EFFECTIVENESS OF POLICE ACCOUNTABILITY MECHANISMS

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EFFECTIVENESS OF POLICE ACCOUNTABILITY MECHANISM

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ACRONYMS

CAF	Community accountability fora
CSP	Community safety partnerships
DFID	Department for International Development
EIS	Early intervention system
LPPB	Local Policing Partnership Boards
NGO	Non-governmental organisation
NOPRIN	Network on Police Reform
U.K.	United Kingdom
USIP	United States Institute of Peace

EXECUTIVE SUMMARY

Police accountability lies at the heart of security sector development. A large body of police practice and police development literature examines and advocates for more and better accountability. Numerous methodologies and instruments propose ways of undertaking police accountability assessments, list the underlying principles, and espouse guidance on how to increase accountability and reduce police corruption. Case studies abound describing the activities undertaken in development programs, but few offer credible evidence of effective outcomes. In fact, evaluations of police accountability projects with reliable evidence of effective results are largely non-existent. The literature rarely advances past the abstract championing of police accountability and does not address the practical challenges of what is feasible and achievable. This report goes beyond rhetorical statements of advocacy and guidance to present credible empirical evidence of what works and what is reliably known about strengthening police accountability so that policymakers and practitioners can support effective police accountability programming.

Police are a monopoly instrument of the state and, therefore, the political elites' control over the mechanisms of police accountability are a valuable asset in their exercise of power. There may be instances, however, when elite networks may promote efforts to improve police accountability, as doing so can accrue to their benefit. Donors need to be able to determine when such windows of political opportunity exist, which calls for a new temporal approach to political economy assessments. This report identifies four windows of opportunity and outlines how to support police development and accountability programming accordingly.

Police accountability can be exercised on four different dimensions. As an integral part of a state's governance system, the police are held accountable for their policies, budgets, and actions by other institutions and agencies of the state, such as ministries of finance and justice, parliaments, anti-corruption and ombudsman offices, mayors and chieftain systems. Second, the police's own internal managerial systems function as an accountability mechanism through professional standards units, internal affairs departments, information management systems, inspector generals, and early intervention procedures. Third, independent organizations and groups that lie outside the official state governance system engage in accountability mechanisms when they observe, record, and report on police policies, tactics, operations, and performance. This accountability method may also include think tanks and research centers; human rights commissions and ombudsman offices that are not official government offices; labor relations boards; and the national and local bar associations.

Each of these three dimensions of police accountability fall under the broad rubric of the long route to accountability. There is, unfortunately, little empirical evidence to suggest that programming that adopts this long route to accountability is either productive or feasible. The crux of the problem is that this type of programming, which is essentially a form of institutional capacity building, has repeatedly been found to be impractical and largely ineffective. Even programming that adopts the good enough or best fit methodology has not resulted in tangible improvements in police accountability. Among the many problems with this range of programming is, first, the principal agent model and, second, the dependence of the the institutional capacity building approach on the belief that the primary constraint is technical and structural, whereas the real underlying dynamic relates to questions of power, institutional leadership, incentives, and norms.

These findings are echoed in current empirical criminology research. There is little credible evidence to guide police development practitioners on what they should or should not do when establishing and structuring police professional standards or internal affairs departments and equally little evidence what constitutes their effective management and training protocols. The same situation exists with regard to external accountability mechanisms. Absent credible theories of change for their adoption, these findings suggests that neither internal nor external accountability programming offers value-for-money and that, if they are to be supported, such assistance is more a question of ideology, politics, and personal preference than effectiveness.

What is known is that written manuals, policies and guidelines alone are ineffective. Effectiveness depends upon close supervision and management of police personnel, particularly with respect to the use of force and firearms protocols and reporting mechanisms. Unfortunately, very few police development initiatives explicitly target these protocols. Furthermore, it is unlikely that the required close supervision is transferrable into development environments because of the range of managerial and information management deficits, not to mention cultural and normative factors, under which these environments labor.

However, within the larger governance agenda there is a plausible approach to improve police accountability. Such programming is called the short route to accountability or social accountability. In police development parlance, this is also characterized as the fourth dimension of police accountability or accountability from below, when local neighborhood and demographic groups organize themselves to discuss their specific safety and security needs and attempt to correlate those needs with the service they receive their local police. Although the empirical evidence is mixed, it appears that social accountability programming may be effective if it is multi-layered and focused upon addressing narrowly defined problems.

The importance of this fourth dimension cannot be underestimated, as it appears to be the most feasible approach to improving police accountability, a finding supported in police development lessons learned. For instance, credible empirical evidence exists to indicate that police accountability improved through a series of facilitated dialogues in Nepal, grounded in detailed surveying, that brought together communities, police, and other relevant stakeholders to establish collaborative problem-solving relationships.

This finding is echoed by evidence that when all the police in a police station or precinct are trained on ‘soft skills,’ such as communication, mediation, leadership, team building, their relations with the communities and neighborhoods they serve improves. That improvement, reflected in greater trust and confidence on the part of both stakeholders, may be the foundation upon which better accountability can be developed.

SECTION I.

INTRODUCTION

Accountability and police accountability, in particular, lie at the heart of security sector development.[1] The term refers to more than ensuring that police services and its personnel uphold the law, respect human rights, and do not engage in misconduct, malfeasance, or corrupt behavior. Accountability also applies to ensuring that the policies of the police continually evolve toward greater congruence to current criminology best practices, such as in the use of force and firearms. Police accountability also means that the police's performance and responsiveness corresponds to the priorities of the populace to whom the police deliver a public service and is appropriately calibrated to meet the needs of different societal demographics.[2]

A large body of police practice and police development literature explores accountability, advocating for greater accountability and listing its principles.[3] Numerous methodologies and instruments have been proposed for undertaking a police accountability assessment and an equal number espouse guidance on various approaches to increase accountability and tackle police corruption.[4] Case studies abound describing the activities undertaken in development programs. However, very few offer reliable and valid evidence of what worked or, as a senior staff member of a leading NGO involved in security sector development stated, "we just don't have that data and, other than good stories, cannot show we've bettered police accountability."[5]

Evaluations of police accountability projects with credible evidence of effective programming are largely non-existent.[6] Case study evidence remains at the level of anecdotal ‘stories of success,’ self-reported achievements, or perceptions studies based upon unreliable respondent sampling.[7] The security sector literature on police accountability rarely advances past the theoretical, ideological, and abstract championing of police accountability[8] and does not address the practical challenges of what is feasible and achievable within a development context.[9]

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[1] A recent survey of British government-funded security sector programming indicated that most of its programs include an accountability component. (Stablisation Unit, 2015)

[2] Accountability, as defined by one of the leading criminologists is "both *what* the police do and *how* they perform. Agency-level accountability involves the performance of law enforcement agencies with respect to controlling crime and disorder and providing services to the public (National Institute of Justice, 1999). Individual-level accountability involves the conduct of police officers with respect to lawful, respectful, and equal treatment of citizens" (Walker, 2007). See also Louis Radelet and David Carter, who define accountability as "the quality of policing, whether the police are involved in the types of activities or programming that the public wants, whether the police are providing good 'value for money' in the services they provide, and whether the police are holding up their end of the social contract." (Radelet and Carter 1994, p. 529)

[3] See, for example, US Department of Justice, 2001; Bayley, 1997; Manning, 1997; Stone and Ward, 2000; and Ziegler and Neild, 2002.

[4] For purposes of this study, police corruption is considered a subset and special case of police accountability. For an example of how police accountability and corruption relate, see International Security Sector Advisory Team, *Toolkit on Police Integrity*, 2012.

[5] Interview conducted spring 2016 with a senior staff person of a leading INGO.

[6] One of the conclusions of the 2015 DFID survey is that few programs, including the accountability components, "have a clear or plausible articulation of how the programme will contribute towards the stated impact, and none appear to have formally analysed or evaluated what contribution towards impact

This report goes beyond rhetorical statements of advocacy and lists of principles and guidance. It seeks to present credible evidence of what works and what is reliably known about strengthening police accountability so that policymakers and practitioners can support effective police accountability programming.

REPORT STRUCTURE

Police accountability is part of an overall governance agenda. Lessons learned from that larger agenda can inform and be applied to the challenge of what works in police accountability. Thereafter, police development literature is presented, first, from current criminology research and, second, from development initiatives. Throughout, attention is paid to credible, reliable, and valid evidence of what works in police accountability. That requirement is loosened only when a preponderance of evidence, once accumulated, suggests that sufficient data exists to warrant the conclusion that there is a good probability and a plausible theory of change that that initiative or activity could lead to effective results.

This report is divided into seven sections, including this introduction:

- Accountability and Macro Drivers of Change
- Accountability and Its Dimensions
- Social Accountability
- Evidence of What Works In Policing Accountability – Western Criminology
- Evidence of What Works In Policing Accountability – Development Practice
- Conclusion

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the programme did in fact achieve” (Stabilisation Unit, 2015, p. 3). While it is possible that effective programming can exist even when activities have not been evaluated, it is significantly less probable that programs without a stated plausible understanding of how impacts will be achieved can produce their intended results.

