale, nor have they been as likely to lead to loyalties being as divided as has been the case in Northern Ireland. It is much more likely given these factors that the process of policing change is potentially liable to be more contested and difficult in Northern Ireland than in South Africa.

Achieving peace in both South Africa and Northern Ireland required compromise from the parties to the conflict and to some

³¹ See Dominic Bryan, 'Drumcree and 'The Right to March': Orangeism, Ritual and Politics in Northern Ireland', in T G Fraser (ed), *The Irish Parading Tradition: Following the Drum*, New York, St Martin's Press, 2000.

extent this resulted from a stalemate in both cases, leading the parties to believe that they could achieve more through engaging at the negotiating table than from continued violence. It could be argued, however, that to some extent the stalemate between the two parties in Northern Ireland was transferred into the settlement agreement to a much greater degree than in South Africa.

Stated more directly, there has been no clear 'victor' in the conflict in Northern Ireland, unlike in South Africa. This is of course both a feature of the comparatively small number of whites in South Africa and the degree to which the racial ideology of apartheid had become morally bankrupt. But, given in particular the economic power wielded by whites, it would not have been impossible to see a settlement (such as one which built in particular safeguards or vetoes for the white minority) which could have transferred the stalemate more directly from battlefield to parliamentary chamber in South Africa.

The nature of the settlement was instead heavily influenced by the ANC's insistence on a set of clear principles, which included the rejection of minority powers based on race or other criteria, and perhaps *more importantly* by a belief among National Party strategists (based on survey evidence of voter perceptions) that they would win a significant enough portion of white, coloured, Asian and African votes to continue to be an effective political player, perhaps even retaining power.³² It is only a matter of conjecture what choices would have faced the National Party negotiators if they had known the number of votes the ANC would garner in the first democratic elections.

In Northern Ireland, the position was different, with all parties having a relatively clear understanding of the numerical strength of the other. Thus, the final settlement arrangement reflected the opposing parties. This has ensured that continued negotiations around (and disputes over) the Belfast Agreement often seem able to

³² See Rupert Taylor and Mark Shaw, 'The Dying Days of Apartheid', in Alletta Norval and David Howarth (eds), *South Africa in Transition: New Theoretical Concepts*, London, MacMillan, 1999.

undercut the peace deal itself. In South Africa it would be virtually impossible to revert to white rule, whereas in Northern Ireland the peace agreement could be relatively easily destroyed, *although this is arguably decreasingly likely as the parties each acquire a stake in the process.*

One outcome of the negotiated stalemate in Northern Ireland is that it does not always appear to be obvious to extremists on both sides of the conflict why they should be at the negotiating table at all. To secure their participation, the peace agreement often seems deliberately ambiguous, allowing parties to interpret it to their own benefit to placate their supporters. In the words of two members of the Women's Coalition, a party not clearly positioned on either side of the sectarian divide, 'The Agreement is hugely ambiguous and by no means a perfect product, but it has what some have termed a "protective ambiguity" which provides some freedom of interpretation necessary for it to be sold to the opposing constituencies. When put to the people in a referendum it was overwhelmingly endorsed, but the result was hard won. It required many different factions who had been hostile to each other to pull together and promote the flawed product to the people in the face of a vociferous "No" campaign. But the freedom of parties to interpret different provisions to their own advantage at the expense of their enemies, while tactically useful at the time of the initial campaign has proved to be a double edged sword.'³³

While this may have been of some advantage when deals were being struck, 'fudged' wording allowing both players to claim a victory, has made implementation of the Agreement considerably more difficult. Indeed, one of the greatest dangers of the peace agreement in Northern Ireland is that it is interpreted by opposing players to mean different things — for nationalists it is a step on the road to a united Ireland, to unionists it signifies a secure connection to Britain and the recognition of the boundaries and the reality of 'Northern Ireland' itself. The degree to which the overall agreement is ambiguous (although this applies less to the process of police

33McWilliams and Fearon, *op. cit.*, p. 60.

transformation itself) has important implications for policing the society as will be explored below.

By the very nature of some of the factors outlined above, peace in Northern Ireland has entailed recognising the divisions that drove (and were generated by) the conflict. Thus, the new Northern Ireland Assembly is essentially a bipolar one having a legally instated division with a majority required on both sides of the Assembly for a motion to be passed or a decision made.

As such, the Belfast Agreement contains 'arrangements to ensure key decisions are taken on a cross community basis; either parallel consent, i.e., a majority of those members present and voting, including a majority of the unionist and nationalist designations present and voting; or a weighted majority (60%) of members present and voting, including at least 40% of each of the nationalist and unionist designations present and voting. Key decisions requiring cross community support will be designated in advance...'.³⁴

Elsewhere the agreement stipulates that '[a]t their first meeting, members of the Assembly will register a designation of identity — nationalist, unionist or other — for the purposes of measuring cross-community support in Assembly votes...'.³⁵ Indeed, such provisions made it difficult for parties, such as the Alliance Party and Women's Coalition, who wished to bridge the community divide, to determine whom they should 'register' themselves as representing. An assessment of the Belfast Agreement has noted that '[t]hese arrangements did not satisfy those who feel uncomfortable with either identity. They argued that the divisions in the community are *being entrenched*. Nonetheless their inclusion provides reassurance to the two major sections of the community.'³⁶ [Author's emphasis.]

Such an arrangement in South Africa would have been equivalent to ensuring a guarantee of minority rights or recognising

³⁴ 'The Belfast Agreement', in Clem McCartney (ed), *Accord: Striking a Balance, The Northern Ireland Peace Process*, Issue 8, 1999, p. 73.

³⁵ *Ibid.*

³⁶ Dermot Nesbitt, 'An assessment of the Belfast Agreement', in *Ibid.*, p. 52.

divisions between African and white in the construction of a post-apartheid constitutional framework. In fact, exactly the opposite has happened, with the South African constitution and settlement explicitly arguing for a move away from division along the lines of race and ethnic identity, although in reality these divisions remain. In sum, the post-settlement arrangements in South Africa have been a questionably successful attempt to overcome differences of race and ethnic identity, while in Northern Ireland the route to peace entailed the explicit identification of (and legislating for) the society's divisions.

It is therefore clear that the outcomes of the two processes in South Africa and Northern Ireland have fundamentally different implications for the building of conflict-free societies and therefore for the role of the police in doing so.

There is some basis, however, for comparing policing in the two societies before the transition process began. For some communities in South Africa and Northern Ireland policing took on particular connotations against this background. In fact a number of similar characteristics of policing in the two societies can be identified. It is these characteristics that require change in and through any process of transformation.

The process of police transformation

In divided societies the police are closely associated with both the dominant community and the political system they represent. Thus, in South Africa the police were a key component in the enforcement of apartheid laws and the defence of the apartheid state.³⁷ Policing also meant very different things to whites and Africans. Policing in white areas was much closer to a 'normal' model of law enforcement present elsewhere. The police aimed to reduce levels of crime and investigated individual instances of criminal activity. While concepts

³⁷ For the nature of the police under apartheid see: John Brewer, *Black and Blue: Policing in South Africa*, Oxford, Clarendon Press, 1994, and, Gavin Cawthra, *Policing South Africa: The SAP and the Transition from Apartheid*, Cape Town, David Phillip, 1994.

such as community policing were foreign to South Africa at the time, there were generally good links between the local police and the local white establishment.

While policing of white communities was outwardly 'normal', it was based on a racial premise: that mainly Africans committed crime and were to be excluded from white suburban areas, unless under tight bureaucratic supervision. In addition, the general militarisation of the police also reflected on the policing of white society; over time, and given that in many cases police stations in white areas were responsible for day-to-day policing for whites, or for providing support in the case of civil unrest, the police was more paramilitary in nature, at least in terms of dress, vehicles and training.

In Northern Ireland,³⁸ particularly in the period of unionist rule, policing was overwhelmingly dominated by Protestants. At the time the RUC was tied to the Ministry of Home Affairs whose senior officials were 'strident defenders of Protestant interests and whose policies with regard to law and order were sometimes purely political and prejudiced against Catholics.'³⁹

Significant police reforms were implemented after 1969 when a series of inquiries were made after a number of incidents involving the police which were critically covered by the media. The most important of these was the Hunt Committee which made a number of key recommendations. These included a programme to recruit Catholics, the expansion of community relations programmes and the improvement of systems of accountability through the establishment of a Police Authority.

³⁸ On the police in Northern Ireland see: Ronald Weitzer, *Policing Under Fire: Ethnic Conflict and Police Community Relations in Northern Ireland*, Albany, State University of New York Press, 1995; Chris Ryder, *The RUC 1922-1997: Force Under Fire*, London, Manderin, 1997; John Brewer with Kathleen Magee, *Inside the RUC: Routine Policing in a Divided Society*, Oxford, Clarendon, 1991; and, Graham Ellison and Jim Smyth, *The Crowned Harp: Policing Northern Ireland*, London, Pluto, 2000.

³⁹ Ronald Weitzer, 'Policing and Security', in Paul Mitchell and Rick Wilford (eds), *Politics in Northern Ireland*, Boulder, Westview Press, 1999, p. 171.

Unsurprisingly there was resistance to these developments within the RUC. When Britain assumed direct rule in 1972, however, significant changes were possible. The most critical of these was that in the period from 1970 to 1976, the British army replaced the RUC as the most important counter-terrorist force in Northern Ireland. But, as Weitzer has noted, in reality such changes were 'conditioned and constrained by some strong countervailing factors, such as police resistance to reform, opposition from influential conservative groups (i.e. the unionist parties), continuing political instability and ethnic strife, and a high level of political violence, including frequent attacks on the security forces.'⁴⁰

Such factors are common to both societies and in both cases resulted in police agencies with a militarised structure and organisation. This was probably more apparent in South Africa where policing had built largely on old colonial models of 'fire-force' policing, and police officers bore military ranks, and which, in the case of policing of the African population, was manifestly military in nature. In both societies, patrolling police officers, particularly during periods of heightened conflict, were heavily armed, traveled in armed vehicles and interacted very little with subordinate communities who were policed more for control than crime prevention.

Importantly in both police agencies the role of intelligence work assumed great importance in the context of the 'war against terrorism'. In both agencies Security Branch (the same term was used) recruited the brightest officers and assumed the most senior place in the internal police pecking-order. In South Africa, for example, during apartheid rule, almost all national police commissioners were appointments from the Security Branch. Informers were recruited from subordinate communities and from

⁴⁰ *Ibid.*, p. 172.

within the organisations which claimed to represent them.⁴¹

Over time, however, the role of Security Branch changed the nature of policing considerably, giving ordinary police work a more sinister and secretive dimension. In both cases the worsening of the conflicts brought greater military participation as well as the establishment of shady units, which appeared to operate on the borders of legality.⁴² Questions of state security always subsumed issues of ordinary crime, although in both cases ongoing conflict blurred the distinctions between what were 'criminal' and what were 'political' acts.⁴³

The police themselves were liable to exploit this cross-over for their own purposes. In Northern Ireland, for example, ordinary criminals were vulnerable to blackmail, and were promised that they would not be prosecuted if they agreed to supply information on activities and particular individuals living in their area. In South Africa, particularly in the Western Cape, criminal gangs were used to disrupt political activities violently as well as to supply information on political activists.

It would be stating the obvious to point out that in such a context systems of police accountability, particularly in subordinate communities, were weakly developed. In South Africa this was particularly so — ordinary African citizens were harshly treated by the police and had little recourse to the law, although in some cases the courts intervened. The police's reporting line was directly to the notorious Ministry for Law and Order. This was not a civilian body

⁴¹ In recent years there have been a number of individual accounts of the role played by informers in Northern Ireland, although not all of these relate to the activities of the RUC. They however give useful insights into the nature of policing the conflict. See: Raymond Gilmour, *Dead Ground: Infiltrating the IRA*, London, Little Brown, 1998; Eamon Collins, *Killing Rage*, London, Granta, 1997; Martin McGartland, *Fifty Dead Men Walking*, London, Blake, 1998; and, Sean O'Callaghan, *The Informer*, London, Corgi, 1999.

⁴² In the case of South Africa see Taylor and Shaw, *op. cit.*

⁴³ See Jacques Pauw, *In the Heart of the Whore*, Johannesburg, Southern, 1991 and Pauw, *Into the Heart of Darkness: Confessions of Apartheid's Assassins*, Johannesburg, Jonathan Ball, 1997.

(although this would not have made much difference), but one staffed by police officers. The Minister was a member of the (whites only) parliament elected in (whites only) elections. Accountability of any form between ordinary Africans and the police was non-existent.

The same applied to the various homeland police forces, which, if anything, were considered as harsh as the SAP in their approach and methods. These police agencies were satellites of the SAP, having being trained in similar ways and in many cases officered by former (white) members of the SAP. Homeland police forces generally reported directly to the chief minister or the equivalent for the territory and were staunch defenders of the *status quo*. Homeland regimes, such as that in Bophuthatswana and KwaZulu, responded in kind as they came under increased pressure from political activists. Further away from urban centers and the reach of the domestic and foreign media, the police brutally suppressed opposition.

In Northern Ireland, the transfer of direct rule to Britain did result in some changes in systems of police accountability. Here, however, the debate was about how effective these instruments were in controlling police activities. In 1970 the Police Authority was established to administer the police, removing policing from the ambit of the 'politicised and discredited' Ministry of Home Affairs.⁴⁴ The functioning of the Authority has been controversial. Its members have been appointed by the Secretary for State for Northern Ireland based on the argument that elected officials would unnecessarily politicise the body and the process of police accountability.

Generally, the Police Authority is perceived to have done little to hold the RUC to account. Its members seldom challenged the police on more controversial aspects of their operating procedures, and when they did, two prominent members were sacked. While the Authority was meant to represent all interests within Northern Ireland, nationalists did not take part, both because they would not have accepted such appointments, and because they were never approached.

⁴⁴ Weitzer, *op. cit.*, p. 172.

In any event the role of the Authority, while on paper having a wide ambit of review over police activity, was in practice strictly limited. There have, for example, been difficulties accessing information from the police — particularly on controversial aspects such as security briefings and the treatment of detainees — and files in respect of complaints against police officers. Overall, the Authority must be judged at best to be a weak instrument of accountability, and at worst, one that was sympathetic to the police.

It should be noted that in the cases of both South Africa and Northern Ireland, complaints against the police were handled internally by the police themselves. The results were predictable. In only a handful of cases were individual police officers found guilty of abuse and in most cases complainants were poorly treated (if they had the courage to report to the police at all) and their complaints inadequately investigated. The position was slightly better in Northern Ireland where a Police Complaints Board reviewed cases after they had been investigated by the RUC, deciding whether or not they should be prosecuted. Even here, however, the police were responsible for conducting the investigation.

In view of all of these factors, combined with the closely inter-related fact of high levels of political conflict in South Africa and Northern Ireland, it is little wonder that among subordinate communities, levels of police legitimacy were low. Of course, this varied. Middle class Catholics may have been better treated by the police or, having condemned violent bombing campaigns by Republican groups, may have relied more heavily on the police for their own security, but that did not necessarily translate into wholehearted support. It is also now clear that in both cases a limited number of reformist officers condemned the actions of their colleagues and sought ways (however limited) of improving relations with the community. But such activities were few and far between and were certainly not encouraged by police management.

The challenge of reforming highly militarised police agencies, with low levels of legitimacy and ineffective systems of accountability were manifest in both societies as events pushed them towards political compromise.

The advent of negotiations concerning how each society should look in the future heralded new challenges for the police. While promising an end to violence, negotiations did not in and of themselves immediately end conflict. In fact, in the short-term, they increased it. Events in the negotiating halls were paralleled by and connected to marches and violent incidents on the ground. In both cases, police rhetoric to the effect that the forces were the bulwark against chaos in the run-up to the peace settlement increased.

These events were contradictory for the police. While public order challenges increased, so too did external pressure for more effective systems of accountability and a changed approach to policing on the ground. Other pressures were internal: prominent politicians in both cases desperately wanted to avoid undermining the negotiation process with clear cases of police abuse, giving the opposition ammunition at the bargaining table. Some police managers themselves realised that policing could not go on as it had in the past. These reformist officers argued that the police themselves should initiate internal change so that it could be controlled by them.

Early reform efforts were begun in both cases, most notably by attempts to introduce the discourse of community policing. In these efforts the police agencies were far from successful. In South Africa, a new community relations division was established and community relations officers appointed. Yet, the change was structural, rather than being an altogether new direction for the police. Community relations officers were often members of the Security Branch, who confused the role of community interaction with that of collecting information.

The practice of community relations were thus much harder than the theory had suggested to some managers, not least because the police themselves were caught up in volatile political transitions. Weitzer quotes a community worker in a Republican area as saying: 'The RUC are trying to be too nice too soon. You don't shoot plastic bullets one day and come and give sweets to kids the next.'⁴⁵ In both cases, attempts to change the police before a clear political shift in

⁴⁵ Weitzer, *op. cit.*, p. 190.

power occurred was confusing, not only for citizens but also for the police themselves.

The importance of these reform programmes should however not be underestimated. They not only shaped the trajectory of change — RUC officers point out that many of the elements of an internal review guided the Patten Commission in its work — but also, in both cases, convinced police management that a key criterion of change was that they should be in charge of it. Indeed, in both cases change was driven by a desire to pre-empt future interventions based on the argument that the role of outsiders should be restricted. Also, early change efforts gave rise to individual managers who would assume a prominent role in post-settlement transition efforts.

The deepening of the political discussions in both cases was marked by some improvements in police accountability. This was particularly the case in South Africa where the signing of the National Peace Accord in 1991 committed the police to a range of actions, including that officers wear name badges and that the number plates of police vehicles be painted on their sides to ensure easy identification. Greater media coverage as well as a growing awareness as to past police abuses ensured that the police were under greater scrutiny than ever before, even if this was not through structured accountability arrangements.

Police reform efforts could not develop without clear political change and a restructuring of the nature of the police. Programmes to improve community relations masked but did not prevent the coming of more fundamental reforms — in Northern Ireland the change of policing symbols and the dramatic increase in the number of Catholics in the police and in South Africa a police agency structured in alignment with the new constitutional dispensation in the country. So, political transition in South Africa and Northern Ireland has brought significant changes to the nature of policing. What has been different, however, is how this has been achieved.

Negotiations concerning police transformation took place in 1993 between representatives from the ANC and the then South African government as part of the broader process of political transition underway in the country. Most notable in the South African process

was the degree to which post-apartheid policing was essentially bargained behind closed doors among a small group of people, including senior management of the SAP.

