

The autonomy and accountability of the police, an organization that has substantial power for doing good or evil, is a political issue because its resolution depends largely on the role and place of the police, or, more generally, coercive social control within the political dynamics of the societies in which they operate. Control of the police.

Within that space, the police have the legitimate right to use their powers and authority to make specific policy and tactical decisions unencumbered by external demands. Without autonomy, the police would not be able to do their work in accordance with democratic norms; they would be mere instruments of control wielded by others who have power in society and control the state, and they would be unable to resist carrying out illegitimate demands placed on them. The autonomy of the police is granted on the implicit condition that the organization will carry out its work in a manner that abides by the rule of law, follows professional standards and ethics, respects the democratic rights of citizens, and treats all citizens the police come into contact with equitably and fairly, and that the organization will control the discretion of individual officers and functional groups.

The Need for Autonomy An autonomous police is one of the hallmarks of democratic political systems but only if the police embody, in their routine practices, the foundational values of respect for human rights, due process, and the rule of law. In autocracies, dictatorships, or military regimes the police have no autonomy. They do what they are told by the powerful and the important. If they do not, they are dismissed, punished, killed, or replaced by other coercive agencies. Similarly, in small communities that are cohesive and exclusive, the police tend to do whatever the community asks them to do, whether those demands fall within the legal authority of the police or not, such as removing undesirable people from the community through harassment, intimidation, or force. Though necessary for democratic life, the autonomy of the police is to be feared as well. The police are, in any society, a powerful agency that could misuse or abuse the powers granted to them. The age-old questions of who guards the guardians and who polices the police assume that the legitimate capacity of the police to use all legal means, including deadly force, against individuals and groups to ensure a preferred social order can be misused for personal, functional, or ideological reasons.

Control of Autonomy The critical issue is how to balance granting the police enough autonomy to do their job as they know best while staying within the ambit of legal and professional norms against allowing the police too much autonomy and thereby enabling the police to be potentially unaccountable for their actions. Sustaining the balance between autonomy and accountability is a difficult and delicate process for both the police and the state and civic society actors. The police must walk a fine, but ill-defined line to avoid overstepping the authority granted them and misusing their powers. They must also take care not to be overly responsive to demands made on them by the state and society on how they should do their work. The police need to have the capacity and the will to refuse to follow outside orders. In turn, state and civic society actors must balance a desire to tell the police how to do their work against the recognition that the police are entitled to exercise their professional skills even if they go against the immediate interests and wishes of the state and society. The goal is an acceptable level of autonomy, or semiautonomy. To achieve that balance, society expects the police to exercise self-control and accept the limitations placed on their authorities and powers by society, and society has the right and, indeed, the obligation to impose constraints on the police through external accountability and oversight mechanisms such as courts, citizen boards, media, investigative commissions, political control in case the police do not practice self-control. Democracy is a balancing act among competing legitimate values and so is democratic policing. The police are caught up in the same democratic dynamics as are all other government institutions. They are, being a political organization, inevitably caught within the ebb and flow of political contests. Democracy complicates their work in specific ways. Most fundamentally, in no societal system is the distribution of values and goods equal and equitable yet it is the task of the police to maintain the hegemonic social order. Their work, even if done well and according to accepted professional and legal standards, supports social orders that are perceived by some as unfair. That sense of unfairness regarding police protection is most pronounced in societies in which identity-based groups have great cultural and political salience. Yet in all societies people will judge the