[7] Perception surveys that pose questions on trust, satisfaction, confidence, but do not discriminate classes of respondents into those with direct experience of the police, those who live in households with direct experience, and those without direct experience are unreliable, as their questions query expectations rather than experiences.

[8] See, Ronald West. **Democratic Oversight of Police Forces: Mechanisms for Accountability and Community Policing**. (National Democratic Institute, 2005), where is it stated that “this handbook… is intended to help policymakers and others understand the various methods and institutional contributions necessary for linking the work of police with the role of government and interests of society” (p. 8)

[9] See, Global Facilitation Network. *GFN-SSR – Police Reform – Accountability*.

LIMITATIONS OF THE REPORT

This report does not discuss or analyze police accountability indicators. This is an important and under-explored topic in police development and one in need of further research, given the range with which accountability can be recorded and measured. In the analysis of police-community/neighborhood accountability mechanisms (accountability from below) this report focuses not on tactical and operational elements of police practice, such as community policing or crime prevention, both of which could be considered component of good governance, but on the forms and ways in which communities and neighborhoods seek to hold the police accountable.

Finally, an informal survey[10] was conducted to ascertain current police accountability thinking from within donor agencies, research institutes.[11] Interviews were conducted with more than 15 police development colleagues, whose combined years of experience are upwards of 200 and who have worked in or are conversant with almost every major donor-supported police development program over the past 15 years. In addition, queries were posted on the field's two major knowledge networks operated, respectively, by the International Security Sector Advisory Team and United States Institute of Peace (USIP). This report does not claim that this informal survey is empirically valid, but does believe that its results are representative of the state of knowledge.

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[10] See Annex A.

[11] Through current and former officials, the following agencies and organizations were consulted: USAID/USA, Stabilisation Unit and DFID/UK, World Bank, United Nations Office of Drug Control, Danish Institute of International Studies, SaferWorld, African Policing Civil Oversight Forum, Overseas Development Institute, International Security Sector Advisory Team, United States Institute of Peace, SSR Resource Centre, and Institute for Security Studies.

SECTION II

ACCOUNTABILITY AND MACRO DRIVERS OF CHANGE

Most discussions about police accountability in development focus predominantly upon the police or the role of civil society groups. The United Nations Office on Drugs and Crime Handbook on police accountability is typical. It states:

> the key players in enhancing police accountability are police officers themselves, as the prime bearers of responsibility for the integrity of the police force. The next most important players are independent police oversight bodies. Other State institutions, most notably the Ministry of the Interior, and civil society, are also of crucial importance."[12]

The primary programmatic effort in police accountability, however, is on "the implementation of policies, procedures, and training programs designed to increase the [police's] capacity to conduct internal and external police misconduct and corruption investigations,"[13] all of which can be considered varying forms of institutional capacity development with a focus on skills, systems, and structures. Thereafter police accountability tends to focus on human rights commissions, civil society groups and nongovernmental organizations (NGOs). Only as a third layer of support do donors turn to the mechanisms[14] and activities to be undertaken by parliaments/legislatures[15], ministries of finance, departments of justice and prosecutorial agencies. No matter the extent of the political economy analysis undertaken concerning the relationships of these stakeholders, the police service is, generally, considered and treated as an independent or semi-independent system, institution, and organization. It is rare to see the police service analyzed as an integral part of and actor in how the country's elite networks wield power and preserve their dominance.

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[12] UNODC, *Handbook on police accountability, oversight and integrity: Criminal Justice Handbook Series*, 2011, p. 2. The *Toolkit on Police Integrity* adopts an identical approach.

[13] ICITAP, *Indonesia Law Enforcement Development Program*, Fact Sheet, April 2016. See also, Rachel Neild. *Themes and Debates in Public Security Reform: Internal Controls and Disciplinary Units*. Washington Office on Latin America, 1998.

[14] See for example, Lawyers Committee for Human Rights, *Police Accountability*, 2005, a Bureau for Crisis Prevention and Recovery/UNDP sponsored project.

[15] See for example, Lawyers Committee for Human Rights, *Police Supervisory Boards*, Memorandum, 22 January 2002; Rachel Neild. *Themes and Debates in Public Security Reform: External Controls.* Washington Office on Latin America, 2000; Samuel Walker. *Core Principles for an Effective Police Auditor's Office. Report of the First National Police Auditors Conference*. 26-27 March 2003, Omaha, Nebraska.

Traditionally, the police are considered a monopoly instrument of governance. The police, therefore, are one of the ruling elites'[16] more closely held resources. Their control over the processes and mechanisms of police accountability may be one of the elite networks' more valuable assets of overall power. These political aspects of police accountability are rarely discussed or addressed in any substantive ways. That the police are invariably accountable to the political elites, however, does not necessarily imply that the police leadership has no independence or that the police as an institution does not have its own interests to advance and protect.[17] Both exist, but they do in relationship and tension with the elite networks overall control. It is noted that senior elements of the police leadership are an integral part of the elite networks.

Preservation of their authority and power is the primary objective of the elite networks.[18] This remains true even given the assumption that elite networks are not monolith and may, under certain circumstances, splinter into competing factions. This does not prohibit elite networks from promoting efforts to improve police accountability, for there are instances when an improvement in accountability through better police practices accrues to their benefit.[19] Neither does this understanding suggest that development actors are precluded from supporting police accountability.

What is implied is that any donor initiative to strengthen police accountability depends upon authorization from or, at a minimum, acquiescence by the elite networks,[20] whose consent is not easily or freely given. Most likely, changes in police accountability are acquiesced to or pursued as part of a political negotiation, as a means by which to achieve a set of other political objectives. The elite networks' intention may be furtherance of the public good and delivery of public services, but, more likely, that is only of secondary importance in comparison to their primary long-term objective, retention of power and authority. It should also be noted that the two – elite preservation of their dominance and increased delivery of public goods and services – are not necessarily mutually exclusive, but can and sometimes do complement one another.[21] Nevertheless, increasing police accountability is a policy choice made by the elite networks, a choice that may entail political trade-offs in order for them to maintain their dominance.[22]

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[16] It is mistaken to conceive of a ruling elite as a unified and monopolistic formation. Rather, it may be more reasonable to perceive of the elites exercising power through a series of networks that operate dynamically.

[17] At one and the same time, for instance, the police can initiate an internal accountability initiative to weed the service of extreme examples of human rights violations, blatant misuse of force, and corruption *and* resist prosecutorial and judicial investigation into police activities.

[18] Lindsay Whitfield and Ole Therkildsen. *What Drives States to Support the Development of Productive Sectors? Strategies ruling elites pursue for political survival and their policy implications*. DIIS Working Paper 2011:15.

[19] There may be instances, for example, where the elite networks for a host of reasons wants to reduce human rights violations within the police. There may also be occasions when the elite networks wishes to reduce police involvement in certain types of illegal activity, such as weapons and people smuggling, as the political benefits outweigh the costs of perpetuating the current situation.

[20] A 2013 mid-term review of the Nigeria Justice for All (J4A) programme is illustrative, the choice of language notwithstanding: "The greatest impediment to any progress being achieved on police accountability is the lack of ambition, capacity and political will to be found within two key government institutions: the Police Service Commission (PSC) and Ministry of Police Affairs (MoPA). Over successive years neither institution has demonstrated any real determination to play a meaningful part in police oversight or policy direction. In the absence of strong external and independent oversight over the NPF, J4A efforts will not be sustainable" *Mid-Term Review: Justice for All (J4A)*, October 18 - November 1, 2013, p. 5.

This is not a theoretical issue of political ownership, will, and commitment on the one hand or political resistance and 'spoilers' on the other. For the most part, these conceptual issues are misguided and misunderstood.[23] For police accountability to occur, elements of the elite networks and the police leadership must want it to take place. Political ownership, will, and commitment, therefore, must exist.[24] It is implausible that a donor can persuade a country's elite networks to undertake police accountability development when those stakeholders deem such an initiative to be in opposition to their rational self-interest.

The corollary is equally true. Resistance to increasing police accountability is inevitable, in that the elite networks is not monolithic, but operates as a series of networks. Greater accountability of the police, for instance, could affect the interests of other security services, who could resist police reform. A key question, then, is when resistance will occur, why, and over what specific development activity. This implies more than a structural and systemic understanding of a country's political economy. It necessitates a *temporal* appreciation of the circumstances and environment in which the elite networks' commitment arose and how those 'moments' condition the possibility and extent of effective development. It is crucial, therefore, to identify:

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[21] David Booth. *Development as a Collective Action Problem: Addressing the Real Challenges of African Governance*. ODI, 2012, pp. 24-26. Whether the elite networks preservation coincides with delivery of public goods and services depends upon the coherence of the networks, their sense of vulnerability as it relates to their time horizons, and their ability to generate rents that maintain their dominance, see *Development as a Collective Action Problem* and *What Drives States to Support the Development of Productive Sectors?*

[22] *What Drives States to Support the Development of Productive Sectors?* p. 16.