The shape of post-apartheid policing was negotiated as part of (and subordinate to) a broader political arrangement. In fact, compared to other issues, such as the content of the Bill of Rights and the shape of the country's regional arrangements, there seemed to be few sticking points. Most important was the desire of the old government to ensure more effective regional devolution of policing, since it appeared likely that while the National Party would not win the country's first democratic election, it would win control of one or two provinces. This attempt failed, stymied by an agreement paradoxically reached between police management and the ANC that policing should remain a national competency, with no political interference at regional or local level.⁴⁶

While the constitution-making process was characterised by a significant number of submissions and public inputs on the issue of policing (including some that argued for the break-up of the SAP altogether), there is little doubt that the issue was agreed with minimal consultation with outsiders. The ANC wanted to secure national control of the police to ensure that transformation would be uniformly implemented and that political parties in the provinces would not be in control of the police. Police management's interest in keeping the police (and thus their positions) as a single agency controlled from Pretoria coalesced with the ANC's view.

The process in Northern Ireland however was significantly different. The shape of any future policing arrangement was seen by the major parties as a key obstacle to the peace process. The Belfast Agreement avoided making the issue of policing a blockage to achieving a peace settlement. The Agreement established an independent commission 'for future policing arrangements in Northern Ireland with the aim of ensuring that the police service

⁴⁶ Mark Shaw, 'Point of Order: Policing the Compromise', in Friedman and Atkinson, *op. cit.*, pp. 204–227.

operates within the bounds of human rights and equal opportunity and has the confidence of the public.⁴⁷

There were two other important differences between the Independent Commission on Policing for Northern Ireland (hereafter referred to as the Commission) and the South African process. The first was that the process in Northern Ireland explicitly sought to look beyond the immediate questions of political importance, such as issues of accountability and the proportion of Catholics in any new police service, to focus instead on questions of police effectiveness which would not have been out of place in most democracies. This makes the Patten report an important document to study in respect of policing change in societies in transition more generally.

The second difference related to a concerted attempt to obtain public and civil society input into the process. A series of consultation meetings were held across Northern Ireland and submissions were solicited. Of course, many interest groups and individuals were dissatisfied by the fact that their points of view had not been incorporated (nationalists, for example, were disappointed that very little was said about the past in a report that was almost exclusively focused on the future), but in reality the Patten process was much more public than any of the negotiations concerning policing change in South Africa. Such public meetings were important in that they gave people an opportunity to express both their grievances and hopes in respect of future policing arrangements. Indeed, many of those interviewed in Northern Ireland repeat that the Commission was one of the few bodies in the region's contested history that was able to attract input from across the political spectrum.

The publication of the Patten report also enabled significant public and political debate as to its recommendations. (A summary of recommendations from the Patten report is included as Appendix 3.) There can have been few similar processes of policing change. Indeed, the South African process is probably weaker for the lack of such an experience. On the one hand, there was no overall blueprint to guide police change, and on the other, there was no substantial

⁴⁷ 'Key points of the Belfast Agreement', in McCartney, *op. cit.*, p. 55.

investment or input from the public as to what form policing should take in their own areas.

The obvious advantage of the South African approach, however, was that policing change was legitimised given that it was part of a broader agreement as to the shape of democracy in post-apartheid South Africa. Nevertheless, too little attention was given to the issue of how the police would operate in the new democracy and the voices of citizens in shaping this process were seldom heard. That has weakened the process of police change in the country.

In Northern Ireland, on the other hand, the Patten report was an important achievement. Yet, the Commission was only a guideline to how policing should look in the future. The Commission's findings had to be integrated into the political process. The chorus of protests that surrounded the release of its report suggested that this in itself would prove to be a contentious process. Subsequent events have borne this out.

One clear result of the process of debate (both internal and external to the police service) in both societies was a severe decline in morale, and in the South African case an undermining of discipline. The decline in morale, street level RUC officers complain, was due to the fact that Patten had not consulted widely with the force's lower ranks and that senior management was isolated from the actual work of policing on the ground. The result was decisions that in the eyes of ordinary police were 'political' and not 'practical'.⁴⁸

A similar process had occurred (and to some extent continues to occur) in the SAPS. Both police agencies suffered high levels of absenteeism — officers in an RUC focus group asserted that 12% of the total force was sick at any one time.⁴⁹ In Northern Ireland, declining morale was particularly severe among reserve police officers, many of whom had served many years as full-time police

⁴⁸ See Neil Jarman, unpublished paper, 'Attitudes, Issues and Concerns for RUC Officers: Based on Discussions with Officers from D Division during January and February 2000', March 2000.

⁴⁹ *Ibid.*, p. 7.

officers in all but name, but who had been told that their services would be dispensed with.

It is difficult to see how a decline in morale can be avoided in such contexts of rapid change. Senior managers in both the SAPS and RUC claimed to have regular communication with ordinary officers. In both cases those working at the front end of the police system claimed to be unaware of recent developments. In both cases, rumours were liable to spread rapidly unless effectively countered.

At least one counteraction to this would have been to make the change process as swift as possible, but this is of great difficulty in large bureaucracies in a highly politicised environment. Particularly in the context of Northern Ireland this gave rise to some concerns as to whether the police would implement what was recommended and then legislated.

Patten had suggested the appointment of an oversight commissioner who would report on the progress of the police. This was accepted and a former head of the United States Drug Enforcement Agency assumed this role. But the process was not without controversy. Some interest groups complained that parties external to the police were not given a review of any change plans that were being followed.

Even a senior manager from the SAPS chastised RUC officers for not having 'representatives of the oppressed' in an oversight role.⁵⁰ RUC managers responded that they would equally be criticised if they did not begin the process of change and that the appointment of the politically representative Police Board (see below) would resolve the issue. In any event, the input from the SAPS was rather rich considering that while ANC representatives had participated in the Police Change Management Team, the police change process in South Africa had had very little community input or report back. The same presentation also argued that 'You cannot transform from the outside!'

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Slide presentation 'Transformation: South African Police Service' given by the SAPS to the RUC, undated. See also Appendix 2.

These tensions highlighted the difficulties confronting police managers: not only did policies have to be widely debated, and in the case of Northern Ireland decided outside of the police force itself, but the process of implementation was open to further scrutiny. It is to the content, as opposed to the process, of police change that we now turn.

The content of policing change

While SAP senior managers waited apprehensively in their offices in May 1994 for the new Minister, Sydney Mufamadi, to arrive, internal discussions within the ANC had shaped what his new agenda would be. Given the history of policing in the country, it was assumed that the SAP was an all-powerful instrument that could be used effectively by the new government if two conditions were satisfied, namely, that it could be made more accountable to those whom it policed and at the same time more legitimate. Indeed, there remained very real fears at the time that the police would be used to disrupt the functioning of the new government by mounting a coup or disrupting the state in less overt ways.

A series of inter-locking challenges confronted the new government. First, was the requirement to retain a degree of consistency within the leadership of the police. While it was debated whether to place a civilian as the new head of the SAPS, it was ultimately agreed that an old-order police officer who did not have a tainted record should be placed in charge. Second, was the need to improve the legitimacy of the police in the eyes of the public. At a political level, President Mandela and other prominent leaders went out of their way to praise the police and urged citizens to accept them as their new protectors. If the police could be legitimised in the eyes of the public, then it was believed, a major obstacle had been cleared.

There was almost no debate (and even less protest) when the new police agency was called the South African Police Service and a new badge adopted. Admittedly the old badge and name were similar to the new and these symbols of policing seemed to hold little

emotional content for the majority of whites. The uniform of the new SAPS however was almost identical to the old SAP with homeland police officers and public order or riot police (who had worn camouflage) all adopting the light blue kit. Only much later, were other symbolic vestiges of the old order police removed — some police stations which bore apartheid era names were renamed, but usually this simply reflected the place where the building was situated. For example, John Vorster Square in the centre of Johannesburg became Johannesburg Central Police Station.

A key mechanism for improving legitimacy and strengthening accountability was a sustained focus on the implementation of community policing, building on those changes already implemented in the SAP. Indeed, community policing was seen as a central transformation strategy, not only to make the police more acceptable to citizens, but also as a tool to change the police from within. The idea of community policing was never entirely embraced in all parts of the SAPS. Its largest impact, and correctly so, was on station level policing, while its effect on the large number of specialised units and other entities within the police was limited. In any event, for many police officers, community policing remained a 'soft' addition to the 'hard' aspects of real policing.

The most significant visible change in the system was the creation of community policing forums at police stations across the country. These were unelected structures which consisted of local individuals who had an interest in improving police performance. The effectiveness of community policing forums has been questioned. Within the SAPS many officers regarded them as a necessary evil, required to bring citizens in contact with the police, but having little impact on the day-to-day conduct of policing. Disputes arose between community policing forum members and the local SAPS as to the operational independence of the police. Community policing forum members demanded that the police do what they said, and the police refused. Legally, the police were generally on solid ground, but that enhanced the impression that community policing forums were simply 'toy telephones'.

Within the police agency itself, those charged with community policing and the management of transformation and change assumed growing importance. The new Minister had brought with him a group of civilians, largely lawyers and academics, with little practical experience of policing. By 1996 a civilian Secretariat had been formed, as provided for by the Constitution, which was responsible for advising the Minister, providing civilian oversight of the SAPS and monitoring police performance. The Secretariat was headed by a civilian who had equal rank, and in theory status, to the SAPS National Commissioner. This was a recipe for conflict and also sent a signal to the police that while they were in line command of policing, they were not necessarily trusted.

By 1996, however, some serious deficiencies were beginning to become evident. The SAPS did not have a history of criminal detection characteristic of the police in other democratic societies. While pockets of excellence were present within the service, the general skills of collecting, collating and presenting evidence were weakly developed. This was reflected by, among other factors, the training and skills levels of detectives within the SAPS. In 1994, once the new police agency had been constituted, only about one quarter of detectives had been on a formal investigation training course, while just over one in ten detectives had more than six years experience.⁵¹ By 1996 these facts were starting to be reflected in the relatively low, and in some cases declining, case-solving rates.⁵²

Those resources which did exist within the SAPS were also heavily orientated towards areas in the country which had been classified as 'white'. Thus, in 1994, three quarters of the country's police stations were situated in white suburbs and business districts.⁵³ The vast majority of inter-personal violent crime, however, occurred

⁵¹ *In Service of Safety: White Paper on Safety and Security*, Pretoria, 1998, p. 5.

⁵² See Martin Schönteich, 'Lack of conviction: Prosecutor's poor performance', *Nedcor ISS Crime Index*, Vol 3, No 2, March-April 1999.

⁵³ *In Service of Safety*, *op. cit.*, p. 4.

in township and rural areas.⁵⁴ Very low levels of service delivery were the norm at many township and rural stations. In particular areas, such as in the province of KwaZulu-Natal which had been the jurisdiction of the former KwaZulu Police, policing was in a virtual state of collapse by 1998. In KwaMashu just outside Durban, for example, the police were closely linked to crime in the area, had a close relationship with local gangs, were often drunk on duty and were closely associated with the Inkatha Freedom Party.

Public surveys conducted over the period 1994 to 1998, suggested initially that there remained a clear distinction between citizens' views of policing. Whites were more inclined to trust the police yet viewed service delivery as declining rapidly. Africans were more likely to mistrust the police, but regarded the emergence of democratic governance as bringing some improvements in police service delivery on the ground. Over time, however, there was a convergence of African and white views, safety became a (if not the) key issue of concern to citizens and the police were viewed across racial lines as performing poorly in their fight against crime.⁵⁵ This was a significant change with critical policy implications. For the majority of the country's people it was now not enough to say that the police were legitimate — that legitimacy had to be earned.

While there have been clear parallels with the South African experience, both the process and the content of the debates in Northern Ireland have been different. One difference is that they are a more prominent part of the overall peace process than in South Africa. Another is that while the debate has encompassed a wide range of issues relating to policing change, it has focused prominently on the symbols of policing, the new police service's badge and name.

⁵⁴ See Antoinette Louw and Mark Shaw, *Stolen Opportunities: The impact of crime on South Africa's poor*, Institute for Security Studies, Monograph Series, No 14, July 1997.

⁵⁵ See, for example, Rod Alence, 'The Democratic Transition and Crime in South Africa: The record of the 1990s', *Nedcor ISS Crime Index*, Vol 3, No 2, March–April 1999.

At least part of the reason for the fierce debate around symbols, in contrast to South Africa, relates to the more balanced array of forces within the Northern Ireland context. In South Africa it was clear following the April 1994 election that the ANC were overwhelmingly in charge. There was a general recognition that symbols would need to change (although there were some important exceptions), with some of the initiative for this process coming from the police themselves. In contrast, in Northern Ireland, symbols remained important indicators of whom the police represented in a contested political environment.

Indeed, there had been substantial pressure from Republicans that the RUC should be disbanded altogether and a new police service, representative of all the people of Northern Ireland, be formed. The Commission rejected this, explicitly stating (although this was overlooked in later criticisms of the report) that any changes to the symbols of the RUC must not be seen as a 'repudiation of the sacrifice and service of thousands of RUC officers who have not only performed their duties with professionalism and fortitude but who have also faced, and on many occasions suffered, death and injury'.⁵⁶

In this vein, the Commission recommended that memorials to RUC officers killed in the line of duty remain 'as they are and where they are'.⁵⁷ The South African arrangement was similar, if not as explicit. The main police memorial at the Union Buildings in Pretoria, which contains the names of officers killed in defence of apartheid, was simply adopted: names after 1994 reflect the large number of SAPS officers killed in the line of duty. This was never an issue and the possibility of removing the memorial was never raised.

The issue of symbols had been reviewed in detail in the Patten report. The Commission recommended that while it had not accepted the 'argument that the Royal Ulster Constabulary be disbanded, it should henceforth be named the Northern Ireland Police Service' and that 'the Northern Ireland Police Service [should]

⁵⁶ *A New Beginning*, op. cit., p. 99.

⁵⁷ *Ibid.*, p. 100.

adopt a new badge and symbols... entirely free from any association with either the British or Irish states.⁵⁸ The Commission went still further, arguing that the Union flag should no longer be flown from police buildings, and when it was necessary to fly a flag, it should be that of the Northern Ireland Police Service, which like the badge, should be free of any association with the British or Irish states.

These were contentious findings in the highly politicised environment of Northern Ireland. Unionist politicians expressed outrage and the inclusion of the Patten findings in legislation led to heated and emotional debate in Parliament. Some intricate wording around the issue of symbols and the name of the new police service was used to craft a compromise, but this could not mask the reality that there had been an important break with the past on the issue of symbols.

This issue was relatively unique to Northern Ireland given its particular history; a review of the Patten Commission by Clifford Shearing, one of its members, began by saying: 'There is much in the [Patten] report about which I have nothing to say — for instance our proposals on culture and symbols...from a global perspective, while very symbolic for Northern Ireland, [these proposals] are unexceptional — they apply principles that are routinely embraced elsewhere.'⁵⁹

In short the nature of symbols and whether they achieve significance is very much a feature of each transition. In South Africa, the debate about the change of some sporting symbols, such as the Springbok emblem, was heated because many white South Africans identified closely with the emblem as unionists did with that of the RUC. Ironically similar arguments were used by both whites and Unionists for the retention of the symbols — since a more African or Irish symbol could not be found than that of the Springbok or the RUC's crowned harp, the desire to change them was misplaced.

⁵⁸ *Ibid.*, p. 99.

⁵⁹ Clifford Shearing, 'A New Beginning for Policing', *Journal of Law and Society*, Vol 27, No 3, September 2000, pp. 386–387.

The symbols of the police in South Africa did not attract the same attention partly because the SAP was never in the 'front line' in the same way as the RUC had been, and so there was less identification among ordinary whites with the force. Many of those who had been killed had in any event been Africans. Also, the SAP had not necessarily been held in high regard by many whites, who, while considering it a necessary evil, were not as likely to praise it for its professionalism and sacrifice in defending apartheid. There was enough general recognition that some form of change was required, although there were disputes over the form and content this should take.

One contentious issue in both societies was that of making the police more representative of the communities they were supposed to serve. Different approaches have been adopted. In Northern Ireland, the problem is severe — while Catholics make up about 43 percent of Northern Ireland's population, they comprise 7.5 percent of police personnel (968 of 12 819 police officers).⁶⁰ What is clearly required is a massive recruiting effort to attract individuals from all communities who wish to serve in the RUC, as well as ensuring that a proportion of current RUC members leave, and are compensated for doing so.

The issue of achieving representativeness in South Africa is not directly comparable. Here the question was more of ensuring that management reflected the majority of the country's population. Ordinary officers at station level were overwhelmingly African, although whites dominated various specialised and technical units, and continue to do so. Rather the question was of attracting competent people from outside the police agency — there have been a small number of senior lateral entries, including the current national commissioner — and promoting those already there. There was simply no need to provide for a large-scale recruitment drive; indeed, the key question was how overall numbers could be reduced.

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John McGarry and Brendan O'Leary, *Policing Northern Ireland: Proposals for a new start*, Belfast, The Blackstaff Press, p. 45.

This process in South Africa has been relatively painless, although often, especially at senior levels, new positions have been created, rather than direct replacements made. Recruitment and new training intakes have been slow, a moratorium on new appointments having been in place for some time. National attrition and disillusionment have ensured that many whites have left the police service, opening up possibilities for promotion of African managers from the ranks. But even these changes have been internally disruptive and have increased racial tensions within the SAPS, although these are often confined to discussions among people of the same racial background, with a veneer of civility characterising most day-to-day working relations.

In Northern Ireland the issue is enormously contentious. There are even legislative provisions, albeit temporary, that of new recruits 'one half shall be persons who are treated as Roman Catholic'.⁶¹ The debate has been a fierce one, with much use made of survey statistics suggesting that Catholics consider the RUC a legitimate agency (which is highly debatable) and with police managers suggesting in interviews that it is near-impossible to recruit Catholics to the force.⁶² The recruitment of Catholics is a problem precisely because the RUC is held in low esteem in many Catholic communities — implying not that recruitment should not take place, but that the transition to a new political order in Northern Ireland will have to be clear before large numbers of Catholics consider the police as a viable career option. It is likely that given the numbers that will be recruited some tensions will manifest themselves, particularly when people of less experience are fast-tracked to make management more representative, as occurred in South Africa.

What is clear in the case of Northern Ireland is that the introduction of a large number of new recruits will change the internal culture of the police relatively quickly. This (almost paradoxically) has been a much slower process in South Africa,

⁶¹ Police (Northern Ireland) Bill, 43 (a).

⁶² See McGarry and O'Leary, *op. cit.*, pp. 6–24.

although there are indications that this will become more rapid from now on.

If issues of representativeness are critical to understanding the internal process of change, issues of accountability for citizens who experience the police from the outside are of great importance. Here, almost more so than in other areas, both societies have interesting experiences to offer other divided societies.

A key challenge in ensuring greater accountability for the police in post-transition societies is to balance the requirements of centralised and local control — in effect to make citizens believe that the police are responsive to their needs, and not those of a distant and unsympathetic command hierarchy. Here all transitional societies have had to balance the requirement of ensuring local accountability, which remains weak in all cases, with centralised control — the desire to manage change from the centre, to ensure both that it occurs uniformly and that local groups (who may oppose those in control at the centre) do not obtain control of the police in their area.⁶³

This issue is of some importance in both South Africa and Northern Ireland. Progress in this respect has not been good in South Africa with community policing forums achieving less than had been hoped. In Northern Ireland Patten's proposals for improving the accountability of the police in a divided society may have a much wider application than only in Northern Ireland.