actions of the police by both criteria of effectiveness and common notions of fair treatment. The police can stay somewhat aloof from the turbulence of political contests only if they have some autonomy. The autonomy and accountability of the police, an organization that has substantial power for doing good or evil, is a political issue because its resolution depends largely on the role and place of the police, or, more generally, coercive social control within the political dynamics of the societies in which they operate. Control of the police is a valuable resource in any society, a prize that winners of political contests for state control sometimes receive as their reward. But the police are also the target of constraints imposed on them through public pressures, legal rules, and legislative and executive determinations of their mission. The balance between autonomy and accountability has no firm and specifiable condition but is, and needs to be, continually renegotiated between the police and their societies, each side striving to tilt the balance toward their preferred outcome. The practical policy question is how that balance between responsiveness to external demands and insistence on autonomy can be kept in its proper state and what is the proper state at different times, and what mechanisms from within the police and imposed externally are most likely to lead to a proper balancing of equally legitimate yet competing and conflicting demands on the police. The police cannot pretend that they are politically neutral by using the rhetoric of professionalism and expertise to conclude that they are entitled to significant autonomy, and civic society cannot fool itself by thinking of policing as the coercive political expression of democratic majoritarian rule, hence there is no need to impose accountability on the police. Typically, the imposition of external control on the police will be perceived by the police as unwarranted interference and will be resisted, unless deviance from professional conduct is so egregious that even the police will have to admit that they behaved badly. Yet in most circumstances, accountability through external oversight mechanisms leads to a tug of war between civic society, the state, and the police. The police have substantial political resources to bring to those contests and will tend to use these freely and effectively. They can and will deploy the repertoire of ideological justifications that they, as a professional group, should be entitled to deal with their own problems rather than be forced into changes in policy, procedures, and practices by external pressures. The question of whether internal self-control or external oversight is more effective in achieving a proper balance depends on the specific political and functional dynamics of societies. In democracies, external oversight is a right society possesses, but its willingness to insist on that right can be limited by the pendulum swings of crime and disorder experienced at various times. Typically, when crime and disorder threaten and public fears rise, the police are granted more leeway in how they do their job. When the police overstep their authority to be more effective in controlling crime, and feel that they do this to meet perceived public expectations, external means will come into play more easily and frequently. In any case, though, achieving the effective balance requires both internal and external controls, because in any case, even external controls become effective only if implemented by the police. Autonomy only works smoothly if both the police and society continually negotiate their proper roles and responsibilities in making decisions for themselves and each other.

Chapter 2 : Police officer - Wikipedia

Police Order was a step in the in the direction of ensuring both autonomy and accountability, albeit incomplete and insufficient, but a significant step indeed.

Police reform in the United States Early efforts at police reform often involved external commissions, such as the Wickersham Commission , that spelled out reforms but left to the police to implement them, often with limited success. Supreme Court decisions under the Warren Court led to important changes in policing, with respect to civil rights and constitutional law. *Ohio in* and *Miranda v. Arizona in* were two highly influential court decisions. *Ohio* found that evidence obtained in violation of the Fourth Amendment protection against "unreasonable searches and seizures" may not be used in criminal prosecutions. *Arizona* required that criminal suspects must be informed of their right to consult with an attorney and of their right against self-incrimination prior to questioning by police. These decisions began to set national standards for policing. Civilian review boards tend to focus on individual complaints, rather than broader organizational issues that may result in long-term improvements. The goal of these programs is to spot potentially risky behaviors within police departments, and to take preventative action to reduce instances of police misconduct. Although not required, many police departments have opted to adopt early prevention programs. However, the methods used to identify problematic police officers were found to be inefficient. The identifiers used often flag officers that in reality pose a minimal threat, while those that would benefit from additional oversight fly under the radar. To offset this, police departments have been using an increased number of indicators to determine risk factors.

Police oversight in the United Kingdom[edit] Main article: This act gave police authorities the responsibility to provide transparency regarding policing plans. In addition, they were given the task to monitor, collect and publish data regarding police performance, complaints and budgeting matters. Moreover, a large number of officers did not feel confident that they were doing their part to represent local people and were not sure of the actions to take to improve this area. Wilson largely ignored issues of police accountability and how officers should handle situations involving discretion. It is impossible to foresee a provision for every possible scenario; instead codes of ethics are used to provide officers a tool that is flexible, open for interpretation and can be applied in various manners depending on the situation at hand.

Police brutality Use of force by police against civilians may involve firearms , as well as other means. Prior to the s, there were generally no written policies or review procedures regarding use of force by law enforcement in the United States. This defense of life rule replaced the fleeing felon rule. *Garner* ruled that police may only use deadly force to prevent escape when the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others. Since the NYPD instituted new policies on use of force, many other law enforcement agencies have followed suit, establishing written policy that set guidelines as to when use of force is appropriate. For incidents involving firearms or other use of deadly force , internal investigation and review is often required. A mechanism in place for administrative review of other use of force incidents may also be part of the policy. The United States Department of Justice investigated patterns of abuse within the Pittsburgh Bureau of Police , among other agencies, and brought legal action to force changes. These weapons also require policies on their use, along with training on proper use. Body worn video police equipment Studies have shown that police officers that wear body cameras while on duty have fewer instances of misconduct and excessive force. In addition, it appears their usage is responsible for a decline in complaints against officers. The devices are not immune to malfunctioning, which could cause critical gaps in recordings. In addition, they can easily be manipulated to face a different direction, or the view can easily be obstructed by other means. Studies have shown that in more than half of instances where force was used by officers, the body-camera failed to capture the interactions due to above mentioned failures. Though, if a pursuit is conducted negligently , resulting in death or injury, the law enforcement agency can be held liable under civil law in the United States. Vehicle pursuits have increasingly been covered under written law enforcement agency policy, to help regulate circumstances and manner that they are conducted. The organizations may focus on changing legislation, on promoting awareness or on encouraging people to document incidents police