[23] Development actors, often, cite the absence of political will and commitment as a way to understand and explain programmatic ineffectiveness, as if the fault of ineffectiveness lies at the feet of the recipient who simply did not know better than to accept and comply with the donor's project. See, for an example, Christoph Kohl, Diverging Expectations and Perceptions of Peacebuilding? Local Owners' and External Actors' Interactions in Guinea-Bissau's Security Sector Reforms, *Journal of Intervention and Statebuilding*, Vol. 9: No. 3, 334-352, downloaded February 2016: "the buzz-term ' local ownership' conceals the widespread aversion of international experts towards recognizing and, in so doing, implicitly accepting local politics, histories, perceptions, and norms, apart from paying mere lip-service" (p. 338); see also a security sector survey conducted by ISSAT, *What Works? International Security and Justice Programming*, June 2015, where it is stated that "political engagement and the lack of political will are common and recurring challenges faced by programmes across the donor community. Political challenges are frequently cited in evaluations as a reason for limited effectiveness, impact and sustainability of donor engagement in the sector" (p. 18).

[24] Political will and commitment does not exist as a black/white or either/or proposition. Rather it exists in relative degrees and is ambiguously given and taken away. Similarly, political will and commitment has different dimensions, see *Unpacking the Concept of Political Will to Confront Corruption*. U4, 2010.

- which segments of the elite networks support police accountability
- what benefits those stakeholders believe they accrue for providing their support
- the extent and depth of the development of police accountability they favor and will tolerate and, most importantly,
- why these elements are occurring at this moment in time.

POLITICAL OPENINGS AND WINDOWS OF OPPORTUNITY

Even in countries where implementing police development appears improbable, political openings and windows of opportunity arise during which effective police development can occur. These moments may be relatively fleeting and transitory, but they exist nonetheless. This *temporal* factor is often overlooked in political economy analyses.

Domestic and international experience suggests that security sector assistance can be effectively conducted during four different '*moment(s) of political opportunity*,' each of which has different characteristics. To do this effectively, donors need to understand the particular political dynamics and relative balances of power within the elite networks that characterize these transitory 'moments' and acknowledge the inevitable political trade-offs that they (the donors) are willing to accept to facilitate development during them. For this understanding, the customary structural and systemic political economy analyses need to be supplemented by temporal assessments – what has changed and why that change(s) has occurred. In fact, it must be acknowledged that traditional political economy analyses do not typically ask the temporal question.[25]

The four temporal moments can be categorized as when:[26]

1. A champion of change appears who advocates and can deliver development. Typically, he/she arises from the police and is able to exercise a modicum of independence. The champion's ability to deliver development, however, is less than it initially appeared. His/her longevity lasts for a shorter period of time than had been expected and the results of the work accomplished during the window are difficult to sustain. The achievements made, however, tend to be valuable in establishing new standards and enabling environments from which subsequent periods of development can proceed.

In Cambodia a champion of change successfully supported the development of court registries and advocated for the use of non-custodial sentences to reduce prison overcrowding. Once the champion of change was transferred out of the Ministry of

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[25] Another consistent weakness in the political economy analyses as applied to police development is a lack of depth in the assessment of organized crime networks operate in the country under examination.
[26] This schema reworks, albeit significantly, the 1970-1980s model of transitions from authoritarian rule.

Justice, the possibility of non-custodial sentences immediately vanished and, while judicial information is still being entered into the court registries, the data currently sits unused.

In an Argentine province, a multi-stakeholder community-policing project was designed, over a six-month period. The Deputy Minister for Administration and Human Rights actively supported the project, bringing on board, along with his Ministry, the police, the police academy, business interests, and community groups. Before the first phase of activities could be initiated, a power struggle between his political patron and the governor broke out and the planned project ended before it began.

Lesson learned: speed is of the essence, for the time during which the champion can deliver and implement change, usually less than three years, is limited. The establishment of new systems and processes are unlikely to be achievable, although managerial innovations, passage of legislation, and writing of codes of conduct and manuals may be. The successful formation of new units is also unlikely to occur.

2. Spaces and fissures open up within elite networks and the donor can leverage its political influence with progressive elements of those networks to underwrite development. These spaces may open – and also close – when an election results in a change of political power,[27] an event of consequence happens that shakes up the status quo, or elite networks yield to international pressure. The creation of space may also reflect the confidence the elite networks have in the durability of their hold of power. The greater their sense of invulnerability – the perception that change poses little risk to the permanence of their power and authority – the more likely they may accede to police accountability programming.[28]

During these moments of opportunity, police accountability can have far-reaching and, often, unexpected effects and reforms have some prospect of producing sustainable results.

In Peru, the election of President Toledo in 2001 allowed reformers to be appointed to leadership positions within the Ministry of Interior. For a period of approximately three years, significant police development was undertaken, the police academy was revamped, conditions of work for police were improved, and a serious effort started to strengthen police accountability. This fissure, however, closed, as elite networks resistance to police development mounted.

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[27] There is a strong inverse relationship between the duration of a security sector program and the degree of democratization of the country to who assistance is being given. As in the US, Canada, Australia, and the UK, the advent of opposition parties into power – or even a different faction of the existing ruling party – has historically meant a thorough change of policy. In security sector development, the one exception is if and when the judiciary has achieved a significant degree of autonomy and independence.

[28] For a discussion of elite cohesion and fragmentation, see *What Drives States to Support the Development of Productive Sectors?*

In Burundi, following the Arusha Peace and Reconciliation Agreement, 2000, the Dutch launched a security sector development program. This program, beginning in 2009, was predicated upon an eight-year commitment, continual political dialogue, and continual cycles of iterative programming. The goal was to discuss and improve the governance structure and systems of the security sector, with accountability mechanisms to play a key role in future programming. This effort began collapsing in 2012-13 when the political opening began to close and collapsed in 2015 with elections that resulted in President Nkurunziza's disputed third term in office.

Lesson learned: donor-sponsored programs should be limited to three-year cycles.[29] Programs can be conceptually envisaged to be of longer durations, but practical programming – during which narrowly targeted development and innovative schemes can be implemented, instituted and have a reasonable chance of being sustained – is of shorter duration. The most likely enduring legacy may be in the police's human capital, new managerial processes, and the establishment of institutional structures that did not previously exist.

3. Tension and conflict arises within the elite networks(s). There is active competition and struggle for dominance between and among the elite's networks, during which elements of one of the networks seeks donor assistance as a means by which to further its political agenda. Donor involvement here is high risk due to reputational risk. Developmental success depends upon the segment of the elite networks that allies itself with the donor having achieved its domestic goals and, when that does occur, significant police development can be conducted, including accountability reform.

In Libya and Ethiopia, the British Department for International Development (DFID) took this gambit and, in Libya, when the civil strife accelerated, British personnel had to be evacuated. In Ethiopia, a large-scale security sector program was closed after powerful elements of the elite networks understood the possible repercussions of those activities, the closure of which occurred the same day program activities were scheduled to begin work in the provinces.

In Jamaica, on the other hand, the international community's security sector assistance to the police has continued as the elite networks's faction it supported, when confronted, gained the upper hand in the contest for power. In Nigeria, the electoral ascension to power of President Muhammadu Buhari may mark an abrupt and enduring alteration in the controlling factions of the elite networks. There are, however, indications, that his election and its consequence is part of a larger struggle for dominance and retribution between competing elite networks.

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[29] There is an inverse correlation between democracy and the length of effective security sector programming, given the historical evidence throughout the world that opposition parties will, likely, reverse the justice and security policies of the party that wielded political power and who they are supplanting. If elections are held every 4-6 years with a reasonable possibility of the opposition winning, then, programming must adhere to a comparable schedule. If the government in power retains hold of office, then another 4-6 year window may be initiated, which is the reason why programming can be conceptually envisaged to endure for 8-10 years. This assumes, of course, that election cycles can coincide with programmatic ones, which is an admittedly tenuous assumption. When these two cycles do not coincide, effective programming becomes significantly more problematic, with inevitable interruptions and dislocations mid-stream.

Lesson learned: when donors provide development support to one faction in a struggle for political dominance, programmatic failure is commensurately risky. But if the faction a donor supports wins its political contest, the potential for effective programming is relatively high.

4. At the societal margins when development does not appreciably affect the relative balances of power or the self-interests of elite networks and those of the police leadership. The elite networks, therefore, support development and by doing so may be able to curry favor with the donor. Significant high-level police accountability, however, will not be such an activity, although it is possible that the worst excesses of police behavior at local levels may be susceptible to being curbed. Local initiatives in police accountability – making the police friendlier and more responsive to day-to-day local needs – may gain a degree of traction in these periods as well.