A great deal of attention was paid to issues of police accountability by the Patten Commission. The Commission recommended that the Police Authority be replaced with a Police Board, appointed in part proportionally from the ranks of political parties, whose primary function would be to hold the Chief Constable and the police service publicly to account. The Commission suggested that the Police Board set objectives and priorities over a three to five year period. These objectives would be

⁶³ See Mark Shaw, *Crime and Policing in Transitions: Comparative Perspective*, South African Institute of International Affairs, Research Report 17, 2000.

spelt out in detail in a policing strategy that would be prepared by the Chief Constable in discussion with the Board.

The Board, according to Patten, should be charged with negotiating an annual policing budget with the government of Northern Ireland. The police service budget would be allocated to the Chief Constable and the Police Board would monitor the police's performance against the set objectives. Patten envisaged a multitude of monitoring tasks for the Police Board: 'It should watch crime trends and patterns, and police performance in public order situations. It should also follow such things as recruitment patterns and trends, including fair employment and equal opportunities performance, and training needs. It should assess public satisfaction with the police service and, in liaison with the Police Ombudsman [discussed below], patterns and trends in complaints against the police.'⁶⁴

These were similar powers, albeit in the context of a different political system, that had been envisaged for the civilian Secretariat for Safety and Security in the South African context. This system has worked poorly for a number of reasons and the Secretariat has been downgraded. At least part of the problem was the lack of skills within the Secretariat itself, as well as the lack of a clear political commitment to the body's success. The police, unused to such an oversight body and irritated by some of its interventions, fought an ultimately successful bureaucratic battle for its downgrading. Perhaps more than any other reason, however, increases in crime levels in the country (and both domestic and international reactions to them) undermined the role of the Secretariat in a context in which oversight was seen as an expensive luxury at a time when increases in crime threatened the country's fragile democratic order.

A similar process is unlikely in Northern Ireland with its low levels of crime. For a number of important reasons the Board appears to stand a better chance than the South African Secretariat. Most important is the very different nature of structuring the police systems of oversight. An oversight system such as the Secretariat has

⁶⁴ *A New Beginning, op. cit.*, p. 29.

an unforeseen and uncomfortable tension built into it: if it performed its functions, and made its findings public, it risked damaging the political credibility of the Minister responsible for ensuring a smooth policing transition.

The Police Board, however, operates on a different principle. Parties to it are seen less as directly responsible for policing and more as being charged with its oversight. More importantly, unlike the Secretariat (which was in effect just an advisory body), the Board has representatives of political parties sitting on it, as well as selected individuals drawn from civil society. In short, there is a degree of independence and a greater degree of weight given to civilian oversight in the Northern Ireland context. That may hold out the prospect of more effective oversight of the police.

It is clear, however, that a system as complex as that envisaged by the Patten Commission and subsequently incorporated into legislation, albeit with some changes, will not operate flawlessly from the first day. A considerable period will pass before both the police and the Board understand how they can relate to one another to ensure an effective partnership.

The strongest criticism of both the Police Board and the District Policing Partnership Boards, to be established at the next lowest tier of government, appears to have been that the appointment of political party representatives to oversee the police would unnecessarily politicise policing. This viewpoint was however expressed from different perspectives. Unionist politicians feared allowing 'former terrorists' the opportunity to oversee the police. As a prominent unionist noted: 'One of the difficulties with the new Northern Ireland Policing Board is that if it goes ahead as the Government propose, poachers will become gamekeepers. That is not a sensible way of protecting the rights and interests of ordinary members of society.'⁶⁵

⁶⁵ Ken Maginnis, UUP MP, *Parliamentary Debates: House of Commons Official Report*, Standing Committee B, Police (Northern Ireland) Bill, First Sitting, Tuesday 13 June 2000, p. 31.

Others seemed concerned that the process of policing itself would be subverted. A conference reviewing the Patten proposals in Belfast in October 1999 found that some 'conference participants thought that [a Police Board with political representatives] was an essential move to more democratic oversight of policing; others were nervous that this might make policing subject to partisan politics.'⁶⁶

Similar views were expressed in the South African context when it was first hinted in the 1998 White Paper on Safety and Security that elected political representatives should sit on any restructured system of community policing forums. The argument, in this case unsurprisingly most strongly put by the police and members of current community policing forums, was that policing would be politicised at a time when it was better to make the issue as apolitical as possible.

Nevertheless, the Northern Ireland system of district accountability may hold some important advantages over the South African system for three reasons. First, there is an explicit link to local government and this connection to an elected political structure may increase the weight of the 'views' the district boards express to the police. Second, they have a reporting channel to the central Police Board which may in particular circumstances allow them to convey their dissatisfaction with district affairs to a higher level. While there is an equivalent system of area and provincial policing boards in South Africa, the lines of reporting are not as clearly articulated. Third, the monitoring role of the district boards is more powerfully stated, allowing the boards to monitor a concrete objective (the implementation of the district policing plan) as well as to solicit the views (perhaps through surveys) of the public in the district in order to convey these to the police.

Again, however, and in a similar manner to the Police Board, District Policing Partnership Boards will take some time to establish jointly accepted relations with the police and an agreed-upon way in

⁶⁶ Committee on the Administration of Justice, *The Patten Commission: The way forward for Northern Ireland?*, Report of conference proceedings, 8 October 1999, Wellington Park Hotel, Belfast, November 1999, p. 3.

which performance can be monitored. If the South African example is anything to go by, early relations are likely to be contested.

The suggestions of Patten point to the requirement in South Africa of reviewing local level systems of accountability. Most important is the requirement of making community policing forums (or any equivalent body) more representative and more closely linked to local government. The concept of a partnership between the police and the community, and the drawing together of a local police plan, which is then closely monitored as in the Patten proposals for Northern Ireland, needs to be more fully developed in South Africa.

One final area of importance should be explored before concluding. This is the way in which complaints about the police, including instances of police bias or brutality, have been important components of the debate in both societies.

In 1996/97, a review was conducted of the police complaints system in Northern Ireland that found it to be inadequate. Legislation was subsequently passed in 1998 that made provision for an independent Police Ombudsman with the capacity to conduct investigations into such complaints. The post of Police Ombudsman for Northern Ireland has subsequently been filled. In addition, the new Police Act for Northern Ireland makes it clear that the office of Ombudsman may access police documentation, which the Chief Constable will have a duty to supply, in order to conduct investigations. Significantly, the Ombudsman also has the broader power of reporting both to the Chief Constable and, more importantly, to the Police Board on 'any matters concerning the policies and practices of the police force'.⁶⁷ These powers, among others, accord to the Ombudsman the vital role in the period of policing change of identifying issues which are of concern as well as of investigating complaints retrospectively.

In both societies, however, policing has always been a highly politicised process and it is essential that all parties provide an input

⁶⁷ Police (Northern Ireland) Bill, 15 (1) (a).

into oversight of the police. The advantage in Northern Ireland is that the Police Board includes a spectrum of all parties as well as independent experts, whereas in South Africa the system of oversight includes only the ruling party. The difference is understandable given the outcome of the negotiated settlements in both cases, but there is little doubt that the South African system of oversight would have been greatly strengthened by the establishment of a structure with similar principles to the Police Board in Northern Ireland.

Local level accountability will remain difficult in both contexts. District Policing Partnership Boards in Northern Ireland have similar powers to community policing forums in South Africa, that is, primarily 'to provide views to the district commander for any policing district...on any matter concerning policing in the district.'⁶⁸ Both community policing forums and District Policing Partnership Boards have little real direct power other than that of making their feelings known. This is unfortunate in both cases, as it often encourages outspoken statements — exactly because there is a recognition that they will not be taken into account by the police — designed for attracting public attention, but which the police ignore.

Curiously, the Patten report notes that the Commission has been encouraged 'by the success of the Office of Police Complaints Commissioner in South Africa which very closely models the structures and procedures' recommended in the 1996/7 review.⁶⁹ There is no such office in South Africa and presumably the Commission was referring to the South African equivalent of the Police Ombudsman, the Independent Complaints Directorate (ICD).

However, while enjoying some success, the ICD is increasingly under pressure, as is the case with the Safety and Security Secretariat. Under-resourced and swamped by a large number of complaints — in 1998 there were more deaths in police custody or as a result of police action (63 a month, 763 a year, an average of two per day) than

⁶⁸ Police (Northern Ireland) Bill, 58.

⁶⁹ *A New Beginning*, *op. cit.*, p. 37.

in 1994⁷⁰ — the ICD has increasingly lacked the support of police managers and senior politicians within government, both of which are crucial for it to complete its work.

This has occurred because both senior police managers as well as the new Minister for Safety and Security have argued that a harsher approach is required to fight crime, a claim that undercuts the position of the ICD. It is possible with recent high-profile incidents of police brutality making the news in South Africa that this position will be reversed over time, although continued public and political outrage at high levels of crime will continue to make the organisation vulnerable to the criticism that it is undermining the fight against criminals by defending their interests.

It is by no means clear, then, that the ICD is a success. Indeed, a sober review of both the extent of police brutality and the number of public complaints concerning police service delivery seems to indicate that the ICD's impact is not being felt.

The scale of the problem of brutality in South Africa suggests once again that parallels drawn between the two societies are often tenuous. While in this case there appears to have been a process of mutual learning between the two societies, there will be a more marked divergence between them as South Africa's priority inevitably shifts to stemming crime. It is of course claimed that there is an increase in crime in Northern Ireland and the issue of drug dealing and organised crime is now raised as a problem in the media. These increases, however, are off a low base since Northern Ireland has one of the lowest crime levels in Europe, and are unlikely to reach the scale of the problem in South Africa. That suggests that while parallels will continue to be drawn between the two societies, the context in which post-negotiation implementation takes place in each will increasingly differ.

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Wilfried Scharf, 'Police Transformation in South Africa: What NOT to do!', presentation at Queen's University's Centre for International and Comparative Human Rights Law, Belfast, Northern Ireland, 5 May 1999, p. 1. It should be noted that the high number of deaths as a result of police action must be seen in the context of the violent nature of policing on the ground; criminals are often well armed and firefights with the police relatively common.

Conclusion

Political conflict in South Africa and Northern Ireland have often been compared. Indeed, in the period after peace negotiations took place in both societies, substantial 'peace links' have been developed. In part this is because South Africa's transition to a peaceful democracy was completed first, and given a close association between the ANC and nationalists in Northern Ireland, this has ensured that the South African experience has been looked to for direction.

Despite these growing linkages, however, the differences between the two societies are probably more important than the similarities. Perhaps the most important of these is that the peace negotiations in the Northern Ireland context are between two sides that are much more equally weighted in terms of their levels of support. In South Africa the end of apartheid meant one clear victor, with the subsequent challenge to transform the society to meet the needs of the majority of its citizens, rather than, as in Northern Ireland, designing a complex system that allows the management of competing interests.

This, among other factors, has had important implications for the nature of police transformation in both contexts. Crucially, the case of police transformation in Northern Ireland is more contested than in South Africa, precisely because the negotiations process is a result of a stalemate between the two parties. The issue of policing is thus central to ensuring both that established unionist interests are not threatened and that nationalists feel that the police are not someone else's instrument of control.

There are shades of these factors in South Africa, but they are nowhere as strong as in the contested political landscape of Northern Ireland. Indeed, in South Africa police transformation was in reality a *fait accompli* once the negotiations around the new constitutional order were completed. This, of course, is to express the reality of what occurred and not to make a judgement on their success.

In fact, the South African example of policing change is notable for a number of weaknesses which have, to some extent, been

avoided in Northern Ireland. Foremost was the absence in South Africa of any widespread debate on how the new police agency should look, given that negotiations were behind closed doors and the police themselves played a prominent role in determining their own future. In contrast in Northern Ireland, the Patten Commission, *whatever its other failings, was an attempt to remove the process of police change from the police themselves and also to allow much wider community input into that process.*

In the case of the Patten Commission a further critical factor was the desire to make the Commission's investigation as objective as possible by exploring a range of non-political issues relating to the improvement of ordinary police service delivery. That has made the Patten Commission report a useful document for policing change in any society, but it also emphasises the important role that a more objective review of policing requirements in post-apartheid South Africa may have had. Here the structure for policing was negotiated quickly and has resulted in a system, such as that of community policing forums, which is imperfect. Change for the better, however, is resisted through established interest groups (such as community policing forums themselves) and the police.

At a more micro-level, change in the policing instruments of both societies illustrates issues which should be of concern to any organisation undergoing dramatic transformation. The questions of ongoing communication with those most affected, the importance of the change process being reviewed by those interests previously subordinate in the society, as well as mechanisms to keep morale at its highest possible level are perhaps the most notable. Yet these issues are often unavoidable in even the best organised transitional period, and no matter how well, for example, ordinary officers are communicated with, it is probably never well enough to allay very real fears. Morale is always likely to decline when officers drawn from particular segments of society recognise that they can no longer dominate the police agency, and thus that their prospects for promotion will be restricted.

In both cases massive changes are being wrought to the representativeness of the police agencies. The process is probably

more structured in Northern Ireland with its more clearly defined aim of achieving representativeness. In South Africa, where the majority of police officers have at least in the recent past been African, the pressure has been less for inclusion into the police than for promotion of existing officers.

Perhaps the clearest lesson of all is that police legitimacy will not easily be achieved in either case. In fact there appears to be a paradox in this respect, as massive transformation impacts decisively on the ability of the police services to deliver, and yet legitimacy may ultimately be defined by effectiveness (particularly in the South African case, with its higher levels of crime). Yet there is little question that reform efforts are needed, and a failure to implement them continues to feed the perception that the police are 'ours' or 'theirs'.

In the longer term there are likely to be further divergences between South Africa and Northern Ireland. This is because the challenges confronting each police agency will come to differ significantly. In South Africa these will centre on the necessity of fighting high levels of crime. Here, complex mechanisms of civilian oversight and systems of police complaints will be, and indeed already are, seen as impediments to protecting the safety of citizens.

In Northern Ireland, policing will remain a contested sphere, not least because for some there can never be enough change, short of disbanding the old police altogether. For others, any change is too much. Viewpoints on either side are likely to polarise as change proceeds and mistakes are made, as will inevitably be the case.

What cannot be doubted, however, is that the Patten-based model of policing transformation was the best possible intervention in difficult circumstances. A messy political compromise on policing would not have provided a clear blueprint for policing change and would have politicised the process of policing change even further. It would also have removed from the debate some objective interventions concerning good practice, which would probably not have emerged from the smoke-filled rooms of the negotiation process.

A sober assessment of the two experiments in change suggests that quite apart from Patten, Northern Ireland has three important advantages over South Africa. First, the change process is significantly better resourced than in South Africa. Second, the police service itself and the number of people it has to police is smaller than in South Africa. Third, policing change is taking place in the environment and with the support of a highly professional system of policing both within the United Kingdom as a whole and within the European Union.

In contrast, in South Africa the developmental challenges of post-apartheid South Africa mean that the police are only one (and arguably not the main) demand on the national fiscus. With 1 500 police stations and approximately 100 000 officers, the scale of the transformation process has been immense. A further important factor is that there are few professional police agencies with which to seek solidarity in the African context — in fact South Africa is a leader in democratic policing arrangements.

It would not be unfair to conclude, then, that the overall outcome of policing change in both societies is far from clear. What is clear is that each faces new and different challenges which may make the usefulness of a comparative process of analysis in the longer term potentially less fruitful. Ironically, police managers in both contexts expressed some relief that they were not involved in the police change process of the other. This however is unlikely to end the links between the two societies, as indeed it should not. The importance of a shared solidarity in facing difficult challenges in periods of dramatic political change, as well as a recognition of the problems that others are confronting, should perhaps not be underestimated.

Appendix 1

Politics and Policing in Northern Ireland: The Way Ahead

The RT Hon Adam Ingram⁷¹

Introductory comments

It is a great pleasure to be able to address you today and a special privilege to be asked to speak at the opening of this conference.

The meetings planned over the next three days promise to give a fascinating insight into crime and policing in societies across the world which are now emerging from conflict — a really valuable chance to share experience and discuss future plans.

It is also a pleasure to be back here in South Africa, a country for which I have a special respect and affection.

As well as private visits to friends and family here, I came as an international observer to the 1994 elections. Since then I have followed the progress of your own transition with great interest.

Throughout those years South Africa — along with the United States, Canada, Finland and many other countries — has been generous in its support of our own peace process in Northern Ireland.

Two of your distinguished citizens — Cyril Ramaphosa and Brian Curran — are currently working on particularly delicate and contentious issues.

And, of course, the eminent criminologist Professor Clifford Shearing sat on the Independent Commission on Policing — the 'Patten Commission' — of which I will say more later.

I was also in Johannesburg and Pretoria earlier this year [2000] in my capacity as Minister with responsibility for victims' issues in Northern Ireland.

But today I am speaking with another hat on — as the UK Minister for Security, Policing, Criminal Justice, and Prisons in Northern Ireland.

The fact that the same Minister covers both security and victim's issues is not simply a whim on the part of Government planners.

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Minister of State for Northern Ireland. The speech was delivered to the conference *Crime and Policing in Transition: Comparative Perspectives*, held at the South African Institute of International Affairs, 30 August – 1 September 2000.

I hope to demonstrate tonight that the issues of security and policing cannot be separated from the wider political process, in which the suffering caused by violence has had such a deep and corrosive effect.

Whether we like it or not, policing issues are therefore inextricably tied up with the process of healing divisions and building trust at a community level.

Any new beginning in policing which does not take account of this — however good it may be in theory — is doomed to failure.

I would like to do two things: First, to explain a little of the political context and social pressures against which a new police service is now being forged in Northern Ireland. Second, I would like to set out some of the details of that new beginning.

I take some pride in this, because I believe it is probably the most radical experiment in policing currently being undertaken in the international arena.

I know that there are specialists both in politics and in security or policing matters here tonight.

I hope that by the end of my remarks you will appreciate more than ever the need for dialogue between these two specialisms if our societies are to make real progress in the transition from violence and conflict to deep-rooted peace and security.

I hope you will also see an overriding theme which links my two subjects tonight.

And that is the absolute requirement for trust and mutual understanding in the process of remodelling a policing service.

In my experience, if each side can appreciate the pain inflicted on the other by its demands in relation to policing, then there is hope for a constructive resolution of difficulties.

This ability to see the other side's difficulties in a situation of conflict and division was powerfully demonstrated in the approach of President Mandela to the transition from apartheid here in South Africa.

If that understanding and good will are missing, then the process of policing reform simply becomes an extension of the conflict, a new battleground for old divisions.

In other words, we cannot expect a new police service to solve problems which we have not yet resolved in other areas of society. Nor can we expect a peace process will deliver a crime-free society.