abuse.

Chapter 3 : Police accountability - Wikipedia

Autonomy and Accountability The police must remain autonomous and free from the influence of government and mass media. Law enforcement executives should not be forced into decisions based upon the dictates of a mayor, premier, prime minister, or the media.

However, without a structured management system in place, experimentation can go awry and great ideas risk falling by the wayside. This is where accountability and autonomy can provide the essential framework to support the innovation process to its full potential. One of the greatest barriers to successful innovation in the workplace is an inability to get ideas actioned and implemented. A hierarchical structure in which the decision maker is difficult to find and in which there is a lack of transparency with the overarching innovation goals, is often cited as the key issue. For actions to be executed, deadlines need to be set, visibility of key strategic objectives needs to be in place and the freedom to make decisions at all levels within the company needs to be encouraged. Enter autonomy and accountability, the building blocks upon which your innovation strategy can be elevated to the next level. Innovation and autonomy Autonomy is defined as a condition of self-government or freedom from external control and influence. It is important to clarify that here we are not just applying the term to individuals but also to teams and groups. The people within your organisation should be the driving force behind your innovation strategy and this is not just applicable to senior staff members. An autonomous workplace culture is about giving both individuals and teams ownership of their ideas and the freedom to make decisions. Not to be taken as an opposition to collaboration, autonomy is about uniting teams as self-functioning units in which they have space to try, fail, learn and succeed. Innovation is inherently about pushing boundaries, taking risks and stepping outside of a safe space. If senior members of staff are administering too much control over this process then creativity is stifled and teams are not given the required space to generate new and exciting ideas. Innovation and accountability Innovation is typically associated with experimentation, creativity and positive change. On the other hand, accountability is all about responsibility and can carry unfair connotations of liability and even guilt where failure is involved. It may therefore seem strange to suggest that one should support the other. However, it is exactly this combination that can help mediate the complexities and barriers present in the innovation process. Innovation needs creativity to start but it also needs structure to work; accountability provides the necessary framework within which ideas can thrive. Accountability is about accepting responsibility for both failures and successes. In pushing the decision-making to a lower level, an organisation will encourage collaboration, motivate staff and therefore facilitate a greater innovation output. Breaking down the hierarchy barrier Currently many organisations operate with a traditional, top-down hierarchical structure in which decisions can only be made by senior staff. Given that these people are usually overworked and exceptionally busy, ideas tend to stall at the implementation stage, failing to ever make it to fruition. Supporting teams to take ownership of their ideas makes them accountable for the decision process and serves as valuable motivation to make the idea work. This does not, however, take responsibility away from senior members of staff altogether. In order to establish a culture of autonomy and accountability, senior staff must be seen to approve and encourage the approach. Innovation should be wired into the overarching business objectives within your organisation and the relevant funding and resources should be readily available. Without top-level accountability, it is unlikely to filter down into the rest of the organisation. Without the appropriate ownership of ideas, the process of implementation becomes long, convoluted and stagnant. To summarise, our primary tips and recommendations to support your innovation strategy with an appropriate workplace culture are as follows: Encourage both individuals and teams to operate autonomously, giving them the creative space needed to generate ideas, make decisions and establish a solid implementation process. Create a workplace culture of positive accountability in which employees feel empowered to accept responsibility and have the confidence to try and fail. Ensure that senior members of staff are all aligned to the same innovation strategy and that the key business objectives are transparent across the organisation. With autonomy comes independence and with accountability comes urgency; it is this combination that provides the perfect motivation to propel ideas

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forward. By Jessie Moore About the author Jessie Moore is an innovation consultant at Idea Drop , a smart and intuitive idea management software designed to capture the brightest ideas from within organisations. Working closely with the founders, Charlie de Russett and Owen Hunnam, the team live and breathe innovation. Subscribe to receive more free content!