These periods should not be underestimated. ‘Working at the margins’ may be the most frequent type of security sector programming and can be conducted over relatively longer periods of time. Furthermore, elite networks are more likely to be amenable to the participation of civil society actors than during other ‘moments’ of political opportunity. Finally, these periods may also generate justice and security development that substantially improves the lives and livelihoods of particular demographic groups, including vulnerable and marginalized populations.

In Cambodia, assisted by the Australian Government and with a good chance of producing effective results, the Cambodian National Police are launching a national crime prevention initiative. One of the ancillary objectives of the project is to increase the police’s legitimacy in the eyes of the populace, given the presumption that increased effectiveness will enhance legitimacy. At the same time, however, the criminal justice system, through the anti-corruption unit, has been shutting down the political opposition and arresting their leading officials.

Lesson learned: work with civil society groups and NGOs, primarily at local levels, is readily achievable. The possibility also exists to establish community policing and low-level crime prevention initiatives, as they may be perceived as non-threatening to vital elite networks interests and can improve the legitimacy and reputation of the police.

SECTION III

ACCOUNTABILITY AND ITS DIMENSIONS

Discussions and analyses of police accountability[30] rarely refer to the broader literature on accountability in the belief that the police are a unique institution and that the value added of more generalized studies is minimal. This attitude is misguided. First, although every public institution and agency is unique, police accountability is a subset of the wider literature on accountability and good governance. This does not necessarily imply that what worked in advancing accountability in other governance areas are readily transferrable to police accountability, but only that there *may* be valuable lessons from which to draw.

Second, unlike police accountability, over the last decade empirical research has been conducted in development in other governance areas. This research has produced reliable and valid findings. From these findings a plausible picture of how accountability can be strengthened in policing can be drawn.

LONG AND SHORT ROUTES TO ACCOUNTABILITY

The 2004 World Development Report, *Making Services Work for Poor People,* argued that there were two routes to accountability: the long and short routes. The "long route" describes a process by which citizens, who receive the goods and services produced by public institutions (education, water and sewage, safety and security, justice), seek to influence the politicians to hold the bureaucrats, who manage the public institutions, more accountable for the public goods and services they provide.[31] The study acknowledged that the "long route" is fraught with challenges and the hoped-for improvement in accountability is, at best, a long time in coming. The "short route," now often characterized under the rubric of "social accountability,"[32] pertains to the range of mechanisms by which citizens can hold service providers more directly to account without politicians being the immediate intermediaries. The relationship between provider (police) and customer (resident of a given neighborhood) depends upon the voice and participation of the concerned citizenry and the receptivity and responsiveness of the public institution and agency.

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[30] For such discussions and analyses see citations provided in footnotes 1- 5; 9, 1-14.

[31] The activities that need to be undertaken include, setting standards, getting information about actions, making judgments about appropriateness and sanctioning unsatisfactory performance, Schedler (1999).

[32] Dena Ringold, et al. *Citizens and Service Delivery: Assessing the Use of Social Accountability Approaches in Human Development*. World Bank, 2012.

There is also a “very short route” to improved accountability and that is the marketplace, when public goods and services are privatized and bought and sold. In security sector development, this is the domain of private security services, which is a burgeoning industry around the world. It also implies that the monopoly of coercive power the police exercise has been diminished, albeit under certain circumstances. The customers of private security, however, would consider their safety and security enhanced and their providers decidedly more accountable for the product they deliver. This route to accountability, however, is beyond the scope of this report, as it considers only state provision of public goods and services.

FOUR DIMENSIONS OF ACCOUNTABILITY

For any public institution or agency, including the police, there are four possible dimensions along which accountability can be strengthened. These dimensions are not mutually exclusive and the first three fall under the “long route” to accountability category and, taken together, can also be labeled institutional capacity building. The fourth defines the “short route” and is under the purview of “social accountability.”

The four dimensions,[33] with an illustrative list of the organizations and mechanisms of each in the context of policing, are as follows.

1. *Horizontal* pertains to the governance system of checks and balances. At the national and state level, prosecutors, parliaments, and ministries of finance and justice conduct horizontal checks on the police. Other ministries may also exercise horizontal accountability on the police, such as ministries of human rights, women and children, and defense, especially if a gendarmerie exists and falls under its jurisdiction. Anti-corruption and ombudsman offices, as well as legal aid organizations, also conduct vital accountability functions and fall under this category, *if* they are official government agencies. In some countries, city, state and national auditors check and balance police performance too.

The law and its provisions are an accountability mechanism and there may be a need to strengthen or tighten varying codes of procedure and other legal standards, ranging from *habeus corpus* to privacy, public access to information, and intimate partner violence. The process by which citizens can sue police frequently is a key mechanism, as is the legislation concerning the establishment and organization of civil society, given their potential to function as an accountability mechanism on the police.

At the local level, horizontal governance structures include mayors; municipal, village, and commune councils; and chieftain systems. The policing systems often associated with these local offices are separate and distinct from national, state, or provincial police services and may be capable of performing check and balance functions.

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[33] This framework has been adapted, updated, and refined from *DFID Practice Paper, Accountability Briefing Note*. February 2008.

2. *Vertical* refers to an institution's internal mechanisms that perform accountability functions. These begin with the police service's mission statement and protocol for use of force and arms, the most basic principle of policing. It extends to codes of conduct and a range of operational manuals that prescribe tactical police practices and behaviors. Organizational units include professional standards and internal affairs units. The rules, regulations and process by which police officers are disciplined by their own service for misconduct or malfeasance sit at the heart of an internal accountability system.

Policy, information management, and audit units also exercise accountability functions, as do personnel departments, responsible for career development. Personnel departments may also be mandated to manage allegations of misconduct against police officers, information vital to establish an early intervention system (EIS)[34] that records complaints for misuse of force and other allegations.

3. *External*[35] accountability relates to independent organizations and groups that lie outside the official public governance system and whose activities are to observe, record, and report on police policies, tactics, operations, and performance. These groups include think tanks and research centers that collate and analyze police data; human rights commissions and ombudsman offices that are not official government offices; labor relations boards; and the national and local bar associations. External complaint systems and independent police auditors fall within this category as well. NGOs that are organized thematically such as women's or human rights groups are key accountability actors, as is the media. Police labor unions also possess accountability functions.

Police are liable to be sued by citizens for alleged wrongdoing. This is an oft overlooked but invaluable accountability mechanism and one rich in information on police performance and behavior. Because such suits are frequently supported by civil society organizations, this mechanism is considered to be external.

4. *From below*, in contradistinction to external accountability, this category is a much more local and grassroots mechanism. It is also the primary way in which, in the development context, the performance of the police corresponds and is made accountable to the needs of local communities and neighborhoods.

Most policing is by definition an activity performed in specific areas and neighborhoods and, sometimes, for identifiable demographic groups as well. The needs of neighborhoods vary and police in an urban neighborhood should conduct their activities differently from those assigned to peri-urban or rural areas. Different ethnic and religious groups need to be policed according to their needs. The policing needs of women and children vary from those of men and should to be addressed accordingly. When these neighborhood and demographic groups organize themselves at the local level to discuss their specific safety and security needs and correlate those needs with the service they receive their local police, they perform accountability functions.

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[34] The older term is early warning system.

[35] A further refinement would subdivide the external dimension into two: external and diagonal, in which the diagonal form of accountability refers to formal citizen engagement in the management of public entities, see Cornwall et al, 2007; Isunza Vera, 2006.

Community-policing fora fall under this category. Community safety councils do too, as well as local police-community partnership and participation mechanisms. Organized procedures by which local residents visit their police stations and record their opinions, score card mechanisms, and local audit and budgeting groups all perform accountability functions. Local religious and market groups fall under this category.

THE POOR RECORD OF THE LONG ROUTE TO ACCOUNTABILITY

As indicated, the World Development Report, 2004, has asserted that the "long route" to accountability, which is essentially institutional capacity building, is impractical and largely ineffective. This is regardless whether programming concentrates on the vertical, horizontal, or external dimension of accountability. Additionally, there is little empirical evidence to support a cogent theory of change by which the long route to accountability can enhance police accountability, as the 2004 World Development Report has noted.

The 2011 World Development Report[36] slightly modifies this perspective on accountability, arguing that development's objective should be pragmatic and best fit approaches that help support the establishment of legitimate, good enough institutions that can end cycles of conflict and violence.[37] Accountability mechanisms ought to be contoured to the country context and, therefore, will not necessarily resesmble those adopted in Western democracies. As an examination of Ghana suggests, in practical terms, there is little difference between the two World Development Reports with regard to the questions of the lack of effectiveness in the establishment of accountability mechanisms through institutional capacity building. It has taken more than 30 years for Ghana to achieve what can be called a "functionally institutionalized state," in which the institutions of governance are capable and perceived to be legitimate.[38] Unfortunately, that level of instutitionalized statehood has resulted in the "receptive environment" in which the civil service, political parties, the political elite, and the institutions and agencies of the state remain largely unaccountable and "petty and grand corruption is endemic."[39]

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[36] Conflict, Security and Development. World Development Report, 2011.