But we can hope that a new beginning in policing will become an engine, a driving force for change which will speed up the process of transformation across society.

That is a vision to which I will return in my conclusion tonight.

Political Context

But first it may be helpful for me to explain briefly the political background against which successive British Governments have worked to prepare these new structures for policing.

Northern Ireland has a population of around 1.5 million. Roughly 60% are Protestants, almost all of whom are committed to keeping Northern Ireland within the United Kingdom. Around 40% are Catholics, most of whom wish to see Northern Ireland leave the United Kingdom and join the Republic of Ireland.

These completely rational yet diametrically opposed positions lie at the heart of the Northern Ireland problem.

The history of conflict between the two communities dates back centuries. The Government recognises that Britain too has been a participant — not simply an observer — in this relationship.

But in recent years the policy of successive Governments has been based on the recognition that an enduring solution to Northern Ireland's problems can only come about if institutions can be created which respect the majority while not alienating or discriminating against the minority.

Over the past 30 years there have been numerous attempts to achieve this. Some had limited success and informed the next step forward.

But governments saw that only if these institutions were accepted as legitimate across the whole community would all excuses for using violence be removed.

One of the keys to achieving this came through the determination of the two sovereign governments — the UK and Ireland — to try forge a joint approach.

This was embodied in the Anglo-Irish Agreement of 1985, which committed both governments to the principle that the constitutional status of Northern Ireland could only change with the consent of the majority of its people.

From this building block came multi-party talks which focused on three sets of political relationships: those within Northern Ireland; those between Northern Ireland and the Republic of Ireland; and those between the British and Irish governments.

Although ground-breaking, these talks did not include parties which had not established a commitment to constitutional politics. Sinn Féin, which represented the republican movement, was therefore not yet at the negotiating table.

There followed a further landmark in the 1993 Downing Street Declaration, when the British and Irish Prime Ministers charted a way forward for those democratically elected organisations which were prepared to commit themselves exclusively to the democratic process and turn their backs on violence.

As a result, Sinn Féin (the political representatives of the IRA and the republican movement), and the UDP and PUP (two parties linked to protestant loyalist paramilitaries) joined the process.

Ten months after that declaration the IRA announced a complete cessation of all military activities; the Loyalist paramilitaries declared a similar ceasefire six weeks later.

The Good Friday Agreement

When the Labour Government came to power in May 1997, we stated our firm intention that inclusive negotiations should begin in September 1997 with a view to reaching a conclusion by May 1998.

The final outcome would then be put to the people of Ireland, North and South, in *separate but concurrent referendums*.

The Agreement reached on Good Friday, 10 April 1998, was a phenomenal achievement for all involved.

I realise that skimming through the history of political developments may make them sound easy. But I would ask you to remember — particularly in the context of what I will say later about policing — the depth of bitterness between many of the participants in the talks.

The legacy of violence was such that some politicians who signed up to the Agreement had not spoken directly to their counterparts in some of the other parties and could barely bring themselves to be in the same room.

What the Agreement achieved

This makes the substance of the Good Friday Agreement all the more remarkable.

It set out arrangements for a devolved power sharing Assembly and Executive — a truly local administration to replace direct rule from Westminster.

It made provision for closer co-operation between Northern Ireland and the Irish Republic and between the United Kingdom and the Republic.

It laid the foundations for new arrangements in policing, criminal justice, security and equality.

Crucially, it was founded on the principle of consent — the right of the people of Northern Ireland to self-determination.

It acknowledged the legitimacy of British sovereignty in Northern Ireland for as long as it remained the wish of a majority of its people.

At the same time, the agreement recognised the right of a substantial section of the people of Northern Ireland to pursue legitimately the goal of a united Ireland — so long as their methods were peaceful.

It injected a maturity into political debate. Free from the threat of terrorism, democrats could accept that the aspirations of the other side were as firmly held as ever, but would no longer be imposed by violence. Without this recognition, any lasting peace would have been impossible.

But the Good Friday Agreement also contained much that was painful for each side.

Perhaps the most difficult issue was the early release scheme for paramilitary prisoners. For victims to see their attackers or the killers of their loved ones at liberty in their own communities remains a source of real suffering.

But even at the most difficult times, the Government has returned to the fact that the Good Friday Agreement received the endorsement of the vast majority of the people of the island of Ireland. Over 70% in Northern Ireland voted in favour and over 94% in the Republic.

The Agreement therefore belongs to the people of Ireland.

The situation today

As I am sure you will know, two fundamental parts of the Agreement subsequently threatened to destroy the whole edifice: namely the establishment of devolved government and the decommissioning of terrorist weapons.

Lengthy talks reached an impasse in July of last year [1999] and senator George Mitchell — who played such an important part in the process from its very beginning — agreed to return to Belfast as a facilitator in a Review of the Agreement.

It was during these intensive talks that Senator Mitchell was reported to have said that 'trust crept in'. Unionists agreed to establish power-sharing institutions in the expectation of rapid progress on decommissioning.

On 2nd December last year [1999] devolved government returned to Northern Ireland for the first time in 30 years. The Assembly quickly got down to business and the new Ministers — drawn from all major parties — approached their new roles with enthusiasm and energy.

However, the Government had made it clear that if either side defaulted — whether on the establishment of the administration or the decommissioning of weapons — it would take the necessary action.

Without progress on decommissioning, the political position of the Ulster Unionist Party became untenable and the institutions themselves were threatened.

It was therefore with a heavy heart that the Secretary of State, Peter Mandelson, took the decision to suspend the operation of the Assembly and the Executive on 11 February this year [2000].

There was intense disappointment, particularly in the nationalist community. But events have shown beyond doubt that this was the right decision.

Intensive discussions between the two Governments and political parties led to further statements on the implementation of remaining aspects of the Good Friday Agreement.

The Governments called on the paramilitary groups to respond positively. The following day the IRA issued a statement promising an early confidence building measure and a commitment to a process which would result in their arms being placed 'completely and verifiably' beyond use.

Any of you who have followed political events in Northern Ireland or studied Irish republicanism will understand just how dramatic that statement was.

The Ulster Unionist Party found itself able to resume government in response to this statement and the institutions were set back to work at the end of May.

A month later it was confirmed that the two independent inspectors — President Ahtisaari of Finland and Cyril Ramaphosa — had successfully carried out their first inspection of a number of IRA arms dumps.

This important development has raised confidence both in the future of the restored institutions and in the prospects of decommissioning. For the first time the public now has words and deeds to illustrate the IRA's good intentions.

The bigger picture

This whistlestop history of the Good Friday Agreement tends to obscure the passions and crises which characterised the process. It perhaps also masks the real potential for further difficulties. But it is good too for all of us to be forced to see the bigger picture.

Looking at the Northern Ireland process from South Africa enables me to see the reality — almost incredible a few years ago — of a power sharing government which will resume work next week.

And an IRA statement on its weaponry which many said simply could not happen.

I am very hopeful that the people of Northern Ireland are beginning to see and feel the benefits of internal political stability just like the people of South Africa. Here there is a commitment to achieving a multi-racial, multi-cultural, multi-faith society.

That broadly encapsulates what the Government has tried to achieve in Northern Ireland — a political settlement which values and cherishes diversity of faith, culture and political aspirations.

Security

For many people in Northern Ireland, the earliest and most tangible dividend to flow from the Agreement was the reduction in security measures.

A visitor returning now after ten years away from Northern Ireland would hardly recognise the atmosphere. The paramilitary ceasefires and the reduced terrorist threat have allowed the Chief Constable to implement far-reaching reductions in security.

The process of normalisation is well underway, with troop levels at their lowest since 1970. A large number of military bases have been demolished or closed and all cross-border roads between Northern Ireland and the republic have been re-opened. Although parties may argue over the speed of this normalisation of security measures, the issue itself is relatively uncontroversial.

The same cannot be said of policing.

Policing in the Good Friday Agreement

Indeed, the Good Friday Agreement acknowledged the central and highly emotive nature of the policing issue, while at the same time handing it over to an independent commission.

That willingness to let a third party tackle the problem is itself an indication of how intractable and politically sensitive it was.

But the participants in the Agreement also saw that it provides an opportunity for a new beginning, with a police service capable of attracting and sustaining support from the community as a whole.

The Agreement laid out principles for a policing service which would be:

- professional, effective and efficient;
- accountable in law and to the community it serves
- able to work in constructive and inclusive partnership with the community at all levels;
- rooted in the protection of human rights and professional integrity;
- fair and impartial and free from party political control;
- representative of the make up of the community as a whole.

These principles have informed our approach throughout. At their heart lies the determination to give ownership of the police service to the whole community, where previously the Royal Ulster Constabulary tended to be identified with one section of the community.

The Patten report

Within weeks of the Good Friday Agreement, the Government had appointed Chris Patten — former Governor of Hong Kong — to chair a commission of independent experts on policing.

After extensive consultation over 15 months — with political and community representatives, police experts and literally thousands of ordinary members of the public and numerous study visits (including to South Africa), the Patten Commissioners reported in September 1999.

The report — which set out some 175 recommendations for sweeping structural change — was welcomed by the British and Irish Governments and by the main nationalist party, the SDLP, in Northern Ireland.

Of course, for some, the smallest change was a threat. For others, even the most radical transformation was not enough.

Implementation

The Government consulted widely on the report and announced that it would implement the recommendations in full.

But the report had to be translated into legislation — a process which Patten acknowledged would be a complex task involving fine judgements and interpretations of some of the reports more general recommendations.

I am currently taking this legislation through parliament and it will come into effect later this year [2000].

The Bill, and the implementation plan which has already been published, show that the Government has accepted all but six of the 175 recommendations and of those six, two have been partly accepted and the other four are currently the subject of further consideration.

As Tom Constantine — former head of the US Drugs Enforcement Administration who has been appointed to independently oversee the implementation of change — has said, the reforms proposed are the most radical seen anywhere.

The new beginning

Let me turn now to the key points of the new beginning — a vision of a new police service shared by Patten and the Government.

I have already said that 'ownership' of the police service by the whole community was central to Patten's thinking.

In practical terms this translated into a radical emphasis on accountability, representation, and human rights.

Policing Board

The cornerstone of the Patten report's accountability structures is the proposed Policing Board — independent of Government — with the specific legal duty of holding the police service to account for its actions and performance.

The new legislation will set up the 19 member Board, a majority of whom — 10 in all — will be drawn from representatives to the Northern Ireland Assembly in proportion to their elected political strength.

The remaining independent members will be reflective of wider community interests, allowing them to have a voice in how policing is delivered.

The new Board will be given powers of accountability and oversight unique to the UK or the Republic of Ireland.

It will monitor the performance of the police on human rights and many other areas. It will appoint the head of the police service — the Chief Constable — and other senior officers and act as their disciplinary authority.

It will set the budget and take a central role in the strategic direction of policing, setting objectives, priorities and targets and measuring police performance against a published policing plan.

But, importantly, operational control and direction of the police will remain in the Chief Constable's hands.

In short, the Chief Constable will be in charge of service delivery and the Board will regulate the service provided in a publicly accountable way.

The Board will have exceptional powers to call for reports from the police and to launch inquiries into matters which are of grave concern. Again, these powers are unique in the UK or Ireland, and perhaps anywhere.

District Policing Partnerships

This emphasis on accountability will be carried through to local level by the creation of District Policing Partnerships. They will provide a crucial link between the community and their police service.

Membership of these bodies will be made up of local authority elected members and independent members appointed by the Policing Board to ensure that the partnerships are widely representative of the community.

The new beginning in policing is about making sure as many people as possible will play their part in the new policing structures, and see policing as being part of their community — not hostile to it.

Ombudsman

To provide further reassurance of the integrity of the new service, the Government has already enacted legislation to create a Police Ombudsman whose task will be to investigate complaints against the police.

This new complaints system in Northern Ireland is, we think, without compare.

It provides the Ombudsman with complete control and independence from both government and the police service.

Crucially, it involves investigation not by the police service, but by the Ombudsman's own staff who have been given powers of police officers for the purpose.

Far from feeling threatened by this new office, the police themselves have welcomed it because they can no longer be accused of partiality in investigating such complaints.

Human Rights

The process of building public confidence and trust, of which the Ombudsman is an important element, is further enhanced by a new emphasis on human rights.

Indeed, the Patten report concluded that the fundamental job of the police was to protect human rights.

The Chief Constable and the new Policing Board together will be responsible for full compliance with human rights requirements.

New officers will be required to take a new human rights-based oath. All officers will receive human rights training, and will be required to behave in accordance with a new Code of Ethics. And a new Human Rights Act will come into force in October guaranteeing fundamental rights and freedoms throughout the UK.

Composition

However, Patten recognised that new structures and accountability might not in themselves be sufficient to redress the balance of representation in the police service.

As I have already said, over 40% of Northern Ireland's population is Catholic, yet only 8% of RUC officers have been drawn from the Catholic community.

There are many complex reasons for this, from outright terrorist intimidation to a traditional alienation from the police in the Catholic/nationalist community.

Patten's radical solution requires the recruitment of an equal number of Protestants and Catholics, from a pool of candidates all of whom — I stress — will have qualified on merit.

The report envisaged that these measures would lead to a more representative police service within 10 years.

This is a very ambitious programme: it took the New York police department 25 years to move from 12% of ethnic minority officers in 1974 to 33% in 1999.

The Government has embarked on this programme in the face of severe criticism that it amounts to positive discrimination. But the government believes — with Patten — that these extreme measures are essential to achieve the necessary balance and community representation in the new service.

Of course, what is really needed is the support of the whole community in Northern Ireland to achieve a transformation in the composition of the police.

Oversight Commissioner

There are many other sweeping reforms which are no less radical for being uncontroversial.

The police service will undergo a transformation in management structures, IT capability, and training — indeed in every aspect of police activity.

Finally, to bolster this vast programme of change, and as an important confidence building measure, the Patten report recommended that an eminent person, from a country other than the UK or Ireland should be appointed as an oversight commissioner to supervise the implementation of the new approach to policing.

Tom Constantine, former Head of the Drugs Enforcement Administration in the US and former Chief of Police for New York State, has already taken up this post. He will monitor and comment publicly on the progress of change.

Once again a ground-breaking concept in policing reform, building confidence in the process of change.

Emotive issues

Given the scale of these changes you may be surprised to learn that none of them have generated as much pain and raw emotion as the issue of the name to be given to the new police service.

Symbolic issues are hugely significant in Northern Ireland. How they are used is often interpreted as defeat or victory by one community or the other.

In the case of the RUC, many in the unionist community were deeply hurt by the Patten Commission's recommendation that this name should be replaced. They saw it as a criticism of the past record of the RUC — an insult to the terrible sacrifices made in the fight against terrorism.

The Government recognises the pain caused by this issue and utterly rejects any implied criticism of the remarkable service given by RUC officers over the last 30 years.

But Patten's argument that a new name was essential to achieve a new beginning is in the end, persuasive. If this goal could be achieved without changing the name then it would not be changed. But that is not possible.

The government has therefore determined that the new name will be the Police Service of Northern Ireland.

Conclusion

The Government understands the desire of those nationalists who want to see a break with the past. Equally, it understands the emotional attachment many people have to the existing name, symbols and emblems of the RUC.

The Patten Commission took a middle line between these two positions.

It argued that the RUC should not be disbanded and that there should be no complete break with the past. At the same time, as I have already said, it stressed the need for a new beginning, a fresh start.

In short, the Commission recognised — in the words of Chris Patten himself — that there are two histories in Northern Ireland and two experiences of policing. Each has legitimacy and each contains real pain and suffering.

This brings me back to my opening theme. The will to see the problem from the perspective of the other is an absolute pre-requisite to progress.

Unless the leaders of both communities understand the pain and difficulties created for their counterparts by their own demands on policing, the most difficult issues cannot be resolved.

It is, after all, this ability that paves the way for constructive compromise. And, of course, it applies to the wider political and social process as much as to policing.

One of the ironies of the conflict in Northern Ireland is that it has bred some of the greatest poets of the last fifty years, including the Nobel laureate Seamus Heaney.

The father of that movement of poets, Louis MacNeice, once wrote:
And I envy the intransigence of my own
Countrymen who shoot to kill and never
See the victim's face become their own
Or find his motive sabotage their motives.

Some sixty years later we are moving beyond the violence. But in too many cases mindsets have yet to develop beyond the period of conflict.

The process of understanding one's own motives and the motives of others is still at an early stage. It may take generations.

For those of us involved in the policing debate, this is an inevitable frustration. The logjams on policing reflect the logjams in society, in politics, and in the minds of individuals. But neither can we afford to wait.

Indeed, policing is so central to any society that driving forward change in this area will certainly send ripples across society. Policing can become an engine of reconciliation and healing. It can help trust to creep in.

That is why policing is so important and that is why the Government is implementing the radical measures of the Patten report, some of which I have described tonight.

It will not be easy, but the prize to be gained is the greatest prize of all — a society at ease with itself. A society equipped to face the real challenges of criminality and social cohesion which other 'normal' societies are facing in the 21st century.

With commitment, determination, and above all the will to understand others, we can achieve it and build a better future for the police and for the society they serve.

That, I trust, is an ambition that we share with you in South Africa. We continue to watch your progress with interest and admiration.

We know we can rely on your good wishes and continued support as we pursue the same goal in Northern Ireland.

Appendix 2

Report on the Royal Ulster Constabulary Exchange Visit with the South African Police Service 23–29 January 2000⁷²

Between Sunday 23rd January and Saturday 29th January 2000, the Independent Projects Trust (IPT) facilitated the first of a two-part exchange of information between the Royal Ulster Constabulary (RUC) and the South African Police Service (SAPS). This first engagement took place in South Africa and involved a six-member delegation from the RUC engaging with various members of the SAPS. The exchange centred around two locations and began with meetings held in Pretoria with key Change Management Personnel at SAPS headquarters. This was followed by a visit to Durban where the RUC were given an opportunity to talk to SAPS area management and visit two local police stations. The purpose of this was to inform the RUC delegates about changes being implemented at station, area and provincial level. Funding for transport, accommodation and activities was provided by the Foreign Office's Assist Fund via the British High Commission.

The purposes of the six-day exchange visit were to build a broader understanding of police transformation, to gain first-hand information which would inform the quality of the RUC strategic plan and to identify potential hindrances to implementation. This engagement will also begin to identify potential areas in which the RUC could contribute to the ongoing transformation process of the SAPS.

In compiling this draft report, the IPT has drawn from its own notes and minutes. The final intention is to collate the contents under subject headings, but it is presently ordered in a broad chronological manner with the contents focusing on the understandings and information that were generated.

⁷²

This is an edited version of a report compiled by the Independent Projects Trust.