Chapter 4 : What is PUBLIC ACCOUNTABILITY? definition of PUBLIC ACCOUNTABILITY (Black's Law D

Police Body-Worn Cameras Accountability, Autonomy and Police Discretion Purely from an accountability perspective, the ideal policy for body-worn cameras would be for continuous recording throughout a police officer's shift, eliminating any possibility that an officer could evade the recording of abuses committed on duty.

Etymology[edit] The word police comes from the Greek politeia meaning government , which came to mean its civil administration. The more general term for the function is law enforcement officer or peace officer. A sheriff is typically the top police officer of a county, with that word coming from the person enforcing law over a shire. A common nickname for a police officer is cop. The term copper is originally used in Britain to mean "someone who captures". As with Canadian Mounties , the term mountie comes from police who serve while mounted on horseback see cavalry. Duties and functions[edit] A group of Garda officers in the Republic of Ireland A British police officer on a police motorbike Responsibilities of a police officer are varied, and may differ greatly from within one political context to another. Typical duties relate to keeping the peace, law enforcement, protection of people and property and the investigation of crimes. Officers are expected to respond to a variety of situations that may arise while they are on duty. Rules and guidelines dictate how an officer should behave within the community, and in many contexts, restrictions are placed on what the uniformed officer wears. In some countries, rules and procedures dictate that a police officer is obliged to intervene in a criminal incident, even if they are off-duty. Police officers in nearly all countries retain their lawful powers while off duty. They also function to discourage crimes through high-visibility policing, and most police forces have an investigative capability. Police have the legal authority to arrest and detain, usually granted by magistrates. Police officers also respond to emergency calls, along with routine community policing. Police are often used as an emergency service and may provide a public safety function at large gatherings, as well as in emergencies, disasters , search and rescue situations, and road traffic collisions. To provide a prompt response in emergencies, the police often coordinate their operations with fire and emergency medical services. In some countries, individuals serve jointly as police officers as well as firefighters creating the role of fire police. In many countries, there is a common emergency service number that allows the police, firefighters, or medical services to be summoned to an emergency. Some countries, such as the United Kingdom have outlined command procedures, for the use in major emergencies or disorder. Police are also responsible for reprimanding minor offenders by issuing citations which typically may result in the imposition of fines , particularly for violations of traffic law. Traffic enforcement is often and effectively accomplished by police officers on motorcycles –called motor officers, these officers refer to the motorcycles they ride on duty as simply motors. Police are also trained to assist persons in distress, such as motorists whose car has broken down and people experiencing a medical emergency. Police are typically trained in basic first aid such as CPR. Some park rangers are commissioned as law enforcement officers and carry out a law-enforcement role within national parks and other back-country wilderness and recreational areas, whereas Military police perform law enforcement functions within the military. Entry and promotion qualifications[edit] In most countries, candidates for the police force must have completed some formal education. Officers who work within investigative divisions or plainclothes are not necessarily of a higher rank but merely have different duties. In the United States state laws may codify statewide qualification standards regarding age, education, criminal record, and training but in other places requirements are set by local police agencies. Each local Police agency has different requirements. Officers of the Polizia Municipale from Piacenza , Italy Promotion is not automatic and usually requires the candidate to pass some kind of examination, interview board or other selection procedure. Although promotion normally includes an increase in salary , it also brings with it an increase in responsibility and for most, an increase in administrative paperwork. There is no stigma attached to this, as experienced line patrol officers are highly regarded. Dependent upon each agency, but generally after completing two years of service, officers may apply for specialist positions, such as detective , police dog handler, mounted police officer, motorcycle officer, water police officer, or firearms officer in countries where police are not routinely armed. In some countries,

including Singapore , police ranks are supplemented through conscription , similar to national service in the military. Qualifications may thus be relaxed or enhanced depending on the target mix of conscripts. Conscripts face tougher physical requirements in areas such as eyesight, but minimum academic qualification requirements are less stringent. Some join as volunteers, again via differing qualification requirements.

Chapter 5 : Supporting Innovation with Autonomy and Accountability | Innovation Management

That is why redaction, or more specifically, limiting the discretion of police officers to select when to record, is critical to ensuring they bring greater transparency, fairness and accountability. Visual recording technology can bring a degree of objectivity, or at least provide some insight into contested events.