[37] Ibid.

[38] Ibid, p. 10.

[39] Ivan Briscoe and Dana Goff. Protecting Politics: Deterring the Influence of Organized Crime on Political Parties. (Clingendael Institute, 2016), p. 24.

There are, at least, three distinct fallacies embedded within the theory of change, each of which renders the "long route" – and its institutional capacity building approach – largely ineffective in strengthening accountability. First, it is presumed that the elite networks, who are benefiting from the socio-economic system they dominate and who profit from the way in which the systems' rules (formal and informal) function, can be persuaded to hold the managers and bureaucrats of public institutions increasingly accountable. As the analysis of political openings and windows of opportunity suggests there are transitory moments in which development can and does occur, but within those moments there are limits in the extent to improved accountability can be achieved. What the "long route" presumes is that the 'social compact' can be fundamentally renegotiated without changing the existing norms and incentives that have favored the elite networks and this is illogical.[40]

The ineffectiveness of much donor-support anti-corruption programming buttresses the claim about the long-route to accountability's inherent weaknesses.[41] A recent evaluation of numerous anti-corruption initiatives concludes, perhaps rather too categorically, that there is little credible evidence to indicate that activities grounded in the "long route" are effective.[42]

> "There is no global success case of anti-corruption as promoted by the international anticorruption community. Successful countries followed paths of their own. Fighting corruption in societies where particularism is the norm is similar to inducing a regime change."[43]

Less unconditionally, a 2016 study echoes these findings and claims "there is strong evidence of ineffectiveness for some very popular interventions—such as the creation of anti-corruption authorities, civil service reform, and aid conditionality. Of even greater concern is the emergence of research showing anti-corruption efforts resulting in increases in corruption."[44]

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[40] See Shanta Devarajan. blogs.worldbank.org/futuredevelopment/what-2004-wdr-got-wrong. Downloaded May 2016. An exception to this may be Singapore, when an elite successfully improved certain types of accountability, albeit it at a high political cost.

[41] Alina Mungiu-Pippidi, et al. *Context Choices in Fighting Corruption: Lessons* Learned. Norad, 2011; see also Jeff Huther and Anwar Shah, "Anticorruption Policies and Programs: A Framework for Evaluation." Policy Research Working Paper 2501, World Bank, 2000; Ivar Kolstad, et al. Corruption, Anti-corruption Efforts and Aid: Do Donors Have the Right Approach? Working Paper, No. 3. Research project (RP-05-GG) of the Advisory Board for Irish Aid, 2008; Bo Rothstein, et al. Why Anticorruption Reforms Fail—Systemic Corruption as a Collective Action Problem. Governance: An International Journal of Policy, Administration, and Institutions (2008); Rema Hanna. et al. *The Effectiveness of Anti-Corruption Policy: What has Worked, What Hasn't and What We Don't Know - A Systematic Review*. EPPI-Center, Social Science Research Unit, 2011; and Jesper Johnson, et al. *Mapping Evidence Gaps in Anti-Corruption: Assessing the State of the Operationally Relevant Evidence on Donors' Actions and Approaches to Reducing Corruption*. Anti-Corruption Resource Centre, 2012.

[42] *Ibid*. p, xiv.

[43] *Ibid*, p. xv.

[44] Cheyanne Church. *Taking the Blinders Off: Questioning How Development Assistance Is Used to Combat Corruption*. Institute for Human Security. 2016, p. 6.

As suggested in the evaluations of anti-corruption programming, among the premises upon which the "long route to accountability" is based is the belief that capacity or institutional capacity development is the means by which to strength accountability. Along each of the three dimensions, the "long route" presumes that institutions can be built or strengthened and their capacity fostered. The theory of change is one that *if*:

1. structures can be created and/or strengthened (i.e. establishment of specialized internal affairs unit)
2. for and in which individuals can be trained to be proficient (i.e. skilled individual investigators and forensic technicians)
3. coupled with improved processes and procedures (i.e. internal affairs units possess the information management systems to record, collate, and report on police officers who are flagged by EIS)
4. so that the institutional landscape of incentives and norms will have been changed sufficiently that individuals (i.e. police officers)
5. will act more accountably and be held more to account.

Simply phrased, the institutional capacity building approach depends upon the belief that the primary constraint is technical and structural, whereas the underlying dynamic relates to questions of power, institutional leadership, incentives, and norms predominate.[45] Structures and managerial procedures can be revised and improved, individuals can be accordingly trained,[46] but for behaviors to change and improved institutional processes to be implemented the inflection points lie elsewhere. In fact, many development actors have inverted one of the most basic development relationships when, as has been argued, development actors believe that "the cornerstone of contemporary thinking about aid and development effectiveness is country ownership… [and then assert that] country ownership of policies and programmes is premised on the capacity to exercise it."[47]

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[45] See, for example, Lant Pritchett et al. *Capability Traps? The Mechanisms of Persistent Implementation Failure*. Working Paper 234. Center for Global Development, 2010; Matt Andrews et al. *Development as Leadership-Led Change* - A Report for the Global Leadership Initiative and the World Bank Institute (WBI) Faculty Research Working Paper Series. 2010. Shahar Hameri. Capacity and its Fallacies: International State Building as State Transformation. *Millennium - Journal of International Studies*. August 2009 38: 55-81; Helen Addison. *Is Administrative Capacity a Useful Concept? Review of the Application, Meaning and Observation of Administrative Capacity in Political Science Literature*. http://personal.lse.ac.uk/addisonh/Papers/AC_Concept.pdf; Downloaded May 2016;

[46] According to UNDP, rhetoric aside, the objective of and assistance provided in capacity development programs is to improve (1) individual skills, knowledge and performance; (2) organization performance; and (3) policies, see UNDP. *Common Principles for Measuring Capacity*. UNDP 2016, p. 1; Downloaded May 2016; see also Bertha Vallejo and Uta Wehn. Capacity Development Evaluation: The Challenge of the Results Agenda and Measuring Return on Investment in the Global South. *World Development*. Vol. 79, pp. 1–13, 2016, where capacity development is defined according to its outcomes as the increase in "the knowledge, skills, and attitudes of individuals, procedures, and routines of organizations, interactions of sector organizations, and/or policies and frameworks of the enabling environment" (p.4).

A recent study on institutional capacity building suggests that there is little valid, reliable, and credible evidence that supports the institutional capacity building theory of change.[48] The evaluation concludes that the

> "reviewed literature overwhelmingly suggests a weak relationship between capacity building and improved security outcomes. Even where positive outcomes are acknowledged, most papers reviewed put those in the context of limited change…
>
> Capacity building is widely viewed in the literature as unsustainable, with a heavy reliance on international personnel and finance. Studies suggest that, when these resources are removed, there would likely be a reversal in any gains made [and]…
>
> Accountability tends to be a difficult area in which to achieve results because of vested political interests that can block change."[49]

The third and last fallacy is the assumption embedded in the "long route" that strengthened accountability is achievable through a principal agent model.[50] According to the approach, the principal agent is well intentioned, typically defined as rational and ethical, behaving according to what is the public good. Once that principled agent possesses the requisite capacities – the skills, systems, and structures – he/she will act effectively with other individuals to increase the public good. In the case of accountability, the well-intentioned actors are the elite networks, the providers of the public goods and services (the police), and the customers of those services (citizens) and all three must collaborate, even when doing so may not necessarily be perceived to be in their own self-interest.[51] Additionally, it is often assumed that the 'citizen agents' "have relatively homogenous interests and goals."[52]

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[47] OECD. *The Challenge of Capacity Development: Working Towards Good Practice*. 2006, p. 13. A more recent study indicated that the major factor impeding the effectiveness of capacity development programming is the "political will to change," as if that is a quality derives from assistance rather than predating it, Jenny Pearson. *Training and Beyond: Seeking Better Practices for Capacity Development*. OECD, 201.1, p. 21. In a similar vein, the Asian Development Bank states that a conducive political environment lies outside its control when designing institutional capacity building programs, when, instead, that the concurrence of the elite networks is the political starting point of capacity development, see *Effectiveness of ADB's Capacity Development Assistance: How to Get Institutions Right, Special Evaluation Study*, Asian Development Bank, 2008.

[48] Lisa Denney, et al. *Evidence Synthesis: Security Sector Reform and Organisational Capacity Building*. DFID, 2015.

[49] *Ibid*, p. iv.

[50] For an excellent synopsis of the principal agent problem, see Church, *Taking the Blinders Off*, pp. 8-9.

[51] *Development as a Collective Action Problem: Addressing the Real Challenges of African Governance*. ODI, 2012, p. viii.