Pretoria Visit: Sunday 23rd January – Wednesday 26th January 2000

IPT staff, Glenda Caine, Iole Matthews and Richard Griggs met the RUC team at Johannesburg airport and 23rd January was set aside as an orientation day. The RUC officers who arrived on Sunday were:

Supt Jonathan McIvor, Subdivisional Commander
Supt Cecil Craig, Change Management Team
Supt Robin Campbell, Change Management Team
Insp Alan Skelton, Change Management Team
Mr David McClurg, Secretary of Police Federation

The background to the exchange including its history and the relative roles of the IPT, the British High Commission, and the British Council were explained. The IPT also presented each member with an itinerary and an information packet offering statistics, articles, and analyses detailing various aspects of policing in South Africa. This was followed by a question and answer session, discussion, and some strategic planning for the days ahead. The opportunity for some rest and time for initial orientation was regarded as highly beneficial by the RUC and may be considered for the subsequent March visit to Northern Ireland.

On Monday 24th January 2000, the first meeting of the January exchange was held between the SAPS and the RUC in the SAPS Management Services boardroom at Police Headquarters in Pretoria. The Divisional Commissioner of Management Services, Commissioner Louis Eloff, along with a former member of the SAPS Change Management Team, Andre Coetzee, led an intensive full-day presentation and discussion on the transformation of policing in South Africa. Key to this was highlighting some of the successes and failures in managing SAPS transformation. This was especially pertinent since many issues of change management mentioned that day resonate with similar concerns, strategies, processes or ideas under consideration by the RUC.

In South Africa, a Change Management Team (CMT), consisting of senior police members, academics and political representatives was appointed directly after the 1994 elections and was mandated to address three main processes:

- amalgamation;
- rationalisation; and
- change.

The first involved the physical integration of eleven different policing agencies into one single police service and included the standardisation of systems, policies and procedures. The rationalisation process was concerned with establishing effective administrative, logistical and financial processes, policies and structures as well as personnel. Also required was the development and enactment of new legislation to support these changes.

The first two processes were easier than the third, which focused on issues of reconstruction and development, community policing and affirmative action. While the first two required about fifteen months to complete the third process is still underway.

One of the more successful practices in achieving transformation was the use of a visioning exercise in 1995. All senior members in the offices of the National Commissioner and the nine Provincial Commissioners joined in a *bosberaad*.⁷³ A draft vision statement, mission statement and code of conduct emerged from this exercise which was disseminated throughout the organisation for comment. Community organisations and NGOs were also offered an opportunity to give their input. It was highlighted that the product of this process was not as important as the actual process of working together. From the *bosberaad* there emerged a new vision of the police as a service in which communities could participate and about which they could be consulted. This was a fundamental departure from the old style of policing which was based on ideology, the use of force, reactive styles, unequal distribution of human and physical resources and a military culture. This mind-set was now being replaced by concepts like representativeness, responsiveness, socio-economic development and equality. Commissioner Eloff stressed that real transformation involved admitting that something was wrong and then trying to correct it. He commented, 'If this does not occur, there is no starting point for change.'

By February 1996 a strategic plan had been released by the CMT which provided a set of guidelines for transformation. This document was distributed among the participants with the comment by Commissioner Eloff that 'it was clearly a mistake to have had a separate document on transformation', for he felt that the transformation process would have been implemented more smoothly if there had been one strategic plan for SAPS which included a component on the transformation process. Some issues of continuous improvement should have been left with the appropriate agencies rather than falling under change management since they were not specifically about transformation. Having separate plans for transformation and operational crime prevention prevented an integrated response and exacerbated the divisions between the CMT and operational personnel.

The guidelines for transformation were also troubled by a failure adequately to track and monitor dissemination. It was distributed to provincial commissioners and the team anticipated that it would be re-distributed from there. However, in the final analysis, it became apparent that not enough members read the document.

⁷³ A South African word literally meaning 'bush council', usually held in a remote game reserve. It is residential and so time is spent working and processing plans and ideas and also round the fire at night, cooking and talking informally.

The CMT was closed down in 1997 and the line functions were made responsible for carrying transformation forward. This was to emerge primarily as the Service Delivery Improvement Programme (SDIP) aimed at station-level implementation. In this approach the job of overseeing transformation is 'owned' by operations at provincial level but with backing and co-operation from national level. This struck some resonance with the RUC change management delegation who envision a very decentralised approach to transformation with much of the responsibility resting with district commanders, though this has not been fully defined.

The central issue today was that the SAPS now has an organisational strategy that includes transformation as a component of the broader plan. The SAPS focus will be on two key issues — combating crime and a process of consolidation and alignment. The two key transformation priorities are community policing and the promotion of equality in service delivery; the former automatically includes the concept of demilitarisation and the latter is embodied in the SDIP.

Commissioner Eloff said that between 1994 and 1997 the organisation had proceeded in fits and starts toward a decentralised SDIP strategy, which is still in need of refinement and requires measurable performance on the ground. The most recent addition to the change management strategy in South Africa is the plan to introduce a system of performance indicators with outcomes linked to appointments. This is critical for it will become a key factor in improving the quality of the local station commissioner, which in turn should improve the quality of service. At the end of 1999 this approach was being piloted in stations in the Western Cape before being introduced as general policy. One area of potential concern was that the high rate of illiteracy among police members in some of the provinces could make this problematic.

While the single strategic plan, focus areas and SDIP were highlighted, there were other elements to the present strategy worth mentioning. These showed the current strategic plan to be characterised by the following:

- ownership of change processes by line functionaries;
- commitment;
- strong leadership;
- differentiation between change and continuous improvement;
- clear definition of focus areas (e.g., equality in organisation and in service delivery/demilitarisation);
- effective communication and consultation;
- integrated plan (one strategic plan, not a separate plan for transformation);
- CMT to act as facilitator;
- prioritisation; and
- effective monitoring and performance measurement.

Commissioner Eloff then highlighted some of the failings in the SA process and noted that one of the first mistakes that had been made in managing this transformation was that the CMT had taken on too many issues simultaneously. About thirty different project teams were appointed for each of the main areas of transformation. This large number of project teams was difficult to manage and resulted in a lack of focus. In retrospect the Commissioner felt that the CMT would have been more effective if it had reduced the number of issues it tackled to only two — equality in service delivery and community policing. Many other issues would have naturally become a part of these. In any case, the large number of changes needed could not be made all at once and had to be prioritised according to other demands (e.g., with existing budget restraints a change to new uniforms has still not taken place).

Another failing in the South African experience, and one which was emphasised throughout the day by Commissioner Eloff, was that fuller responsibility for transformation was not given to line managers. While the CMT was tasked with the responsibility of transformation, it was structured as a facilitative body and could not make any decisions, nor implement policy at station level. This created a gap between policy development and implementation at station level. Many policies of transformation generated at national level did not actually become operational and were not always practical. Commissioner Eloff said that with hindsight it was clear that the CMT should have placed greater emphasis on policy implementation at ground level while still maintaining a focus on fighting crime.

There was extensive discussion between RUC and SAPS regarding the appropriate approach for handling resistance to change. The SAPS CMT made the initial assumption that about 20% of the members would resist change, 60% would be 'fence sitters' and about 20% would be initiators and could be counted on to actively participate in the change process. In the beginning, the change team focused on using the initiators and converting or marginalising the resisters. However, over time the final approach had to become that of the FIFO Principle: 'Fit in or Fly Off'. It was noted that many of the greatest 'resisters' came from the senior ranks. This gave rise to efforts to force out such 'resisters' by bypassing them for promotion, creating pressures on them to leave the service, exposing members of the security branch who had committed serious crimes under apartheid to the Truth and Reconciliation Commission (TRC) and also by offering voluntary severance packages.

One very successful structure that provided support for transformation was the National Policy Forum (NPF) whose role it is to encourage internal consistency and to ensure that all proposed policies are aligned and not in contradiction with one another. This body was made up of a team of people from diverse fields of interest such as labour, law, or change management (some of the SAPS CMT members were represented on this structure) who

ensured that a broad process of consultation took place. The forum was given 'teeth' by virtue of the fact that all policies have to be ratified by the NPF before being presented to management.

While the Commissioner felt that many issues were only appropriate for the South African environment there were at least three elements that might have some relevance to Northern Ireland.

He suggested that the focus areas might be relevant (e.g., equality in the organisation and in service delivery/demilitarisation). He emphasised that the issue of demilitarisation had to be unpacked and one should clearly define what is meant by the word and warned that one should go about this process too slowly rather than too fast.

Commissioner Eloff also said that the South African team had found that changing the rank structure as part of the demilitarisation process can be a thorny issue and was best left alone if possible. 'Every organisation has tradition and culture and it is a problem to challenge these. It touches too many hearts and minds.' Mr Coetzee agreed and suggested concentrating on the 20% of the changes that have 80% of the impact and leave the rest alone.

Commissioner Eloff said also that Northern Ireland might benefit by learning from the biggest mistake made by the South African CMT in 'accepting transformation as an independent factor and not focusing on contributing to a single strategic plan.'

A summary of lessons learnt in the SAPS transformation process was shown on a slide as a list of basic concepts that might be applied to any transformation including that of the RUC. This included:

- do not try to fix everything at once (do not tackle too much);
- everything from the past is not bad;
- you cannot transform from the outside;
- combating crime must remain the main focus of the police;
- find a balance between service delivery, crime-combating and transformation/development issues;
- stick to the basics;
- discipline is not militarisation;
- mind-set changes are also brought about by policy, structural and system changes;
- manage so that regular successes and outputs are visible — communicate these successes; and
- communicate, consult and explain (over and over).

Andre Coetzee underscored the issue of communication. 'Every effort should be made to bring the information regarding the nature of transformation to the station members. Direct training of station members and better structures of communications would have been more effective in bringing transformation to ground level.' This final statement had resonance with members of the RUC delegation who added that change managers

often neglect the member or constable at the bottom tiers of authority. There was general agreement around a recent article that had mentioned that there was no record of any organisation undergoing change that actually got communication right.

These discussions continued on Tuesday when the team was joined by Deputy Divisional Commissioner Armstrong Jones, Head of Efficiency Services, SAPS in the morning and by Assistant Chief Constable Tim Lewis, Change Management Team Leader from 11.00 am.

The meeting opened with a review of the proposed RUC strategy for Change Management with comments by the SAPS team. This was very useful as it provided the background to improve the understanding of the differences and similarities between the RUC and SAPS change management experience.

The review was presented by Supt Robin Campbell who began by saying that in many ways South Africa is on the high seas of transformation while the RUC is still in the harbour checking the rigging. There was a basic commitment to making small changes against an agreed vision of where the RUC would like to be. This might avoid the early problem experienced by SAPS CMT of taking on too many changes at once.

The RUC comes from the Royal Irish Constabulary and was formed by royal decree on partition of Ireland in 1922 and was named the Royal Ulster Constabulary. From 1969 the British Army was called to assist and support the RUC in the maintenance of order.

Since 1970 the RUC has been overseen by a Police Authority which is similar to the civilian Secretariat in South Africa. Individuals who are broadly representative of the community were on the Police Authority and elections are held to this post. This is a major issue in the transformation and is addressed in the Patten Report. Supt Campbell said that it has also had the similar effect of creating polarisation. The Chief Constable of the RUC (similar to South Africa's National Commissioner) has operational control of the RUC while the Police Authority oversees effectiveness and efficiency.

Supt Robin Campbell addressed the structure and timing of the RUC Change Management strategy explaining that it was intended that the local area command would be the focus of change, with project co-ordination and support from the CMT. Change Management will also be co-ordinated through the strategic plan (addressing one of Commissioner Eloff's chief concerns from the previous day). It was envisioned that 'Beat Officers' would play a critical and dual role as both enforcement authorities and individuals who deliver a community service based on partnerships.

Creating this kind of vision on the ground is dependent on changes to existing legislation and it may be as late as October or November before the legislative groundwork for implementation has been completed. Supt Campbell expressed concern that once this happens there will be pressure to make rapid changes which will be difficult to manage and implement.

Commissioner Eloff replied that one of the positives of the change process in South Africa was that it occurred simultaneously with the development of policy and suggested that it was important to create infrastructure in anticipation of this to avoid such problems.

At present the RUC CMT is mapping all the various recommendations and projects, clustering these and then identifying strategic issues. The 681 original recommendations were reduced to 442 and these were further condensed into 18 key focus areas. These 18 areas cover all of the recommendations contained within the Patten Report.

Despite the clustering, the CMT from Northern Ireland shares the same concern as the SAPS CMT with respect to taking on too many change issues at once. In order to begin prioritising some of the issues a star system was devised based on one to four stars to see which will be most costly in terms of time and effort. Nevertheless, it was agreed that even taking on six of the 18 recommendations would be costly in terms of time and effort. Already there is pressure on the CMT to explain how they are responding to at least 103 of the 175 Patten Commission recommendations.

Commissioner Eloff said that this prioritising also took place in South Africa. Rather than stars, they broke the projects into three categories: quick fix, fast track, and longer term projects. Quick-fix projects were those which showed visible results in a short time period and a certain number of these were chosen in order to demonstrate and communicate visible results as the CMT proceeded with its work. 'This is important for your buy-in strategy.'

Commissioner Eloff reiterated his concern about the role of the Northern Ireland CMT and its involvement in the massive number of changes that must take place.

'How much can be sent through line functions? What is the bigger picture for implementation? Are all the departments aligned in the production of change and transformation? Otherwise everything comes your way, you become inundated and lose the plot.'

'The SAPS transformation plan included 400 issues. With hindsight we now know it is better to put your strategic plan on the table and then see how transformation links into it. Otherwise you found yourself working in conflict with the people fighting crime. Transformation happens because we need to improve our service to the public. In this country, heavy resistance to transformation was engendered from the perception that transformation did nothing to fight crime.'

Mr Lewis responded saying that part of the Good Friday Agreement of 1998 was the generation of recommendations on changing the focus of policing. These emerged in the form of the Patten Report. Mr Lewis said that 'Patten' would also be the benchmark against which the CMT would be judged as it created the framework for change. 'We are not invited to just manage change but to do a complete make-over. Our questions are "How are we going to do it?" remembering that service is an integral part of all of it.'

The broad changes in policing as recommended by the Patten Report formed the nucleus of the discussion that followed and forms the framework for this section of the report. The recommended areas of change included:

- a new focus on human rights;
- an emphasis on community policing;
- demilitarisation (normalisation of policing);
- a complete change of names and symbols;
- reducing the size of the force; and
- accountability with a policing board, ombudsman and an oversight Commissioner for Change.

All of these focus areas struck a chord with the South African experience. In both countries policing with the community and human rights in mind is becoming an operating ethos. Demilitarisation, names and symbols, force reductions, and accountable oversight committees were issues which had to be addressed in South Africa as they are now being addressed in Northern Ireland.

Focus on human rights

In Northern Ireland laws are still being passed to deal with Human Rights issues and many changes are dependent on this legislation. There is also a newly appointed Human Rights Commissioner involved in the production of this legislation.

Similar to South Africa's situation with regard to race, the Patten Report requires the RUC to achieve some balance in its membership in terms of cultural background. Presently the RUC is 8% Catholic, 88% Protestant and 4% other. Political divisions and violence in Northern Ireland contributed to a situation where few Catholics joined the RUC and political reasons prevented many of those who did join the RUC from ever returning home. Achieving some equality in membership may pose even more difficulties in Northern Ireland than in South Africa, for the law prohibits asking members directly about their religious affiliation, but the agreement requires such discrimination. This issue is currently under discussion in order to allow the RUC to recruit on a 50/50 basis, and by November 2000 it is hoped some form of legislation may be in place. At this point Commissioner Eloff pointed out again that one issue which was miscalculated in South Africa was that of community policing: it is labour intensive, and reducing the size of the police service while simultaneously promoting community policing can be problematic.

There was some discussion concerning the issue of lateral appointments which occurred in South Africa when members of non-statutory forces such as the MK and APLA (the armed wings of the ANC and PAC) were

integrated within the police service. It was explained that individuals who had criminal records were only excluded from joining the service if those crimes were of a 'criminal' rather than 'political' nature. It was felt that the CMT did not have a role to play in these issues, for, as the SA delegates said, 'Many of the people who today hold ministerial positions were the same people who planted bombs that killed innocent people. This is the responsibility of the politicians to work out and an area over which the CMT has had limited influence.'

It was agreed that there were some similarities within the Northern Ireland situation where politicians from the Republican parties are now in Government at Stormont, for example Martin Magennis with the Education Portfolio. This is a touchy issue involving prejudices and particular world-views and the RUC delegation added that these uncomfortable subjects need to be discussed for effective change to occur. Mr Coetzee agreed that uncomfortable subjects quickly become no-go areas for discussion, or taboos, and then hinder the change process. Sometimes the issues not discussed are key to the process so one must try to bring these out before they create barriers to change. Discussing the uncomfortable is critical to the success of transformation.

A potential risk that any CMT faced was that as members began to enter into discussions with former adversaries, they may become polarised and distrusted within their own organisation, seen as sell-outs or collaborators. In South Africa the CMT was seen as entering into agreements with 'terrorists' and encountered strong resistance from some quarters. On the other hand, many of those in the security branches who opposed the process eventually had to leave the service as the inevitable transformation took place.

Commissioner Eloff added that the incorporation of a majority, as was the case in South Africa, might have been easier than the incorporation of a minority such as in the Northern Ireland situation. Reconciliation and nation building may have been easier in South Africa because they took place with positive political role models like Nelson Mandela and in an environment which supported the 'rainbow nation'.

The following question was asked: How did the SAPS go about incorporating human rights concerns in the transformation and how do you know that you have done it?

Andre Coetzee answered that in the context of SA, the constitution sets out the grounds according to which any discrimination through racism, sexism, and other biases are ruled out. Within the SAPS, racism was the most prominent issue but also accessibility for disabled persons and other issues arose, such as gender equity which remains the major issue to be addressed. Targets were set to ensure that there were no human rights abuses within the SAPS. The target of 50% black officers in management has been partially met while the 30% female target currently stands at about 8%. It was also

noted that human rights training was initiated within SAPS even before the CMT had fully examined the issue to ensure that discriminatory practices were eliminated.

Commissioner Eloff explained that incorporating human rights involved reviewing three factors:

- policy;
- practices; and
- structures.

It was necessary to ensure that police policy, such as standing orders, supported fundamental principles of equality and fairness. This had to be matched by actual police practice, i.e. the use of force, and then consolidated by ensuring the structures removed any opportunities for police to behave in discriminatory ways. It was important to provide police with training and information on how to maintain human rights as well as remove opportunities for them to abuse anyone's rights.

A Code of Conduct which was developed within SAPS also helped to promote a human rights culture. For the RUC a comparison might be made with the Police Manual where Chapter One details 'Professional Ethics'. The South African Code of Conduct is a condensed list that each member must sign, thus gaining the commitment of every member to adhere to human rights principles. This is further supplemented by disciplinary regulations regarding what one may not do and sanctions for it. The South African CMT members said their failure in this area was the lack of a reward system for adhering to a human rights culture. Commissioner Eloff also pointed to the need to inspect and re-design duty rosters. 'What do black members do, what do women do? Are these groups discriminated against in terms of duties?'