Uncategorized crime victimization surveys , Police autonomy , professionalism in police , Supreme Court on police reforms pradnya In the past few months, there has been intermittent news on transfers, promotions and postings in the police department. There was news about anguish in the police department at the controls exercised by the bureaucracy and political hierarchy on these issues. There was also the demand for autonomy to the CBI for the purpose of fairness in their investigations. The issue of autonomy to police has got publicly identified as being core to initiating police reforms. Therefore, the issue is much debated publicly as well. If we analyze the concerns at the root of the need for police reforms, we should start with the end results sought from reforms, i. What then is inhibiting the police from delivering on these end results sought by the people? The first issue of financial autonomy is crucial for enabling good performance by the police. It enables proper and timely allocation of funds for the equipment, infrastructure and project needs of policing. I have an earlier post related to the importance of this subject <https://> The second issue of positioning police personnel is easy to identify with. Let us look at this issue in greater detail. Policing, in India, is a State-list subject and the state police departments are centralized under the state police HQ unlike the decentralized police establishments in some countries like the USA. So for appropriate positioning of personnel to happen in a department having around 2 lac people, there must be enough delegation of transfer powers down the line to enable appropriate evaluation of suitability based on observation of performance. Due to the centralized structure of state police, it is also easy to understand that the state should be concerned only with the careful considerations required in the appointment of the state police chief, and the chief should have adequate powers to move personnel below him, under proper safeguards of checks and balances, within the department. The safeguards are, of course, of critical importance, and should include rules regarding tenure for every rank, rotation of jobs, expertise and specialization and personnel performance evaluations. Currently, this power of positioning police personnel recommended by the PEB is scattered across the spectrum of bureaucracy and political dispensation. The ability of the state police chief to deliver on the above mentioned end requirements for good policing, is therefore diluted considerably. A good precedent to follow on this issue of autonomy in transfers and postings, is that of the central police organizations, of which CBI is one such organization. The freedom to post personnel according to certain criteria, gives the chiefs of the central police organization, including the CBI, enough flexibility to run the organization and deliver on performance. If performance still slips, then it should lie squarely on the shoulders of the chief. But it could still have less than optimal results as far as the issue of public satisfaction on the state of policing goes. The reason being, there are multiple uncertainties in this framework design. The variables on political selection of the most appropriate person to be the state police chief, the only indirect accountability of the police hierarchy to the people and accountability only to the political interests, can remain. This concern was sought to be mitigated in the PIL order cited above, by giving the state police chief a fixed tenure. However, in this solution of autonomy to the police in posting of personnel, there is excessive dependence on one individual, and other stake holders in public safety do not have a say on standards of service delivery by the police. The State police chief like a CEO of a company is certainly the fulcrum for making the required outcomes in police reforms, a reality for the people of the state. But for the police reforms to take root and last long, the system should be such that he works with inbuilt and non-personal decision making tools, which are decentralized enough to give measurable results on the performance of his officers. This can happen with the earlier discussed process of institutionalizing the public surveys on crime victimization and safety <https://>

Chapter 6 : Police autonomy | Pradnya Saravade's Blog

3 4. Police legitimacy: Police in democratic states strive for legitimacy to achieve the active co-operation and trust of the policed. Accountability contributes to the legitimacy of the police.