[52] Jonathan Fox. Social Accountability: What Does the Evidence Really Say? *World Development*. Vol. 72, pp. 346–361, 2015, p. 347.

None of these principal agent assumptions correspond to the realities of accountability:

> Why should I pay my taxes, refrain from bribing the bureaucrats, and refuse to take petty benefits from the local political boss/warlord if I believe others will continue to do so? Expectations critical to reform [accountability] will often revolve not just around official behavior and government policy, but also around what I think those other people on the far side of the river are likely to do.[53]

Moreover, if it is perceived as being within a range of normal behavior for individuals to steal; be corrupt; act with impunity; favor one's clan, affinity group, or religious brethren, most individuals believe that they must too, for to do otherwise does a tangible disservice to themselves and their families.[54] Given this dynamic, the "long route" to accountability, based upon principal agent model and grounded in an institutional capacity building approach, is unable to address the basic challenges of how to strengthen accountability. Activities that fall under the "long route" can and, in many instances, should still be undertaken, but only when part of a well-conceived problem-solving approach, as means to a clearly defined end. It is unlikely that conducting "long route" to accountability activities by themselves will lead to appreciable improvements in police accountability.

This effectively leaves the "short route" as the most likely avenue for increasing accountability, including police accountability.

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[53] Michael Johnston. *First Do No Harm, Then Build Trust: Anti-Corruption Strategies in Fragile Situations*. World Development Report 2011 Background Paper. Washington: World Bank, 2010.

[54] Heather Marquette and Caryn Peiffer. *Corruption and Collective Action*, Anti-Corruption Resource Centre (U4), 2015.

SECTION IV

SOCIAL ACCOUNTABILITY

Social accountability, also referred to as accountability from below, is how local citizen initiatives can better ensure that the distribution of public goods and services by their providers more closely corresponds to what the local communities and neighborhoods want.[55] This does not imply that social accountability mechanisms are a panacea.[56] To the contrary, the empirical record as to what works is decidedly mixed.[57] The claim is, however, that the inclusion of the 'short route' in an accountability initiative appears to be a necessary component, if not the central element, for effective programming.[58] As will be shown below there is a preponderance of evidence that the most effective programming is multi-layered, with various social accountability mechanisms taking center stage, but to be effective requires integrating elements of the other three dimensions of accountability.

INFORMATION

Accountability from below is primarily about voice and participation and can, when extended, support the setting of standards and monitoring of performance. One of its key principles is that transparency and access to information improve accountability.[59] Unfortunately, research indicates that increased and more accessible information alone is in general not sufficient to strengthen accountability.[60] In fact, the likelihood exists that increasing information for information's sake can further empower the elite networks, technocrats and policy makers, rather than local citizens.[61]

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[55] Social accountability *can be defined as an approach towards building accountability that relies on civic engagement, i.e., in which it is ordinary citizens and/or civil society organizations who participate directly or indirectly in exacting accountability*. Mechanisms of social accountability can be initiated and supported by the state, citizens or both, but very often they are *demand-driven* and operate from the bottom-up," Carmen Malena, et. al. Social Accountability: An Introduction to the Concept and Emerging Social Practice. *Social Development Paper No. 76*. World Bank, 2004, p. 3.

[56] An inherent weakness in social accountability it its inability to enforce or sanction, except through social and peer group pressure.

[57] RoseMary McGee, et al. *Review of Impact and Effectiveness of Transparency and Accountability Initiatives: Synthesis Report*. Institute of Development Studies, 2010, p. 11; see also Fox, *Social Accountability*, p. 346.

[58] See, for instance, Anuradha Joshi. *Impact and Effectiveness of Transparency and Accountability and Initiatives: A review of the evidence to date: Service Delivery*. Institute of Development Studies, 2010.

[59] Ana Bellver and Daniel Kaufman. *Transparenting Transparency: Initial Empirics and Policy Applications*, Paper presented at IMF conference on transparency and integrity, 6-7 July 2005. Washington, DC: World Bank. This correlation contains numerous intermediary steps, many of which may weaken the relationship between transparency, accountability, and the eventual improvement in the provision of public goods and services, see *Impact and Effectiveness of Transparency and Accountability*, p. 5.

[60] "Impact evaluations have tested the proposition that local dissemination of service delivery outcome data will activate collective action, which will in turn improve service provider responsiveness. The studies find no impact from information dissemination interventions" Fox, *Social Accountability*, p. 348.

The exception is when the information provided "to households and communities [is] about the quality of services in their community as well as government standards of service."[62] Under these circumstances, providers deliver better public goods and services, even if the development project undertakes no additional programming. The key appears to be the distribution and availability of "information for benchmarking of performance of local levels of government, e.g. municipalities; or across local service providers (schools; electricity and water supply), where service quality can be measured and compared"[63] to government criteria. It is information that is usable to community and neighborhood groups at their very localized levels[64] and, then, primarily if it were tied to central government standards.

Lesson Learned: assuming that the police are not engaging in human rights violations or other forms of malfeasance, which may not be a valid presumption in some communitites, these findings suggest that the production and distribution of rudimentary local crime mapping, which can be done and updated manually, may be a means by which to begin to strengthen local accountability. The caveat is that the national or provincial police would need to establish simple crime benchmarks for local police stations to meet and that these standards would need to be distributed.

PARTICIPATION

Similar to the belief in increased information, higher rates of public and citizen participation is a hallmark of the 'short route' to accountability. The belief is that higher levels of participation from below will change the incentive structures of politicians and public goods and service providers and encourage them to be more accountable. But, as was true for information, the empirical evidence is mixed regarding the benefits of increased levels of participation.[65]

In the distribution of public goods and services, full community participation produces higher satisfaction levels within the community, even if the result of that participation means that individuals in those communities receive fewer public goods and services and even when those "outcomes are not consistent with their expressed preferences.[66] It seems, therefore, that participation by everyone is perceived to be a higher order good and that full participation is equated to fairness and fairness is a highly prized value.

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[61] Nicolas Shaxson. *Nigeria's Extractive Industries Transparency Initiative: Just a Glorious Audit?* Chatham House Programme Paper. London: Chatham House. 2009.

[62] Ghazala Mansuri and Vijayendra Rao, *Localizing Development: Does Participation Work?* World Bank, 2013, p. 9

[63] Shantayanan Devarajan, et al. *Civil Society, Public Action and Accountability in Africa*. Policy Research Working Paper, # 5733, World Bank 2011, p. 32, http://web.hks.harvard.edu/publications/workingpapers/citation.asp x?PubId=7968, accessed spring 2016.

[64] A review by the Bank Information Center and Global Witness concerning extractive industries and local communities argues that revenue data has more impact if it were made more meaningful to those at the local level, McGee, *Review of Impact*. p. 18.

[65] "Under typical conditions, citizen pressure (as distinct from donor pressure mediated by NGOs) will normally lead to more effective clientelism, not better public policies," David Booth, *Development as a Collection Action Problem: Addressing the Real Challenges of African Governance*. ODI, 2012, p. 57.

Participatory budgeting has been a Brazilian practice in some communities for almost two decades. The studies have found that the practice stimulates local authorities to provide public services to vulnerable and marginal groups that they would otherwise not receive. Furthermore, the practice has resulted in "frequent citizen checks on promised actions by municipal governments."[67] It would appear, however, that Brazil may be an exception to the rule, as there is extensive research that has found that development programs, such as community-driven development initiatives, that are based upon wide community participation are, typically, "captured by local elites."[68] This is not necessarily a problem if the entire community participates, but when that does not occur, demographic groups that are not members of the elites typically receive fewer public goods and services than their more powerful neighbors.

> "Studies from a variety of countries show that communities in which inequality is high have worse outcomes, especially where political, economic, and social power are concentrated in the hands of a few. "Capture" also tends to be greater in communities that are remote from centers of power; have low literacy; are poor; or have significant caste, race, or gender disparities."[69]

These disparities are further exacerbated when projects are donor-supported initiatives, for these endeavors are almost always 'captured' by the privileged, aggravating exclusion.[70] It is also the case that donor-initiated participatory projects not only often fail "to build cohesive and resilient organizations,"[71] but, through exclusion, weaken social cohesiveness.[72]

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[66] Mansuri and Rao, *Localizing Development*. pp. 10 and 168.

[67] Fox, *Social Accountability*, p. 351. This evidence stands in sharp contrast to the finding that in the few cases where participatory programs were tested to see if their results also produced wider societal outcomes, "there [was] no evidence of impact outside the project" Devarajan, *Civil Society, Public Action and Accountability*. p. 30.

[68] Fox, *Social Accountability*. p. 348; see also "the review of the literature finds that participants in civic activities tend to be wealthier, more educated, of higher social status (by caste and ethnicity), male, and more politically connected than nonparticipants," Mansuri and Rao, *Localizing Development*. p. 5. The opportunity and marginal costs for poor and vulnerable groups to participate are high and higher than their more privileged neighbors, which reduces the likelihood of the participation of the poor and vulnerable.