Training also plays a major role in promoting a human rights culture and this is vital to the transformation. An illustration of this is the 'Diversity Workshops' where people learn about different cultures and races. This interactive type of training has been beneficial within the SAPS and the majority of members who have attended these workshops have given positive feedback.

Another issue which may be included in building a human rights culture is the need for equality of access to facilities and resources. For example, historically in South Africa there were separate toilets for black and white members. Disabled access is another example. All of this requires a change of mind-set.

David McClurg said that generally structures, policies and practices in Northern Ireland are also being reviewed to ensure that they are in accordance with human rights principles. He then asked how grievance procedures work in South Africa.

Mr Coetzee responded that grievances go up the chain of command. If a complaint cannot be resolved at senior management level, it can then be referred for arbitration. The unions are also active in this regard but it appears the South African grievance procedure is quite effective especially since any human rights abuse is also a disciplinary offence.

One RUC member asked if there had been an increase in grievances after training in human rights started. Commissioner Eloff replied that in the early days of the transformation, there were people who came forward mainly to assert themselves in the new environment. There was also cultural confusion because of the amalgamation of the force; however, SAPS members are also quite sensitised to the issue of equality since this had been a debate undertaken at all levels of SAPS. So yes, there had been a slight increase in the number of members who come forward with grievances. A greater focus on human rights abuses may have resulted in an increase of cases that came through the Independent Complaints Directorate.

Community Policing

This was described by Supt Campbell as the golden thread of the RUC transformation. Since it is also a key focus of the SAPS transformation, it elicited some meaningful discussion and comparisons. The RUC seeks:

- effective partnerships with the whole community — identifying and tackling causes of crime;
- to work out community priorities and workable solutions;
- policing by consent with public acceptance;
- overt and acknowledged support for policing by the RUC — contributing to inclusiveness and political stability;
- recognition that the police alone cannot reduce crime and must consult and co-operate with the community and other agencies; and
- problem-solving partnerships.

The RUC delegation expressed interest in discussing what form community policing took in the South African context and in how it first got off the ground.

It was explained that Community Policing Forums (CPFs) are not considered as mere forums but rather partnerships and that community policing is still policing, albeit one with a particular style and approach. This style incorporated all the aspects of participation, consultation, communication and equality. It was noted that these structures have to be seen as legitimate to be effective and in reality it will be another 10 to 20 years before we have effective community policing in South Africa. While the effect of CPFs around the country has certainly been mixed, they have at

least created a structure for community involvement and integration into policing.

Commissioner Eloff noted that it was important to balance community needs with law enforcement priorities in order to avoid what he referred to as an '... an overreaction to democratisation'. At this point he also stressed that 'Community policing is labour intensive, you can't do it and decrease personnel.'

Demilitarisation

One of the chief objectives of the RUC transformation is to move toward a normalisation of policing. This means removing the army and creating stations that are accessible to the community. This concern was also at the forefront of the SAPS transformation and therefore led to some lively discussion.

Commissioner Eloff took the lead in responding to this factor in the RUC transformation and explained at length how demilitarisation was handled in the South African context. He stressed that one does not have to use the term demilitarisation and all its negative connotations since the positive emphasis on service delivery incorporates this.

'Policing must be about delivering a service so this *is* demilitarisation since a military approach tends to favour the use of force and [is] abrupt in [its] style, rather than service-orientated. If you ask, "what is the service I want to deliver", the answer describes a non-militaristic approach.'

It was suggested that achieving 'demilitarisation' requires collaboration, consultation and devolution of powers to ground-level communities. Rules and regulations can be used to lead us there. Symbols may have to be re-examined since they can be used to reinforce a military mind-set. In demilitarising the police one also needs to address the organisation's equipment and resources, for example, the question of what the police station should look like if this service-orientated approach is adopted.

It was also emphasised that the process should begin in areas in which the police and the populace were not under threat. As Commissioner Eloff said: 'The place to start demilitarisation is in the quiet areas, not in places like Umbumbulu that has had 200 years of faction fighting. Stability has to be achieved and then demilitarisation can proceed.'

The key point made by the SAPS members during these discussions was that delivering a service encapsulates demilitarisation and so, in order to gain organisational support, one would be wise to avoid these controversial terms and rather speak about improved service. What leads to the delivery of a better service? If one concentrates on this issue it will be apparent what actually needs to be changed and what does not need to be changed. If the rank structure makes no difference, why change it? One should examine

appropriate use of force, rules, regulations, practices, symbols, equipment and resources and see what delivers a better service.

In response to a query as to whether the changes in approach by the SAPS had resulted in greater support from communities during public order situations, the SAPS said that there had been an improvement in this respect. While the situation in highly charged areas continued to be difficult there had been a definite move away from using maximum force to the use of negotiation. This had improved the way in which the Public Order Police (POP) was perceived by the public. In fact public order policing was considered one of the successes of the transformation process and one of the easiest, with many of the 6 000 POP members now actively involved in proactive policing. Commissioner Eloff added the caveat that while it was 'not a good idea to go too slow[ly] in dismantling this kind of structure, the timing is critical. You cannot undermine your entire capacity here.'

In discussion around the use of force it was noted that one problem which South Africa faced was that when Section 49 of the Criminal Procedures Act was reviewed, 'appropriate use of force' was misinterpreted by police members as 'no use of force' leading to hesitancy on the part of police officers to physically apprehend perpetrators or to use their firearms. Over time in South Africa this has led to a backlash from communities who perceive that police are 'soft' on criminals and indifferent to the needs of victims, so the public are now demanding more punitive measures from the police and taking the law into their own hands, often with fatal outcomes.

The discussion on demilitarisation ended with the question 'How does one create and maintain organisational cohesiveness in the process of demilitarisation?'

Mr Coetzee replied that communication is critical to this process. People must be convinced that they are not losing anything through the process of demilitarisation and any guarantees that can be given must be communicated clearly and repeatedly to members (e.g., no decreases in salaries, no forced retrenchments). Resistance can gain momentum if there is a perception of loss amongst members or if there is uncertainty about what will happen. So, having and sharing a clear direction and purpose can contribute to the creation of a climate that is conducive to change.

Commissioner Eloff reiterated that communication was the key to the 'buy-in' process. One needs to understand the key concerns of the members on the ground and give them a glimpse of what is going to happen. One also has to offer some confirmation that their personal benefits will not decrease. Surveys can be used to find out what members' concerns are, although some of these are obvious (e.g., 'Will I lose money?', 'Will I be fired?'). In order to communicate with members, SAPS used in-house television broadcasts in the stations to address members, and they also used inserts with salary advice slips to keep members informed. One way to build support through the

organisation is to highlight visible changes that you make and communicate these through press statements and other means.

There was some debate as to whether there were any guarantees that the RUC CMT could offer to its members and it was noted that one form of guarantee could be leaving matters such as names and symbols unchanged for at least a year. There was also some discussion as to whether some guarantee could be made to reservists with regards to having their contracts renewed. It was felt that in order to have any impact, any guarantees must be made publicly and be well communicated.

A complete change of names and symbols

A change of names and symbols is one of the terms of reference for the RUC CMT. As in South Africa, changing names and symbols is an emotive issue and for most RUC members, it is *the* most emotive part of the Patten Report. Recommendations have been made but not yet acted on. There is a stay of execution until next autumn (northern hemisphere) in order to allow discussions to take place. It seems that the new symbols will have to elicit something neither too Irish nor too British and concern was raised that there is no celebration of diversity but rather an attempt to create an image of neutrality.

The South African CMT members thought much of this was best left alone but the RUC members re-emphasised that this was not an option but a given according to their terms of reference. The SAPS agreed that this had also been the case in the South African situation but they were helped by the fact that the adoption of new symbols had also been an inherent part of the process of amalgamation. Eleven police agencies were integrated which meant that each service's own traditions and symbols were automatically eliminated in this process. There had been some problems with stations which continued to display the old South African flag or old pictures of National Party leadership but the general change in the country, and the mood of the rainbow nation, created its own momentum and this was never a big problem. Five years on, many of these issues have been forgotten.

Reducing the size of the force

A difference between the RUC and SAPS strategy was identified in the anticipated strategic restructuring which will take place within the RUC, reducing posts and divisions. This differs from SA where there was an expansion of posts in order to increase the representativeness of other race groups in management. SAPS noted that there was the potential for this to reduce opportunities to create equality. There was support for this concern

since the reduction of the 12 current chief officers down to three or four will clearly reduce opportunities for transformation.

It was noted that one area for attention was whether new officers will be vocationally equipped for these posts. A potential problem might arise when, with a decreasing managerial structure, the minority groups who begin to join the RUC become over-represented at the bottom of the organisation, reinforcing the perception of domination by the top.

Some commonalities were identified between the two countries, especially with regards to changing divisions and posts and the use of voluntary severance packages.

In changing divisions and posts there was the question of what to do with the 'Special Branch' (or the Security Branch in the case of South Africa). Under the Patten Recommendation, the Special Branch will be incorporated with the CID. This also occurred in South Africa and helps explain tensions among detectives. In Northern Ireland the combining of counter-terrorist intelligence and criminal intelligence, each with its own set of informers, is anticipated to be difficult. Similarly in South Africa there were problems in achieving this integration since one group had a reactive mind-set which had to be moved toward intelligence-led policing. Supt Campbell said intelligence-led policing is one of the key ways in which the RUC operates and is critical to implementing the Patten Report. It also has major implications for relations between the RUC and community policing structures.

Voluntary Severance Packages

The discussion of voluntary severance packages was especially pertinent since this is under consideration by the RUC. Commissioner Eloff was emphatic that voluntary severance packages hindered the process of transformation because SAPS lost people who should never have left and kept people who should have gone. 'Letting anybody go who wants to go can put the service on dangerous ground. One must be more selective and know who needs to go and who needs to stay.' He suggested that a more effective methodology would be to set up a structure and policy for retrenchments. (It should be noted that in the South African context the voluntary severance packages were linked to a government-wide process where packages were offered to personnel in the civil service, including safety and security, education, welfare, etc..)

With regards to voluntary severance packages, the South Africans sounded several warnings.

While Commissioner Eloff felt that one should not be in a rush actively to decrease the size of the police service before balancing other factors, it was noted that the RUC will be constrained by the Patten report, the political environment and by existing expectations within the country.

In the South African situation the size of the service had been reduced by 20 000 people within the previous five years through various factors, viz. severance packages, resignations, retirements and deaths. However it was noted that the voluntary severance packages had not been without problems, one of which was defining non-discriminatory criteria, especially when one did not want certain people to leave. Commissioner Eloff noted that letting people from top management take packages and leave does open up opportunities for greater representation but it was important to think carefully about the criteria for qualifying for these packages. It was also important to consider the options concerning the loss of members one could not afford to lose. It appeared that both organisations had utilised age as one key criteria and that a similar situation had arisen in both countries whereby the possibility of voluntary severance packages sometime in the future, meant that few resigned or retired.

In discussing some of the problems experienced by the SAPS it was suggested that, with hindsight, it would have been better to implement the process in phases or at least let it flow at the bottom too. The SAPS lost experienced people and replaced them with raw recruits. It might have been more appropriate to have categories of people for retrenchment, for there are key skills which have to be protected.

The RUC acknowledged that they were endeavouring to do a number of impact analyses regarding some of these critical posts and skills. For instance, the loss of too many sergeants would make it very difficult for the RUC to cope. One of the categories being looked at is that of senior officers, which allows for de-layering and restructuring.

It was questioned whether an organisation could really afford the loss of senior officers and whether a possible option might not be to make more posts available rather than get rid of experienced people. One can create posts through restructuring, for instance through splitting the functions of an existing post. This was done in South Africa to increase representativeness at a senior level and although there was an overall reduction of 20 000 people, management increased by five senior members.

While this point was acknowledged it was noted that the expectation in Northern Ireland is for a leaner, meaner, more cost-efficient organisation. The cost of policing owing to the size and numbers of the RUC in the context of Northern Ireland is far too high.

Accountability and oversight bodies

This is a critical aspect of the change in policing in both countries. In Northern Ireland a Policing Board must be established that is representative of all political parties. Another oversight structure, the Ombudsman, will play the role of investigating complaints and charges against the RUC. This

is similar to the role of South Africa's Independent Complaints Directorate. In Northern Ireland, the Ombudsman can take over entire investigations that involve the police. There is concern over the quality of personnel who will carry out such investigations and the effect it has on reducing the powers of the Chief Constable. The Policing Board and Ombudsman are in addition to the already existent Police Authority.

Concern was expressed that with all the different oversight bodies including the Police Board, Ombudsman, Northern Ireland Office, Oversight Commissioner, Commissioner for Human Rights and other technical oversight committees, there is the potential for conflict that may well hinder the change management processes. Based on similar experiences with the Secretariat for Safety and Security, SAPS shared this concern. It was noted that this situation is inevitable since one of the problems is the perception that the RUC is neither *willing* nor *able* to undertake this change.

The structure of the Secretariat was discussed as a factor that led to conflict and at times slowed the speed and efficiency of transformation. Commissioner Eloff reiterated that a lack of trust in the police necessitated the creation of this civilian oversight body and gave it a major role in transformation since it was charged with the National Crime Prevention Strategy (NCPS). Creating an interface between the Secretariat and the commissioner created a forum for conflict, for it seems that there was confusion about both roles and power. The Commissioner said that it would have been more effective to make the National Commissioner of SAPS fully responsible for the transformation of the police and fire him if he failed to perform. This situation is presently under review with the NCPS being moved to the office of the National Commissioner of SAPS while the Secretariat is being phased out.

The Commissioner added that the creation of the Secretariat was inevitable at the time considering the widespread distrust of the police. Although the police now had to operate in an open and transparent way, and while consultation between the police, communities and stakeholders was needed, the low level of trust of the police by sectors of the public created the need for an oversight body. However, once credibility and legitimacy are restored to the police, it becomes less necessary for such an oversight body and having one can become counter-productive.

While it was acknowledged that the CMT had little power over many of these issues, it was suggested that a more workable option would be to expand the CMT to include more Republicans. RUC members agreed that this might make the process more acceptable, but this was not an issue which had really been discussed. A suggestion was made that an internal inspectorate and forum might be a better structure since it allows for in-consultation rather than after-consultation critiques and reviews. Opposition to problem solving can then change.

The SAPS CMT had, at its inception, consisted of police members, academics, and political representation. Once the new police service was formally established, two civilian members on the interim CMT then joined the police service as lateral appointments, thereby making it an entirely SAPS structure. It was acknowledged that the presence and input of 'outsiders' had been extremely beneficial to the team.

One positive aspect raised in relation to the oversight bodies was that the Oversight Commissioner might ensure that the government does not renege on its obligations to the constabulary which include severance packages, new vehicles, a new training centre and other aspects of transformation that are enormously costly. Again it was noted that the person who gets the job is a more crucial issue than the structure.

On the evening of Wednesday 26th a short debriefing session was held to discuss and clarify some of the issues discussed over the previous three days. This process was followed by a more in-depth debriefing session on Friday 28th and in between these two sessions the RUC delegation were given the opportunity to meet with SAPS Provincial and Area Management, functional members at two stations and with community policing forum members. This was intended to provide some context in which to interpret the information gathered over the first three days in consultation with National SAPS Management.

For ease of reference the two debriefing sessions are reported on as one congruent process.

The members of the delegation were asked to identify which had been, in their opinion, the key lessons they had learnt during this first engagement. The following were listed:

It is critical that transformation planning and strategic planning are linked.

The issue of human rights has an internal focus as well as an external focus. (Agreement that police members must be included in the issue of human rights.)

Concern over implementing the plan at ground level. Critical here is the issue of communication. Has the transformation really worked?

Transformative change is a highly political process. There seems to be a tension between manipulation and transparency.

Target service delivery and also personal impact issues need to be assessed within the plan of transformation.

The warning came through loud and clear about the pace of transformation and how it can be driven too fast (or too slow). The kind of transformation South Africa has experienced has also been outwardly influenced by the demand for change. The question is: can the RUC prepare adequately for this?

The need to be pro-active in managing key stakeholders. It is necessary to have a strategy to influence the Oversight Commissioner as well as the other outside bodies.

Measuring the outcomes (delivery) is vital. One has to measure at the point of delivery.

There is a need to balance effective service delivery with the speed of transformation and explain it. Sometimes politicians force you to go at a speed that is adverse to the real needs of transformation, therefore it is important that the potential costs of such speedy change be explained.

The trauma of change. Commissioner Eloff emphasised this and its effect on the CMT. Juan Nel also discussed the impact on ordinary police members.

Emphasis on being able to draw a line in the sand and move on. Internal change — get everyone to feel comfortable with the future. Change of ideas/paradigm on the part of every member.

The realisation that it will not be a smooth process. Some chaos is a given/it is a messy process.

Management styles need to change. It is not only about relationships between the police and the community but also within the police.

Making sure that we do not lose sight of the whole community/keeping the customer in mind. In South Africa this did not seem linked in with SAPS vision but rather seemed to come in later.

The value of identifying the initiators (the 20/60/20 formula of resistors, fence-sitters and initiators). How do we identify the initiators and bring them into the programme?

The small number of people on the SAPS CMT and the size of SAPS measured against the RUC situation were amazing. It is a real privilege to be part of change and the history of this. If this does not enthuse people, they should go home. One should not approach this process 'down in the mouth' but be positive rather than downbeat. Northern Ireland has a better starting point too.

Change managers must enable, empower, and encourage. If the CMT takes a facilitatory role and are also supported, they can reach some success. One can harness and facilitate existing good will.

Belfast Visit: March 2000

The second part of the exchange process between the RUC and the SAPS took place in March 2000 beginning with the arrival of the South African delegation in Belfast on the 26th March 2000. (The report of this visit was attached as an addendum to the above report.)

The delegation included Deputy National Commissioner Louis Eloff, Divisional Commissioner Mala Singh, Provincial Commissioner Moses Khanyile, Mr Andre Coetzee (member of original SAPS CMT).

The Chief Constable of the RUC, Sir Ronnie Flanagan, hosted a formal dinner on the evening of the 26th which provided an opportunity for Commissioners Eloff, Singh and Khanyile to interact with the Chief Constable, as well as Assistant Chief Constable Tim Lewis. Among others present at the dinner were the team from the January visit to South Africa, Superintendents McIvor, Campbell, Craig, Skelton, Mr McClurg from the Police Federation, and Superintendents Burrows and Laird who took part in the exploratory visit in September 1999.

Monday 27th March 2000 began with an update on the current status of the RUC's change process. Afterwards, Deputy Commissioner Eloff addressed all Strategic Managers at a meeting hosted by the Deputy Chief Constable, Mr Colin Cramphorn, with Sir Ronnie Flanagan attending the latter half of the presentation.

The presentation was similar to the one delivered in Pretoria in January and covered the pitfalls encountered by the SAPS. Commissioner Eloff emphasised the necessity to develop one integrated plan for transformation, and then to communicate this plan to the force.