November 05, April 21, Fadnavis comes with no baggage that weighs down some others his age already in the arena and who have professed to make a difference. They either allowed themselves to be sucked into the quagmire that is Indian public life, or had not been permitted to perform " even though they possessed the right pedigree " for reasons other than merit, by individuals or groups who felt threatened. The young and the old alike are both ecstatic about the young leader from Nagpur and have been bowled over by the confidence he exudes and the promise he holds out in transforming the polity in the whole of India, especially in one of its more important States, Maharashtra. Fadnavis must succeed if we want to bring about a sea change in the quality of our public administration. In our view, having him as an example is something that will definitely rub off on others who are itching to serve the country selflessly. Politicisation of force Mr. Fadnavis has the potential to alter the destiny of Maharashtra, provided he works to a plan. He should remain focussed on governance and not allow his energies to be dissipated in futile, controversial public discourses that are easy meat for the Opposition and the media. These are days of high expectations and no consumer of public service is willing to wait to be served. The new Maharashtra Chief Minister no doubt has the supreme advantage of age and a squeaky clean image. This can however dissolve in no time if he does not organise his priorities in an intelligent way or if he unwittingly gives elbow room to the sharks around him. His predecessors had bartered it away for dubious, external political support that came with a tag. The recent history of the State is pockmarked by many unfortunate episodes, which had been the result of politicisation of the police force. Fadnavis would greatly benefit from a heart-to-heart chat with a group of retired police officers known for their integrity and track record in objective policing. There are indeed several of them in Mumbai available for an intelligent and pointed debate that we propose as the very first exercise that the Chief Minister should undertake. Many former officers are appalled by the lows to which the police have reached due to widespread corruption and political manipulation that the force has been subjected to. While this may not be very different from what it is in many other police forces in the country, in the case of Mumbai, more than the rest of Maharashtra, the fall has been grievously steep, leading to unforgivable despondence all around. Need for merit We must acknowledge that it is not the venal and unscrupulous politician alone who has to be blamed for this sorry situation. A substantial number of police leaders themselves have been more than willing accomplices in recent years. Two developments have specifically hurt the Mumbai police the most. The self-aggrandisement of the Home Department at the cost of professional police leaders has been colossal. The authority to post even inspectors to various police stations has been usurped by the mandarins in Sachivalaya State Secretariat , thereby emasculating the Commissioner of Police and destroying the chain of command in a rigid hierarchy that the police is. Worse still is the sale of prized field jobs to the highest bidders. There are incredible tales of venality which would make even the most brazen politician squirm in his seat. Fadnavis has to restore the primacy of police leadership if it has to deliver. This applies especially to the Mumbai Police Commissioner who should be appointed on merit. In the recent past, some of the appointments to the vital job have resulted in disastrous consequences. So, the Chief Minister has some flexibility in getting to choose the right candidate, even if an officer so anointed is relatively junior to others staking claim to the job solely on the basis of seniority. A carefully chosen commissioner of police needs enough autonomy to either perform or perish. Constricting his moves by dictating to him on whether a procession should be permitted or banned in Mumbai city cannot be a political decision as is the case now. Yet, the party went ahead in organising the rally, and no action was taken against its organisers. Obviously the decision to ban it was at the instance of the political executive over which the Commissioner had no say. Political interference does not stop with postings. It envelops the recruitment of the constabulary as well. There have been numerous scandals all over the country that have led to dilution of the quality of intake. Restoring credibility The Central government has been rightly highlighting the need to convert the country into an investor-friendly

nation by ensuring a stable public order situation. A huge investment in technology and processes is called for. Mindless austerity here can cause harm to police standards. Fortunately, there are blueprints available to move things forward. These have remained essentially on paper. There is tremendous talent available within the department to exploit state-of-the-art technology which would sharpen police service to aid victims of crime. What is needed to improve the police image in the city is for swifter professional response to calls for help from citizens in distress and the efficient solving of crime and restoration of stolen property to lawful owners. The Mumbai police have done some creditable work to educate the common man on how to protect himself from crime. There is a case for expanding instruction to the community online as well as through group meetings for citizens. If the new government sends out the message that it will not be statistical in assessing police performance, but would rather go by periodic surveys of community opinion, we can hope to see a free registration of crime, something that would enhance public faith in the police. A crime survey by a non-police agency of the kind that exists in the United States and the United Kingdom will greatly enhance the credibility of the Mumbai police. Housing Police morale is a very sensitive aspect of police administration. If neglected, it can lead to disastrous consequences, including deliberate non-cooperation by the police at the grass-roots level during a crisis. One crucial area is the provision of more housing for the constabulary. While it is true that hundred per cent satisfaction of the target of required housing units is not possible because of the continual growth of the force, a substantial number of additional tenements each year will help. It may be shocking for outsiders to know that some policemen in the city live cheek by jowl in slums with persons who have a criminal record. Fadnavis has to endear himself to the police community, he has to somehow find the money to expand housing for the police. The task of injecting more professionalism into the Mumbai police force is an enormous challenge. The infrastructure to build on this exists. The problem may not be one of finding the resources, but primarily one of changing attitudes, both at Sachivalaya and the police headquarters. Fadnavis can bring about a change where we have a police force that is trustworthy, provided he trusts them and gives them enough operational autonomy. We are certain that he understands that more autonomy for the police does not mean less accountability.