[69] Mansuri and Rao, *Localizing Development*. p. 5.

[70] Deverajan, *Civil Society, Public Action and Accountability*. p. 15; see also Jean-Louis Arcand and Marcel Fafchamps. "Matching in Community-Based Organizations." *Journal of Development Economics* 98(2): 203–19. (2012) and Gugerty and Kremer, Mary Kay Gugerty and Michael Kremer. "Outside Funding and the Dynamics of Participation in Community Associations." *American Journal of Political Science* 52(3): 585–602, 2008.

[71] Mansuri and Rao, *Localizing Development*. p. 5.

[72] Ibid, p. 9. There are indications that mandated inclusion of excluded groups can have a positive effect and that that effect extends beyond the project in that participation of formerly non-represented groups is a

The evidence also suggests that participation varies according to the structure of the local community. The greater the ethnic diversity of a community, the lower the participations rates for such public goods as school infrastructure[73] and community contributions to public schools.[74] In Tanzania, for example, "in more unequal villages, individuals are less likely to report trust in the community, and more likely to report conflict of interest" and, therefore, participate less.[75] In many African countries, "respondents that report going without food many times (an indicator of poverty) are significantly more likely to report fear of punishment or reprisals should they complain about poor quality of government services or misuse of government funds."[76]

The underlying challenge in communities with unequal political economic structures is the relationship between participation and social efficacy.[77] Individuals and groups who have low social efficacy are less likely to participate. They do not participate because they do not believe that their participation will produce positive results. Over time, this can create a vicious circle.[78] In contrast, it appears that community participation when sufficiently widespread increases the desire to contribute to the social good and can enhance social cohesion.[79]

Lesson learned: for policing, donor-initiated community safety and security fora, community-police partnership boards, or police accountability commissions can produce unequal participation rates with the possibility of marginalized groups being progressively disenfranchised. This is likely to be the case unless representational quotas are mandated.

In neighborhoods with low social efficacy and low social cohesion, social accountability endeavors, such as community safety and security fora, community-police partnership boards, or police accountability commissions, may prove unproductive. If these types of

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good "incubator for new political leadership" (p. 10.). These mandates need to remain in place for extended periods of time, which may, partially, bespeak to the success of Brazil's participatory budgeting.

[73] Edward Miguel and Mary Kay Gugerty. Ethnic diversity, social sanctions, and public goods in Kenya, *Journal of Public Economics* 89: 2325-2368, (2005).

[74] Devarjan, *Civil Society, Public Action and Accountability*. p. 16

[75] *Ibid*.

[76] Ibid, p. 17.

[77] "The bulk of the evidence suggests that the more unequal the initial distribution of assets, the better positioned the non-poor are to capture the benefits of external efforts to help the poor. Local actors may have an informational and locational advantage, but they appear to use it to the benefit of the disadvantaged only where institutions and mechanisms to ensure local accountability are robust" Mansuri and Rao, *Localizing Development*. p. 146.

[78] "The evidence base on the organization of civil society suggests that historic institutions of poverty and inequality, or of ethnic identity, can inhibit collective action in the broader public interest, promote more narrow sectarian interests, and nourish clientelist political competition" Devarajan, *Civil Society, Public Action and Accountability,* p. 3.

[79] James Fearon, et al. "Can Development Aid Contribute to Social Cohesion after Civil War? Evidence from a Field Experiment in Post-Conflict Liberia." *American Economic Review* 99 (2): 287–91. 2009.

programs were to be supported, outside intervention would be needed to get the initiative off the ground, overcome the contextual barriers, and facilitate participation. Furthermore, programming will need to be multi-layered, with more than one activity targeted to the same community or neighborhood, as a means by which to overcome low efficacy in order to produce effective results.

COMMUNITY MONITORING

One of the more common projects in social accountability are monitoring schemes, from scorecards to various other mechanisms by which to hold providers to account. As with information and participation, results produced by community monitoring are ambiguous. In some instances, such as in Uganda, where local community groups organized meetings between health care workers and community participants, the results were positive with quality of service improving.[80] In other cases, there was little to no effect in the provision of service or public goods delivered.[81] Overall, "local oversight is most effective when other, higher-level institutions of accountability function well and communities have the capacity to effectively monitor service providers and others in charge of public resources."[82]

OVERALL LESSON LEARNED

There seems to be a preponderance of evidence that social accountability initiatives need to be multi-layered and tied into national accountability mechanism or "long route" donor-supported projects.[83] For example, the challenges to increasing accountability posed by participation rates seems to be capable of rectification being ameliorated when these projects are "explicitly link community-based organizations with markets, or provide skills training do they tend to improve group cohesiveness and collective action beyond the life of the project."[84]Even then, effectiveness depends upon the combination focusing on the resolution of a specific local problem. Lastly, to counteract the tendency of elite domination of social accountability schemes and the skewing of outcomes in their favor, "a well articulated deliberative process[85] may [be needed to] build legitimacy for the resource allocation decisions made by the elite even when they are not apparently well aligned with the initial preferences of the poor."[86]

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[80] Martina Bjorkman and Jakob Svensson. Power to the People: Evidence from a Randomized Field Experiment on Community-based Monitoring in Uganda. *Quarterly Journal of Economics*, 124(2), 735–769 (2009)

[81] Abjijit Banerjee et al, 'Pitfalls of Participatory Programs: Evidence from a Randomized Evaluation of Education in India.' *American Economic Journal: Economic Policy* 2(1): 1-30. 2010.

[82] Mansuri and Rao, *Localizing Development.* p. 11.

[83] Fox, *Social Accountability*. p. 346.

[84] *Ibid*. p. 5.

[85] Deliberative dialogues, however, are extraordinarily intricate undertakings and cannot be 'taught' as if it were a skill to be learned in a classroom. Furthermore, deliberative dialogues may more readily occur when the question being discussed is a local problem, see Mansuri and Rao, *Localizing Development*. pp. 266 – 270.

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[86] Mansuri and Rao, *Localizing Development.* p. 135. In the one instance, it was the combination of the scorecards, making public the contrast between health worker and community perceptions of performance, and facilitated dialogue between community members and the healthcare providers that was key, see McGee, *Review of Impact*. p. 12.

SECTION V

WHAT WORKS IN POLICING ACCOUNTABILITY

WESTERN CRIMINOLOGY

Within current criminology, credible empirical data are meager. According to a leading criminologist, "little is known about the effectiveness of accountability procedures"[87] and, in the Western canon, what does exist is largely derived from and based upon U.S. policing practices and research. Even though it is standard procedure in police development to call for support to building professional standards units or internal affairs departments, little is known about the effectiveness of such departments.[88] More problematically, "there are no studies indicating that one approach to the structure and management of internal affairs units is more effective than alternative forms in reducing citizen complaints, use of force, or other unacceptable conduct."[89]

This is not to suggest that these units are inherently ineffective, but there is little credible evidence to guide police development practitioners on what they should or should not do when establishing, structuring, managing and training them. Absent such empirical knowledge and concomitant theories of change, programming these types of endeavors is a shot in the dark and is unlikely to produce value for money.[90] It may, nevertheless, be necessary to undertake such activities, but then doing so should be done with the full knowledge of their uncertain effectiveness.

Similarly, little research has been done on what constitutes effective organizational structures and managerial strategies to motivate police to comply with administrative and operational rules and regulations.[91] There has been equally limited work conducted to determine the effectiveness of administrative controls of police practices and behaviors,[92] other than the knowledge that the production of written policies are not in themselves effective accountability instruments.[93] Producing manuals and codes of control may be necessary first steps, but it is not likely that the principles embedded in them will be implemented or that police behaviors will change after the introduction of the published materials.

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[87] Walker, *Police Accountability: Current Issues*, p. 3.

[88] Wesley Skogan, et al. *Fairness and Effectiveness in Policing: The Evidence*. National Research Council of the National Academies, 2004. p. 286.

[89] *Police Accountability*, p. 19.

[90] In Timor-Leste, a USAID program supports the institutional capacity building of the Office of Inspection and Audit as a means to strengthen national police service's disciplinary, audit, monitoring and oversight systems and contribute to the quality and validity of PNTL's performance, *USAID Accountability Strengthening in the Timor-Leste National Police*; www.usaid.gov/timor-leste/project-descriptions/accountability-strengthening-timor-leste-national-police-pntl; Downloaded May 2016.

[91] Skogan, *Fairness and Effectiveness*, p. 284.

[92] Skogan, *Fairness and Effectiveness*, p. 285.

[93] Skogan, *Fairness and Effectiveness*, p. 282.