Commissioner Eloff stressed once again that community policing is labour intensive and sounded warnings about the use of voluntary severance packages, advocating natural attrition as an alternative. The benefit of this presentation for the CMT was that Commissioner Eloff spoke frankly and placed items on the agenda for the RUC's future discussions.

As in Durban, visits to facilities on the ground were arranged. This included Belfast Regional Control where surveillance systems were observed, the Sprucefield Training Complex where techniques in Public Order Policing were demonstrated and two sub-divisional commands, Woodbourne and Lisburn, where policing facilities were toured.

Impact of the process

The impact can be measured both in terms of its effect on the RUC and on SAPS. Many impacts on the RUC change strategy, some of which are major, can be identified. The SAPS experience in Northern Ireland is relatively more recent but has already had an impact.

The most direct impact on the RUC CMT after the delegation returned from South Africa was the decision to integrate all changes into a single operational plan to ensure that the line functions carry transformation forward. This avoided the key failing of the SAPS transformation strategy according to Deputy Commissioner Eloff.

The Deputy Commissioner had also advised the RUC to take on fewer changes (the RUC team had to deal with 861 recommendations when they began). This has been heeded by the CMT who are endeavouring to address their changes through the use of only 12 project offices which will manage the changes according to eight key aims with a strong emphasis on human rights and community policing.

Another direct impact followed on the advice of Commissioner Eloff and Andre Coetzee: constantly keep members informed of all aspects of transformation, since rumours can exacerbate fears and undermine change. When the CMT returned to Northern Ireland after the January visit, they started a regular Change Management Team Information Bulletin and set up an information telephone line for members with questions about the change process. The RUC also copied the SAPS practice of printing messages on pay packet stubs in order to reach an optimal number of members.

The visit to the Durban stations in January 2000 made the RUC aware of the problems encountered on the ground with police management structures that are overly centralised. From November 2000 the RUC will move from a Division/Sub-divisional organisation structure to one based on a series of District Command Units.

The exchange had other impacts on the RUC that are less direct but equally important. All participants reported that the exchange affected their thinking and enabled a broader view of everyday issues.

For the SAPS at both national and area level the visit was most stimulating. During the January visit, sharing the common experiences of police transformation offered new information, and created an important opportunity for self-reflection and increased professional confidence. In addition new relationships were established that enabled the second engagement.

Appendix 3

The Independent Commission on Policing for Northern Ireland: Summary of Recommendations

The following is a list of all the recommendations contained in the report of the Independent Commission on Policing for Northern Ireland:

Human Rights

- 1 There should be a comprehensive programme of action to focus policing in Northern Ireland on a human rights-based approach. [para. 4.6]
- 2 There should be a new oath, taken individually by all new and existing police officers, expressing an explicit commitment to upholding human rights. The text might be as follows —
 “I hereby do solemnly and sincerely and truly declare and affirm that I will faithfully discharge the duties of the office of constable, and that in so doing I will act with fairness, integrity, diligence and impartiality, uphold fundamental human rights and accord equal respect to all individuals and to their traditions and beliefs.” [para. 4.7]
- 3 A new Code of Ethics should replace the existing, largely procedural code, integrating the European Convention on Human Rights into police practice. Codes of practice on all aspects of policing, including covert law enforcement techniques, should be strictly in accordance with the European Convention on Human Rights. [para. 4.8]
- 4 All police officers, and police civilians, should be trained (and updated as required) in the fundamental principles and standards of human rights and the practical implications for policing. The human rights dimension should be integrated into every module of police training. [para. 4.9]
- 5 Awareness of human rights issues and respect for human rights in the performance of duty should be an important element in the appraisal of individuals in the police service. [para. 4.10]

- 6 A lawyer with specific expertise in the field of human rights should be appointed to the staff of the police legal services. [para. 4.11]
- 7 The performance of the police service as a whole in respect of human rights, as in other respects, should be monitored closely by the Policing Board. [para. 4.12]

Accountability

- 8 An entirely new Policing Board should be created, to replace the present Police Authority. [para. 6.2]
- 9 The statutory primary function of the Policing Board should be to hold the Chief Constable and the police service publicly to account. [para. 6.3]
- 10 The Policing Board should set objectives and priorities for policing over a 3 to 5 year period, taking account of any longer term objectives or principles set by the Secretary of State or successor. It should then be responsible for adopting a 3 to 5 year strategy, prepared by the Chief Constable through a process of discussion with the Board, which should reflect the objectives and priorities set by the Board. [para. 6.5]
- 11 The Board should be responsible for adopting an Annual Policing Plan, developed by the Chief Constable, through a process of discussion with the Board, on the basis of objectives and priorities set by the Board, and within the agreed 3 to 5 year strategy. [para. 6.6]
- 12 The Board should be responsible for negotiating the annual policing budget with the Northern Ireland Office, or with the appropriate successor body after devolution of policing. It should then allocate the police service budget to the Chief Constable and monitor police performance against the budget. [para. 6.7]
- 13 The Board should monitor police performance against the Annual Policing Plan and the 3 to 5 year strategy. It should watch crime trends and patterns, and police performance in public order situations. It should also follow such things as recruitment patterns and trends, including fair employment and equal opportunities performance, and training needs. It should assess public satisfaction with the police service and, in liaison with the Police Ombudsman, patterns and trends in complaints against the police. [para. 6.8]

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- 14 The Board should have the responsibility for appointing all chief officers and civilian equivalents and for determining the length of their contracts. All appointments should be subject to approval by the Secretary of State (and successor after devolution) and the Chief Constable should be consulted in relation to the appointment of subordinate chief officers and civilian equivalents. The Board should have the power to call upon the Chief Constable to retire in the interests of efficiency and effectiveness subject to the approval of the Secretary of State (and successor) and to the right to make representations as at present. Similarly, the Board should have the same power in relation to other chief officers and civilian equivalents exercisable subject to the approval of the Secretary of State (and successor) and to the same right to make representations and after consultation with the Chief Constable. The Secretary of State should have power to require the Policing Board to call upon the Chief Constable to retire on the same grounds but this power should be exercisable only after consultation with the Board and subject to the same right to make representations already referred to. Additionally, after devolution the relevant Northern Ireland minister should have power to call for the retirement of the Chief Constable on the same grounds but this should be subject to the agreement of the Policing Board and the approval of the Secretary of State with an equivalent right to make representations. The Board should be the disciplinary authority for chief officers and civilian equivalents. [para. 6.9]
- 15 The Policing Board should co-ordinate its work closely with other agencies whose work touches on public safety, including education, environment, economic development, housing and health authorities, as well as social services, youth services and the probation service, and with appropriate non-governmental organisations. [para. 6.10]
- 16 The Policing Board should have 19 members, 10 of whom should be Assembly members drawn from the parties that comprise the new Northern Ireland Executive, selected on the d'Hondt system, who should not at the same time hold ministerial office in the Executive. [para. 6.11]
- 17 The nine independent members of the Board should be selected from a range of different fields — including business, trade unions, voluntary organisations, community groups and the legal profession — with the aim of finding a group of individuals representative of the community as a whole, with the expertise both to set policing priorities and to probe and scrutinise different areas of police performance, from management of resources to the safeguarding of

human rights. Their appointments should be for four years; but if it were necessary for the purpose of continuity to ensure that not all Board positions fell vacant at the same time as elections to the Assembly, some of these appointments could be for an initial period of two years. [para. 6.12]

- 18 The independent members should be appointed by the Secretary of State, in consultation with the First Minister and the Deputy First Minister, until such time as responsibility for policing is devolved, at which point the appointments should be made by the First Minister and the Deputy First Minister acting together. Until devolution, the Secretary of State should also determine the remuneration and expenses of Board members, in consultation with the First Minister and the Deputy First Minister. [para. 6.13]
- 19 A Board member of high quality and standing in the community should be appointed by the Secretary of State to be the first chairman of the Board, with the agreement of the First Minister and the Deputy First Minister, for an initial term of four years. [para. 6.14]
- 20 Responsibility for policing should be devolved to the Northern Ireland Executive as soon as possible, except for matters of national security. [para. 6.15]
- 21 The powers of the Policing Board proposed in this report, in relation to both government (as now represented by the Secretary of State) and the Chief Constable, should in no way be diminished when the government role in the tripartite arrangement passes to the Northern Ireland Executive. [para. 6.15]
- 22 The provisions of the Police (Northern Ireland) Act 1998 should be simplified so that the respective roles of the Secretary of State (or successor), the Policing Board and the Chief Constable are clear. [para. 6.16]
- 23 The provision, in Section 39 of the Police (Northern Ireland) Act 1998, that the Secretary of State may issue guidance to the police as to the exercise of their functions, should be repealed. [para. 6.18]
- 24 The Chief Constable should be deemed to have *operational responsibility* for the exercise of his or her functions and the activities of the police officers and civilian staff under his or her direction and control. [para. 6.21]

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- 25 The Policing Board should have the power to require the Chief Constable to report on any issue pertaining to the performance of his or her functions or those of the police service. The obligation to report should extend to explaining operational decisions. If there is a disagreement between the Board and the Chief Constable over whether it is appropriate for a report to be provided on a particular matter, it should be for the Chief Constable to refer the question to the Secretary of State for a decision as to whether the Board's requirement should stand. [para. 6.22]
- 26 The Policing Board should have the power, subject only to the same limitation set out in paragraph 6.22, to follow up any report from the Chief Constable by initiating an inquiry into any aspect of the police service or police conduct. Depending on the circumstances, the Board should have the option to request the Police Ombudsman, the Inspectorate of Constabulary or the Audit Office to conduct or contribute to such an inquiry, or to use the Board's own staff, or even private consultants for such a purpose. [para. 6.23]
- 27 Each District Council should establish a District Policing Partnership Board (DPPB), as a committee of the Council, with a majority elected membership, the remaining independent members to be selected by the Council with the agreement of the Policing Board. The chair of the DPPB should be held by an elected member, with rotation between parties from year to year. [para. 6.26]
- 28 The District Policing Partnership Board in Belfast should have four sub-groups, covering North, South, East and West Belfast. [para. 6.27]
- 29 There should be monthly meetings between the DPPB and the police District Commander, at which the police should present reports and answer questions and the Board should reflect community concerns and priorities to the police. The views expressed by DPPBs should be taken fully into account by the police and by the Policing Board in the formulation of policing plans and strategies at the central level. [para. 6.30]
- 30 The DPPB should submit an annual report to the District Council, and publish it. [para. 6.31]
- 31 The approved administration costs of the DPPB should attract a 75% grant from the Policing Board, the remaining 25% to be funded by the District Council. [para. 6.32]

- 32 District Councils should have the power to contribute an amount initially up to the equivalent of a rate of 3p in the pound towards the improved policing of the district, which could enable the DPPB to purchase additional services from the police or other statutory agencies, or from the private sector. [para. 6.33]
- 33 It should be the aim of every police beat manager to have a *consultative forum* in his or her patrol area. [para. 6.34]
- 34 The Policing Board should maintain regular contact with the DPPBs, through periodic meetings of chairpersons, annual conferences, seminars, training courses and by including them in the circulation of information. [para. 6.35]
- 35 The Policing Board should meet in public once a month, to receive a report from the Chief Constable. [para. 6.36]
- 36 District Policing Partnership Boards should meet in public once a month, and procedures should allow for members of the public to address questions to the Board and, through the chair, to the police. [para. 6.37]
- 37 The police service should take steps to improve its transparency. The presumption should be that everything should be available for public scrutiny unless it is in the public interest — not the police interest — to hold it back. [para. 6.38]
- 38 The Police Ombudsman should be, and be seen to be, an important institution in the governance of Northern Ireland, and should be staffed and resourced accordingly. The Ombudsman should take initiatives, not merely react to specific complaints received. He/she should exercise the power to initiate inquiries or investigations even if no specific complaint has been received. The Ombudsman should be responsible for compiling data on trends and patterns in complaints against the police, or accumulations of complaints against individual officers, and should work with the police to address issues emerging from this data. He/she should have a dynamic co-operative relationship with both the police and the Policing Board, as well as other bodies involved in community safety issues. He/she should exercise the right to investigate and comment on police policies and practices, where these are perceived to give rise to difficulties, even if the conduct of individual officers may not itself be culpable, and should draw any such observations to the attention of the Chief

Constable and the Policing Board. The Ombudsman should have access to all past reports on the RUC. [para. 6.41]

- 39 New legislation on covert policing should be fully compliant with the European Convention on Human Rights and should have the same application in Northern Ireland as in the rest of the United Kingdom. [para. 6.43]
- 40 There should be a commissioner for covert law enforcement in Northern Ireland. [para. 6.44]
- 41 There should be a complaints tribunal, comprising senior members of the legal profession, with full powers to investigate cases referred to it (either directly or through the Police Ombudsman) involving covert law enforcement operations. [para. 6.45]
- 42 There should be a substantial strengthening of financial accountability, including: a fully costed Annual Policing Plan; a strong audit department within the Policing Board, staffed by experts in budgeting, financial management and value for money programmes; and more systematic use of the Audit Office to study police resource management, either at the behest of the Policing Board or on its own initiative. [para. 6.46]
- 43 The Chief Constable should be designated a sub accounting officer, in addition to the Chief Executive of the Policing Board, so that either or both may be called, together with the Permanent Under Secretary as principal accounting officer, to give evidence to the Public Accounts Committee. [para. 6.47]

Policing with the Community

- 44 Policing with the community should be the core function of the police service and the core function of every police station. [para. 7.9]
- 45 Every neighbourhood (or rural area) should have a dedicated policing team with lead responsibility for policing its area. [para. 7.10]
- 46 Members of the policing team should serve at least three and preferably five years in the same neighbourhood. They should wear their names clearly displayed on their uniforms, and their uniforms should also bear the name of the locality for which they are responsible. [para. 7.11]

- 47 All probationary police officers should undertake the operational phases of their probationary training doing team policing in the community. [para. 7.12]
- 48 Where practicable, policing teams should patrol on foot. [para. 7.13]
- 49 Neighbourhood policing teams should be empowered to determine their own local priorities and set their own objectives, within the overall Annual Policing Plan and in consultation with community representatives. [para. 7.14]
- 50 The Northern Ireland police should, both at a service-wide level and at patrol team level, conduct crime pattern and complaint pattern analysis to provide an information-led, problem-solving approach to policing. All police officers should be instructed in problem-solving techniques and encouraged to address the causes of problems as well as the consequences (the priority being to train beat managers and their teams); and they should be regularly appraised as to their performance in doing so. [para. 7.16]
- 51 DPPB members and other community leaders should be able to attend police training courses in problem-solving techniques. [para. 7.17]

Policing in a Peaceful Society

- 52 Police stations built from now on should have, so far as possible, the appearance of ordinary buildings; they should have low perimeter walls, and be clearly visible from the street; but they should have security features, which may be activated or reinforced as necessary. [para. 8.5]
- 53 Existing police stations should — subject to the security situation in their areas and to health and safety considerations — be progressively made less forbidding in appearance, more accessible to public callers and more congenial for those working in them. The public reception areas inside police stations should be made more welcoming, and civilian receptionists could replace police officers. [para. 8.6]
- 54 District police commanders should have discretion to decide in consultation with their local community how best to balance their resources between static posts and mobile patrols. [para. 8.7]

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- 55 Police cars should continue to be substituted as patrol vehicles in place of armoured Landrovers, and the use of armoured Landrovers should be limited to threatening situations. [para. 8.8]
- 56 As soon as possible (that is, as soon as the incidence of deployment ceases to be regular) armoured Landrovers should be moved to depots, to be kept in reserve for use in public order policing for as long as this contingency may be required. [para. 8.9]
- 57 The word "Police" should be painted onto the sides of all Landrovers. [para. 8.10]
- 58 The role of the army should continue to be reduced, as quickly as the security situation will allow, so that the police can patrol all parts of Northern Ireland without military support. [para. 8.11]
- 59 For as long as the prospect remains of substantial public order policing demands on the scale seen at Drumcree in recent years, the army should retain the capacity to provide support for the police in meeting those demands. [para. 8.12]
- 60 Provided the threat of terrorism in Northern Ireland diminishes to the point where no additional special powers are necessary to combat it, legislation against terrorism should be the same in Northern Ireland as in the rest of the United Kingdom. [para. 8.14]
- 61 In the meantime, with immediate effect, records should be kept of all stops and searches and other such actions taken under emergency powers. [para. 8.14]
- 62 The three holding centres at Castlereagh, Gough barracks and Strand Road should be closed forthwith and all suspects should in future be detained in custody suites based in police stations. [para. 8.15]
- 63 Video recording should be introduced into the PACE custody suites. [para. 8.16]
- 64 Responsibility for inspecting all custody and interrogation suites should rest with the Policing Board, and Lay Visitors should be empowered not only to inspect the conditions of detention (as at present), but also to observe interviews on camera subject to the consent of the detainee (as is the case for cell visits). [para. 8.16]

- 65 The question of moving towards the desired objective of a routinely unarmed police service should be periodically reviewed in the light of developments in the security environment. [para. 8.19]

Public Order Policing

- 66 The Northern Ireland police should have the capacity within its own establishment to deal with public order emergencies without help from other police services and without more than the present level of support from the army. [para. 9.6]
- 67 It should be a condition for the approval of a parade that the organisers should provide their own marshals, and the organisers and the police should work together to plan the policing of such events. This should involve as appropriate the representatives of the neighbourhoods involved in the parade route. [para. 9.9]
- 68 Marshal training should be further developed, with an appropriate qualification on successful completion of the training. All parades should be marshalled and, as soon as practicable, it should be a requirement that all potentially contentious parades requiring a decision or determination by the Parades Commission should be marshalled by qualified personnel. [para. 9.10]
- 69 An immediate and substantial investment should be made in a research programme to find an acceptable, effective and less potentially lethal alternative to the Plastic Baton Round (PBR). [para. 9.15]
- 70 The police should be equipped with a broader range of public order equipment than the RUC currently possess, so that a commander has a number of options at his/her disposal which might reduce reliance on, or defer resort to, the PBR. [para. 9.16]
- 71 The use of PBRs should be subject to the same procedures for deployment, use and reporting as apply in the rest of the United Kingdom. Their use should be confined to the smallest necessary number of specially trained officers, who should be trained to think of the weapon in the same way as they would think of a firearm, that is as a weapon which is potentially lethal. Use of PBRs should in the first instance require the authorisation of a district commander. This should be justified in a report to the Policing Board, which should be copied to the Police Ombudsman. Wherever possible, video camera

recordings should be made of incidents in which the use of PBRs is authorised. [para. 9.17]

- 72 Officers' identification numbers should be clearly visible on their protective clothing, just as they should be on regular uniforms. [para. 9.18]
- 73 The Policing Board and, as appropriate, the Police Ombudsman should actively monitor police performance in public order situations, and if necessary seek reports from the Chief Constable and follow up those reports if they wish. [para. 9.19]
- 74 Guidance governing the deployment and use of PBRs should be soundly based in law, clearly expressed and readily available as public documents. [para. 9.20]