Chapter 7 : AUTONOMY AND THE POLICE

Enter autonomy and accountability, the building blocks upon which your innovation strategy can be elevated to the next level. Innovation and autonomy Autonomy is defined as a condition of self-government or freedom from external control and influence.

Autonomy, Discretion and Accountability! A police officer fitted with a body-worn camera is giving chase to a man who has allegedly robbed a general store armed with a knife. The assailant runs into dense grassland and falls to the ground. The pursuing officer incapacitates him with a Taser, following which another officer kneels on him and secures his hands behind his back with handcuffs. Several further officers arrive at the scene. Audible cries are heard from the restrained assailant but the majority of the remaining footage is not of the altercation, but rather, the surrounding trees and grassland. However, recent years have seen a dramatic rise in the range and sophistication of technologies being integrated into routine police work. Closed Circuit Television CCTV was first installed in London in the s, later becoming mobile as redeployable cameras were introduced to chase crime hotspots around the city Taylor and Gill Having argued elsewhere against the rapidly expanding use of surveillance cameras, in particular CCTV cf. Taylor a, b , due to a range of factors, including; lack of effectiveness, poor return on investment, erosion of civil liberties, and their potential impact on societal practices relating to autonomy, privacy, trust, freedom of movement and expression of identity, in this contribution to the debate I argue that police body-worn cameras are fundamentally different. If operated under suitable procedure and guidance frameworks, they can instigate more positive interactions between the police and public. There are suggestions, for example, from initial 1 The footage can be viewed here: There is little doubt that, globally, police relations with the public, and particularly minority groups, have been fraught with tensions; accusations regarding excessive use of force, prejudicial treatment, and abuse of power are common. Conversely, false accusations are sometimes bestowed upon police officers. Body- worn cameras provide an important means of documenting hitherto obfuscated interactions between the police and members of the public. This can bring many benefits such as increased accountability and transparency. However, the positive role they can play hinges on one thingâ€”police autonomy in their operationâ€”that is, choosing what and when to record. Captured on mobile phone cameras, the images of these incidents were decisive in exposing that the killings were unjustifiable, and as such, led to greater demands for police to wear body cameras. While recent debates have been largely dominated by US events, my current research focuses on Australia. Although it is too early to report on findings from the study,² the use of body-worn cameras by the police is growing increasingly prevalent in parallel with other countries. First trialled in Western Australia in , the use of body-worn cameras has now gathered traction in most Australian states and territories. Despite the significant expenditure, absence of empirical evidence regarding impact and effectiveness, and, in some states, little guidance or protocol regarding usage, the adoption of cameras has continued with pace. The cameras have been largely popular with frontline staff, so much so that there have been reports of police officers purchasing their own personal wearable cameras to record their activities and interactions, downloading and storing the resulting images at home Doorley This raises considerable issues regarding the quality and impartiality of this footage, admissibility in court, and the interoperability of systems and associated software; not to mention huge privacy and data protection breaches. Over police detainees have been interviewed following arrest about their experiences and perceptions of police-worn body cameras, alongside a range of other topics. The problem is that continuous recording raises many thorny privacy issues, for the public as well as for officersâ€” American Civil Liberties Union Currently, there is huge variation across jurisdictions regarding the level of discretion officers have in deciding what and when to record. Second, recording an entire shift produces a massive amount of data that requires considerable processing and storage, the sheer volume of which could hamper the ease of retrieval. As such, police officers could legitimately choose not to record an incident, thus negating the claim that police-worn body cameras, for example, increase fairness and reduce use of force. The intersection of technology and human behaviour is highly complex and unpredictable, but a camera that can be switched off, or wilfully turned away from a police interaction with an assailant