Management and Personnel

- 75 The Northern Ireland police leadership team should include specialists in change management. These may be either civilians or police officers, preferably both. The leadership team should produce a programme for change, to be presented to the Policing Board and reviewed periodically by the Board. The efficiency and effectiveness of each chief officer should be judged on the basis of, among other things, their capacity to introduce and adapt to change. [para. 10.3]
- 76 District commanders should have fully devolved authority over the deployment of personnel (officer and civilian) within their command, devolved budgets (including salary budgets), authority to purchase a range of goods and services, and to finance local policing initiatives. They should reach service level agreements with all headquarter support departments. [para. 10.7]
- 77 It should be a high priority of management to ensure that the appraisal system is fully effective. This system should be used as part of the promotion and selection process. An officer's capacity for change should be assessed and should also be taken into account in the promotion and selection process. [para. 10.10]
- 78 District commanders should be required regularly to account to their senior officers for the patterns of crime and police activity in their district and to explain how they propose to address their districts' problems. [para. 10.11]

- 79 An automated trend identification system for complaints should be introduced. [para. 10.12]
- 80 The use of trend information should be followed up by management, and as appropriate by the department responsible for discipline, and guidance should be drawn up to help managers use this information effectively. [para. 10.13]
- 81 Police managers should use random checks as a way to monitor the behaviour of their officers in dealings with the public and their integrity. [para. 10.14]
- 82 Police management should use all the tools at its disposal, including when necessary the administrative dismissal process, to ensure that high professional and ethical standards are consistently met. [para. 10.15]
- 83 There should be a tenure policy, so that officers do not have inordinately long postings in any specialist area of the police. [para. 10.16]
- 84 Officers injured on duty should be treated as a separate category for sickness recording purposes. [para. 10.17]
- 85 A new policy should be formulated for the management of long-term sickness absence, incorporating appropriate arrangements for medical retirement, career counselling and welfare support. A system of rewards, as well as sanctions, should be introduced as part of the sickness management policy. [para. 10.19]
- 86 *There should be a more detailed review of sickness absence, to establish underlying causes and to make recommendations to address them.* [para. 10.19]
- 87 A substantial fund should be set up to help injured police officers, injured retired officers and their families, as well as police widows. [para. 10.20]
- 88 The Widows Association should be given an office in police premises, free of charge, and a regular source of finance adequate to run their organisation. [para. 10.21]
- 89 The Assistant Chief Constables currently responsible for support services should be replaced by two civilian Assistant Chief Officers,

one responsible for personnel issues and one for finance and administration. [para. 10.22]

- 90 There should be a rigorous programme of civilianisation of jobs which do not require police powers, training or experience, exceptions being made only when it can be demonstrated that there is a good reason for a police officer to occupy the position. [para. 10.23]
- 91 The Policing Board and the police service should initiate a review of police support services with a view to contracting out those services where this will enhance the efficient management of resources. Consideration should be given to allowing "management buy-outs" of support services by police officers or civilian employees interested in continuing to provide those services as a private sector company, and in such cases management buy-out contractors should be offered a secure contract for at least three years to enable them to establish themselves before having to tender for renewal. [para. 10.25]
- 92 The police should commission a comprehensive audit of the whole police estate, to include outside experts, and develop a strategy for achieving an effective and efficient estate to meet the objectives for policing as outlined in this report. [para. 10.28]

Information Technology

- 93 There should be an urgent, independent, and in-depth strategic review of the use of information technology (IT) in policing. It should benchmark the Northern Ireland police against police services in the rest of the world and devise a properly resourced strategy that places them at the forefront of law enforcement technology within 3 to 5 years. It should be validated by independent assessment. The strategy should deliver fully integrated technology systems that are readily accessible to all staff, and should take advantage of the best analytical and communications systems currently available. Users of the technology should play a key part in devising the strategy, and in assessing its implementation. [para. 11.13]

Structure of the Police Service

- 94 There should be one district command for each District Council area. [para. 12.4]
- 95 In general, each district command should be headed by a Superintendent and resourced sufficiently to be self-contained for

day-to-day policing purposes and capable of marshalling strength to cope with most unexpected demands. However, in the districts with small populations the commander should be a Chief Inspector, and the districts should draw on assistance from larger neighbouring district commands for functions in which it is not feasible for a small command to be self-sufficient. [para. 12.5]

- 96 The divisional layer of management and the regional headquarters should be removed, and there should be a direct reporting line from each district commander to the appropriate Assistant Chief Constable at central police headquarters. District commanders in smaller council areas, whatever their rank, should have such a direct reporting line, reflecting the accountability arrangements we have recommended. There should be much greater delegation of decision-making authority to district commanders than is the case now with sub-divisional commanders, including control over a devolved budget and all police resources in their district. [para. 12.6]
- 97 There should be a slimmer structure at police headquarters—one that reflects the shift of focus towards community policing and the delegation of responsibility to district commanders, and permits a more rigorous and strategic approach to management. There should be no more than one Deputy Chief Constable. The number of Assistant Chief Officers should be reduced to six from the present twelve. The position of “Deputy Assistant Chief Constable” should be deleted forthwith. The rank of Chief Superintendent should be phased out. [para. 12.9]
- 98 Special Branch and Crime Branch should be brought together under the command of a single Assistant Chief Constable. [para. 12.12]
- 99 There should be a substantial reduction in the number of officers engaged in security work in the new, amalgamated command. [para. 12.13]
- 100 Security officers should be required to keep their district commanders well briefed on security activities in their districts, and district commanders should be fully consulted before security operations are undertaken in their district. [para. 12.14]
- 101 The support units of Special Branch should be amalgamated into the wider police service. [para. 12.15]

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- 102 Officers should not spend such long periods in security work as has been common in the past. [para 12.16]
- 103 The future police service should not include a Full Time Reserve. [para. 12.17]
- 104 *There should be an enlarged Part Time Reserve of up to 2 500 officers, the additional recruits to come from those areas in which there are currently very few reservists or none at all.* [para. 12.18]

Size of the Police Service

- 105 Provided the peace process does not collapse and the security situation does not deteriorate significantly from the situation pertaining at present, the approximate size of the police service over the next ten years should be 7 500 full time officers. [para. 13.9]
- 106 The early retirement or severance package offered to regular officers and full time reservists aged 50 or above should include a generous lump sum payment according to length of service, pension enhancement of up to five years, early payment of pension commutation entitlement and payment in lieu of pension until pensionable age is reached. Full time reservists should be treated as far as possible in the same way as regular officers. [para. 13.12]
- 107 Regular officers with more than five years' service and all full time reservists, leaving the police service before the age of 50, should receive a substantial lump sum payment. [para. 13.13]
- 108 The Training and Employment Agency should develop measures for police officers (and civilians) seeking other employment, in consultation with police management and the staff associations. The Police Retraining and Rehabilitation Trust should have a role in this programme, and should have enhanced staffing and funding to enable it to deal with a substantially larger workload. [para. 13.17]
- 109 Police recruiting agencies in Great Britain should take full account of the policing experience of former RUC reservists in considering applications for employment in police services in Great Britain. [para. 13.19]
- 110 The British government should offer former reservists the opportunity to participate in British policing contingents in United Nations peacekeeping operations. [para. 13.19]

Composition and Recruitment of the Police Service

- 111 The Northern Ireland Civil Service management should facilitate transfers of civilian members of the police service to other Northern Ireland departments and should co-operate with the Policing Board and the Chief Constable in achieving a balanced and representative civilian workforce. [para. 14.16]
- 112 Every effort should be made to ensure that the composition of the staff of the Policing Board, the NIO Police Division (or any successor body), and the office of the Police Ombudsman should be broadly reflective of the population of Northern Ireland as a whole, particularly in terms of political/religious tradition and gender. [para. 14.17]
- 113 All community leaders, including political party leaders and local councillors, bishops and priests, schoolteachers and sports authorities, should take steps to remove all discouragements to members of their communities applying to join the police, and make it a priority to encourage them to apply. [para. 15.2]
- 114 The Gaelic Athletic Association should repeal its rule 21, which prohibits members of the police in Northern Ireland from being members of the Association. [para. 15.2]
- 115 Liaison should be established between all schools and universities and the police service in Northern Ireland immediately, and work experience attachments and familiarisation days should be organised with active support and encouragement from community leaders and teachers. [para. 15.4]
- 116 Provided there is active support and encouragement from local political and community leaders, pilot police cadet schemes should be set up. [para. 15.6]
- 117 The police should contract out the recruitment of both police officers and civilians into the police service. There should be lay involvement, including community representatives, on recruitment panels. [para. 15.7]
- 118 The recruitment agency should advertise imaginatively and persistently, particularly in places likely to reach groups who are under-represented in the police. [para. 15.8]

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- 119 The agency should advertise beyond Northern Ireland, in the rest of the United Kingdom and in the Republic of Ireland. [para. 15.8]
 - 120 All candidates for the police service should continue to be required to reach a specified standard of merit in the selection procedure. Candidates reaching this standard should then enter a pool from which the required number of recruits can be drawn. [para. 15.9]
 - 121 An equal number of Protestants and Catholics should be drawn from the pool of qualified candidates. [para. 15.10]
 - 122 Priority should be given to creating opportunities for part time working and job-sharing, both for police officers and police service civilians, and career breaks should be introduced. [para. 15.11]
 - 123 Child care facilities should be introduced where practicable, or child care vouchers and flexible shift arrangements offered. [para. 15.11]
 - 124 The recruitment process should be reduced to no more than six months. [para. 15.12]
 - 125 Young people should not be automatically disqualified from entry into the police service for relatively minor criminal offences, particularly if they have since had a number of years without further transgressions. *The criteria on this aspect of eligibility should be the same as those in the rest of the United Kingdom. There should be a procedure for appeal to the Police Ombudsman against disqualification of candidates.* [para. 15.13]
 - 126 All officers — those now in service as well as all future recruits — should be obliged to register their interests and associations. The register should be held both by the police service and by the Police Ombudsman. [para. 15.16]
 - 127 The recruitment agency should seek to identify Northern Ireland Catholic officers in other police services, including the Garda Síochána, contact them and encourage them — particularly those in more senior ranks — to apply for positions in the Northern Ireland police. [para. 15.17]
 - 128 Lateral entry of experienced officers from other police services, and secondments or recruitments from non-police organisations should be actively encouraged. [para. 15.18]

Training, Education and Development

- 129 A training, education and development strategy should be put in place, both for recruit training and for in-service training, which is linked to the aims of this report and to the objectives and priorities set out in the policing plans. These plans should incorporate training and development requirements. [para. 16.4]
- 130 A total training and development budget should be established, covering all aspects of training, and this should be safeguarded against transfers to other sub-heads. [para. 16.5]
- 131 The Northern Ireland police should have a new purpose-built police college and the funding for it should be found in the next public spending round. [para. 16.6]
- 132 There should be service level agreements between police districts/departments and the police Training Branch setting out what the Branch is expected to deliver to the district or department concerned. [para. 16.8]
- 133 There should be a high degree of civilian input into the recruit training programme. The director of the training centre (and the new college when this is opened) should have both academic qualifications and management expertise. Civilian instructors should be employed, or brought in as necessary to conduct as many elements of the training programme as possible. Some modules of recruit training should be contracted out to universities and delivered on university premises, ideally together with non-police students. [para. 16.10]
- 134 Civilian recruits to the police service should also attend the police college, and do some of their training together with police officer recruits. [para. 16.11]
- 135 Recruits who do not already have degrees should be encouraged to acquire appropriate academic qualifications during the first two years of their career. Encouragement should be given to those officers who wish to go on to study for further relevant qualifications. [para. 16.12]
- 136 Attestation as a police officer should take place only upon successful completion of the recruit training course. A sufficiently rigorous standard should be required for success in that course; and completion of the course should be marked by a graduation ceremony. [para. 16.13]

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- 137 The hours spent on drill should be considerably reduced. [para. 16.14]
- 138 Problem-solving and partnership approaches should be central to the recruit training course, and scenario exercises should be further developed as training tools. [para. 16.16]
- 139 Community awareness training for police recruits should be developed to include representatives of all the main political and religious traditions in Northern Ireland. Community awareness should not be seen as a stand-alone element of recruit training; it should be integrated into all aspects of training. [para. 16.17]
- 140 The Northern Ireland police should introduce a comprehensive tutor officer scheme. Tutor officers should be carefully selected, according to their commitment and adaptability to the new style of policing, and trained. [para. 16.18]
- 141 Every member of the police service should have, as soon as possible, a course on the impact on policing of the new constitutional arrangements for Northern Ireland, the new policing arrangements set out in this report, and the reforms of the criminal justice system. [para. 16.20]
- 142 As a matter of priority, all members of the police service should be instructed in the implications for policing of the Human Rights Act 1998, and the wider context of the European Convention on Human Rights and the Universal Declaration of Human Rights. [para. 16.21]
- 143 All police managers should have management training, as appropriate, and every manager should at some stage of his/her career do a management course in a non-police environment, such as a business school or university. Use should be made of management workshops, so that managers can discuss and develop with each other how best to reshape the police organisation. [para. 16.22]
- 144 Every officer and civilian in the service should undergo adequate training in information technology. [para. 16.23]
- 145 Opportunities should be taken for joint training with civilian analysts, and members of other police services. [para. 16.23]
- 146 The Northern Ireland police should draw on the success of neighbourhood policing in such places as the Markets area of Belfast in developing a neighbourhood policing training programme for all

members of the police service. Standard training for neighbourhood officers should include modules on such community problems as domestic violence, child abuse, rape, drugs and youth issues and this training should be updated as necessary. [para. 16.24]

- 147 The training curricula for the police service should be publicly available, and easily accessible, eg. on the Internet. [para. 16.25]
- 148 Some training sessions should be open to members of the public to attend, upon application, priority being given to members of the Policing Board or District Policing Partnership Boards, Lay Visitors, or other bodies, statutory or non-governmental, involved in working with the police. [para. 16.26]
- 149 The new police college should offer a pilot citizens course, to assess demand in Northern Ireland. [para. 16.26]

Culture, Ethos and Symbols

- 150 While the Royal Ulster Constabulary should not be disbanded, it should henceforth be named the Northern Ireland Police Service. [para. 17.6]
- 151 The Northern Ireland Police Service should adopt a new badge and symbols which are entirely free from any association with either the British or Irish states. [para. 17.6]
- 152 The Union flag should no longer be flown from police buildings. [para. 17.6]
- 153 On those occasions on which it is appropriate to fly a flag on police buildings, the flag flown should be that of the Northern Ireland Police Service and it, too, should be free from associations with the British or Irish states. [para. 17.6]
- 154 The colour of the current police uniform should be retained, but a new, more practical style of uniform should be provided to police officers. [para. 17.7]
- 155 Police memorials in police buildings should remain as they are and where they are. [para. 17.8]

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- 156 The maintenance of a neutral working environment should become an assessed management responsibility at all levels of management. [para. 17.9]

Co-operation with other Police Services

- 157 The Northern Ireland police and the Garda Síochána should have written protocols covering key aspects of co-operation. [para. 18.7]
- 158 The present pattern of meetings between the police services in Northern Ireland and the Republic should be enhanced by an annual conference, designed to drive forward co-operation in areas of common concern. [para. 18.8]
- 159 There should be a programme of long-term personnel exchanges, such as fixed-term secondments, between the Northern Ireland police and the Garda, in specialist fields where co-operation between the two services is most needed, such as drugs, and in areas such as training. [para. 18.10]
- 160 Consideration should be given to posting liaison officers from each service to the central headquarters and/or border area headquarters of the other. [para. 18.10]
- 161 There should be structured co-operation between the two police services in training. [para. 18.11]
- 162 There should be joint disaster planning between the Northern Ireland police and the Garda Síochána and the plans should be tested by regular joint exercises. [para. 18.12]
- 163 Consideration should be given to establishing a provision for an immediate exchange of officers and pooling of investigative teams after major incidents with a substantial cross-border dimension, akin to the arrangements which exist between Kent and the police services of France and Belgium. [para. 18.13]
- 164 Every effort should be made to ensure that fast, effective and reliable communications are established between the Garda and the Northern Ireland police both through improved radio links and through compatible IT systems. [para. 18.14]

- 165 Joint database development should be pursued as a matter of priority in all the main areas of cross-border criminality, such as drugs, smuggling, vehicle theft and terrorism. [para. 18.15]
- 166 A determined effort should be made to develop exchanges, and long-term secondments, between the Northern Ireland police and police services in Great Britain. [para. 18.16]
- 167 There should be training exchanges and some joint training between the Northern Ireland police and police services in Great Britain. [para. 18.17]
- 168 Consideration should be given to structured links between the four principal police training establishments in the British Isles, namely Bramshill (England), Templemore (Republic of Ireland), Tulliallan (Scotland) and Garnerville or the proposed new police college in Northern Ireland. [para. 18.17]
- 169 International training exchanges should be further developed, focusing in particular on matters where the police in Northern Ireland need overseas police co-operation and on best practice developments in policing worldwide. There should be co-operation with other police services in the field of research. [para. 18.18]
- 170 The police should develop opportunities to provide more training for overseas police services in their areas of excellence. [para. 18.19]
- 171 The Northern Ireland police should be ready to participate in future United Nations peace-keeping operations. [para. 18.20]
- 172 An eminent person, from a country other than the United Kingdom or Ireland, should be appointed as soon as possible as an oversight commissioner with responsibility for supervising the implementation of our recommendations. [para. 19.4]
- 173 The government, the police service, and the Policing Board (and DPPBs) should provide the oversight commissioner with objectives (with timetables) covering their own responsibilities, and should report on the progress achieved at the periodic review meetings, and account for any failures to achieve objectives. [para. 19.5]
- 174 The commissioner should in turn report publicly after each review meeting on the progress achieved, together with his or her observations on the extent to which any failures or delays are the

responsibility of the policing institutions themselves or due to matters beyond their control. [para. 19.5]

- 175 The oversight commissioner should be appointed for a term of five years. [para. 19.6]



The process of police transformation in societies undergoing transition is an issue of some importance. This has certainly been the case in both South Africa and Northern Ireland where questions of policing change are critical to the success of the process of political compromise as well as the sustainability of post-transition democratic systems.

Lessons from police change in South Africa and Northern Ireland also have wider implications. These societies have often been compared in the past and there have been important South African inputs into the Northern Ireland peace process. Contrasting the different approaches to police change may hold lessons for other countries facing similar challenges.

This volume also provides an accessible record of the co-operation between the police agencies in both countries during the change period. A summary of recommendations made by an independent inquiry into police transformation in Northern Ireland has been included.

The study from which this volume emanates is part of a broader research project being conducted at SAIIA which examines crime and policing in societies in transition. The project is funded by the Ford Foundation.



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