without consequence, cannot increase accountability or reduce poor policing practice. I argue that the default position should be that police-worn body cameras record continuously. This largely resolves four main issues: If this position were to be accepted, it opens up an avenue for greater interrogation into how cameras are used during police operations. It could be presumed that if a camera is switched off during an altercation, with no reasonable justification, then it represents the deliberate destruction of evidence. It could also be presumed that the images, had they been recorded, would have been unfavourable to the police officer involved. However, there are some important issues that must be taken into consideration if police officers are given little discretion as to when and what to record. I elaborate three such concerns in particular below. Police Decision-Making, Discretion and Deprofessionalization Discretion pervades police work since it involves the continuous exercise of choice or judgement. As such, the concept of discretion and police decision-making has been an enduring feature of debates regarding law enforcement. Indeed, it could be argued that the criminal justice system is, by its very nature, premised on discretionary principles at every stage; to investigate, to report, to caution, to charge, to arrest, and so on. In light of this, it has been suggested that sousveillance videoing can lead to police dispensing with professional discretion in favour of a clear-cut application of the law irrespective of context. In other words, police officers knowing that body-worn cameras are recording them might feel restricted in their interpretation and application of the law. Officers might feel inhibited to let trivial things slide or to dispense with a warning through fear of being viewed as overly lenient, or even negligent in their duty to protect the public. For example, Katz et al. If it is the case that body-worn cameras result in officers dispensing with discretion, the police might find themselves overburdened with investigating minor regulatory infringements or outmoded legislation, resulting in punitive and intolerable policing. Privacy of Victims Police body-worn cameras that constantly record video and audio raise significant privacy issues. They potentially record the everyday conversations and activities of law-abiding citizens that enter the purview of cameras. While they have been encouraged to assist in reducing racial profiling in stop and search, they could produce other types of discrimination, such as being used to intimidate and record in certain localities and over-policed areas. Further, the police can access quintessentially private spaces. Indeed, initial trials of police body-worn cameras are often part of domestic violence taskforces. The Phoenix study Katz et al. According to the American Civil Liberties Union ACLU some victims of crime, as well as witnesses concerned about retaliation if seen cooperating with police, may have very good reasons for not wanting police to record their interactions. In these instances especially it is legitimate for a victim to ask not to be recorded or for the officer to volunteer this course of action. The recording of such an exchange between the victim and officer would be sufficient to document the legitimate cessation of the recording. Operational Difficulties Initial evaluative work suggests that officers use force less often when they are using body-worn cameras Ariel et al. Furthermore, anecdotally, it has been claimed that offenders are less likely to resist or assault police when the cameras are in use but the factors underlying this are largely unknown due to a lack of empirical evidence. In some instances the use of the camera might actually aggravate the situation or make things worse. This may be particularly the case when officers are interacting with mental health consumers, those under the influence of drugs and alcohol, or during sensitive investigations. As such, using the cameras is not always conducive to police operations and may escalate issues. For example, when one police force tried to incorporate body-worn cameras into stop-and-question procedures, citizens who were stopped refused to answer questions while police had their cameras on Sherman Conclusion Returning to the apropos quotation that opens this discussion, it has been widely assumed that the body-worn camera is simply a modern day functional equivalent of more traditional police data-capturing mechanisms. But this ignores the power of the device to alter the behaviour of the police, public and offenders. Officer autonomy to choose when to turn the camera on and off undermines some of the potential benefits that the cameras may bring. Cameras could be considered the equivalent of the police notebook, but only if it is accepted that pages of the notebook can be rewritten, edited, modified; even torn out entirely. That is why redaction, or more specifically, limiting the discretion of police officers to select when to record, is critical to ensuring they bring greater transparency, fairness and accountability. Visual recording technology can bring a degree of objectivity, or at least provide some insight into contested events. That said, subjectivities enacted by the view of the camera must also be

taken into consideration. Lights, Camera, Redactionâ€¦ Police Body-Worn Cameras a panacea, but their implementation means that the police are no longer impervious to scrutiny and exposing police brutality and prejudicial profiling will no longer solely rely on fortuitous videoing by bystanders. It is hoped that through counterveillance, not only will police interactions with the public become more accountable, but behaviours will also be improved. Accessed March 22, Ariel, Barak, William A. Farrar and Alex Sutherland. Journal of Quantitative Criminology The Verge, April Accessed March 21, The Courier Mail, July 3. Australian and New Zealand Journal of Criminology The New York Times, August Accessed March 29, Evaluating the impact of officer worn body cameras in the Phoenix Police Department. Accessed March 31, In Crime and Justice, edited by Michael Tonry, â€” University of Chicago Press. Crime Prevention and Community Safety Journal The Sociological Review Taylor, Emmeline and Martin Gill. Accessed April 4,

Chapter 8 : More autonomy, not less accountability - The Hindu

Police accountability involves holding both individual police officers, as well as law enforcement agencies responsible for effectively delivering basic services of crime control and maintaining order, while treating individuals fairly and within the bounds of law.