Use of force and firearms is the central protocol of policing and there is some evidence to suggest what works to increase police accountability in this area. A study, which was later replicated,[94] indicates that restrictive policies on the use of deadly force can effectively reduce the police discharge of their weapon.[95] In addition, it has been found that when a supervisor or another police official is required to complete the filing and recording of use of force reports, the result is that those police services have lower use of force complaint rates than similar departments where only the involved police officer completes the necessary paperwork.[96] In a related study, it was shown that close supervision is correlated with lower levels of use of force.[97] There seems to be further supporting evidence that the style of police leadership is directly related to the quotient of force used by police officers.[98]

Not all use of force by police officers is deadly and there seems to be no comparable study that directly investigates whether restrictive policies on the use of force reduce the overall rates of force or the incidence of excessive force by police officers.[99] Furthermore, the data is sketchy about the extent to which civil and criminal liability deters the excessive use of force by police.[100]

External accountability mechanisms – human rights commissions, citizen complaint and review boards, police auditors – are widely heralded as important instruments of police accountability, but "there is very little credible evidence regarding the effectiveness of citizen oversight agencies."[101] More problematic for police development, there is no evidence to determine whether external accountability mechanisms are more or less effective than internal ones.[102] This suggests that the choice of which accountability mechanism to implement is more a question of ideology, politics, and personal preference rather than effectiveness. Donor support for external accountability mechanisms can still be undertaken, for they may represent a good result in and of themselves, but the objective for doing so should not pertain to an increase in police accountability.

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[94] See Jerry Sparger and David Giacopassi. "Memphis Revisited: A Reexamination of Police Shootings After the "Garner" Decision." *Justice Quarterly* 9 (2): 211-226, 1992.

[95] James Fyfe. Administrative Intervention on Police Shooting Discretion: An Empirical Examination. *Journal of Criminal Justice* 7 (4), 1979: 309-323.

[96] Geoffrey Alpert and John Macdonald. "Police Use of Force: An Analysis of Organizational Characteristics." *Justice Quarterly* 18 (June): 393-409, 2001.

[97] William Terrill. *Police Coercion.* New York: LBF Scholarly Publishing, 2001; see also Merrick Bobb, et al. L.A. County Sheriff's Department, 13th Semiannual Report 7–15 (2000), available at http://www.parc.info/client_files/LASD/13th%20Semiannual%20Report.pdf.; it is shown that the a combination of an increase in close supervision of police officers in the field and tighter standards reduced the number of police officer involved shootings.

[98] Skogan, *Fairness and Effectiveness*, p. 283.

[99] Walker, *Police Accountability*, pp. 6-7.

[100] Skogan, *Fairness and Effectiveness*, p. 275.

[101] Skogan, *Fairness and Effectiveness*, p. 289; see, for example, Christina Murtaugh and Michael Poe *Establishing an Independent Police Oversight Body*. INPROL Consolidated Response (10-007) August 2010. This is a sound and comprehensive list of external accountability mechanisms, accompanied by judgments of 'good practice,' but there is no empirical justification given for which mechanism to choose or why 'good practice' is actually 'good;' see also Rachel Neild. *USAID Program Brief: Anti-Corruption and Police Integrity: Security Sector Reform Program*, 2007.

Overall, though it has been well researched and is known what individual police behaviors improve perceptions of police legitimacy, there is no empirically supported evidence to suggest which accountability mechanisms enhance police legitimacy.[103] Similarly, there seems to be a lack of research "whether one particular approach to performance evaluation (e.g., regularity of evaluations, categories of performance evaluated, type of evaluation utilized, etc.) is associated with lower levels of undesirable outcomes (use of force, citizen complaints, civil litigation) than other approaches."[104]

Aside from increased close supervision of police officers in the field by qualified experienced colleagues, there is little reliable and credible knowledge about how to improve police accountability and what is known does not lead to enhanced police accountability. Close supervision is extremely important, but the assumption that such managerial techniques can be readily transferred to non-Western contexts is dubious.

There is another mechanism that may have the potential to strengthen police accountability, EIS. An EIS is an information management tool whose purpose is to identify police officers whose behavior is problematic so that corrective supervisory actions can be taken before disciplinary procedures would need to be implemented. This is important because "it has become a truism among police chiefs that 10 percent of their officers cause 90 percent of the problems."[105] In three cases studies, the introduction and implementation of EIS reduced citizen complaints and lowered use of force reporting.[106] Furthermore, there appears to be a correlation between officers involved in shooting and those who have a higher number of negative marks in their personnel files.[107] Although the causal link cannot be established, the correlation is illustrative between officer discipline and frequency of involvement in shooting incidents.

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[102] *Police Accountability*, p. 20; see also Anti-Corruption and Police Reform. Anti-Corruption Resources Centre, U4 Expert Answer, No. 247, 2010.

[103] *Police Accountability*, p. 23; see a USAID supported program in Albania, Empowering Citizen Groups for Police Accountability: Citizens Police Review Boards, 2007; http://idmalbania.org/?p=2618; downloaded May 2016.

[104] *Police Accountability*, p. 14.

[105] Samuel Walker, et al. *Early Warning Systems: Responding to the Problem Officer*. National Institute of Justice, 2001.

[106] Ibid, p. 3. It is true, however, that in one of the cases studied, New Orleans, subsequent changes in the IES dramatically lowered its effectiveness.

[107] Bernard Rostker, *Evaluation of the New York City Police Department Firearm Training and Firearm-Discharge Review Process*, Rand Corporation, 2008, pp. xvi-xvii.

It must be acknowledged, however, that EIS is an information-rich system, which, most likely, would be very difficult to transfer and implement. Second, EIS implementation is challenging as its effective use mandates changes a number of existing policing practices and managerial habits. Third, in all three cases, the introduction of EIS was the centerpiece of the reform, which also included managerial enhancements to leverage and supplement the information produced by the EIS systems. This last recognition lends credence to the conclusion that EIS could be one component of a multi-layered approach.[108]

A third possibility is more recent and relates to rethinking policies of use of force and firearms. Adopting British lessons learned, the new model teachs police through a decision-making approach how to ratchet down and de-escalate confrontations. This approach has been proved to be successful in a number of police stations.[109] In Dallas, Texas, de-escalation training, coupled with more stringent use of force and firearms reporting mechanisms has significantly reduced complaints against police for excessive use of force and significantly reduced incidents of police-involved shootings.[110]

This approach requires rethinking and moving away from the use of force and firearms "continuum" where levels of lack of cooperation and resistance by the individual approached by the police – or conversely who has approached the police – correspond to a set of police tactics, in which the use of coercive instruments progressively rackets up until the application of deadly force.[111] The emerging approach is to judge incidents with a greater range of possible police responses, among which is the awareness of how to de-escalate, which may imply a tactical re-positioning or withdrawal, rather than the gradual increase in the application ofcoercive methods. In New York, for instance, this rethinking has begun with the proviso that the training of officers on the new procedures is conducted so that entire police squads, along with their supervisors, train together.

Police training is also increasingly being conducted through scenarios, which is coincides with one of the basic principles of adult education. In Las Vegas, a revised training and a policy change, where a police officer involved in a foot pursuit is no longer allowed to be the officer physically arresting the suspect, has resulted in 50% declines in use of force reports over a two-year period.[112]

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[108] See also, Church, *Taking the Blinders Off*, where it is recommended that programming "incorporate multiple strategies, including developing a wider range of strategies for dealing with social norms; political interests, incentives and dynamics among stakeholders; informal practices and institutions (e.g., patronage networks); social and cultural rules, etc." (p. 24). However, recognizing the need to multi-layer, however, does not imply knowledge of 'what works' in sequencing such support activities.

[109] *Critical Issues in Policing Series: Re-Engineering Training on Police Use of Force*. Police Executive Research Forum, 2015.

[110] Chris Haugh, How the Dallas Police Department Reformed Itself. *The Atlantic.* 9 July 2016, accessed 10 July 2016, http://www.theatlantic.com/politics/archive/2016/07/dallas-police/490583.

[111] Individuals who "resist" police are 181 times more likely to have force used against them by police than those who do not "resist." Matthew Hickman, et. al. (2008). Toward a national estimate of police use of nonlethal force. Criminology & Public Policy, 7(4), 563-604. doi:10.1111/j.1745-9133.2008.00528.x

New technologies may also promote and strengthen police accountability, such as the use of body cameras. Four studies have shown that when police wear body cameras, the number of complaints against police officers has decreased and one study has indicated that the wearing of body cameras also decreases the police's use of force.[113] The issue, however, is not only whether the wearing of body cameras is an effective mechanism to improve police accountability. Rather the challenge is to detail whether what works to strengthen police accountability in New York City can be transferred to other environments given the technological and managerial complexities that are associated with the use of police body cameras. It is highly dubious whether such innovations are applicable in the short to intermediate-term to environments where the use of managerial information is less proficient

DEVELOPMENT PRACTICE

The record of development programs generating effective police accountability results is very weak. A recent independent review of the United Kingdom's (U.K.) security sector portfolio, including programs that had been running for more than a decade, concluded that British development had invested "in internal affairs and professional standards units for police across many of its programmes, without much evidence that this contributes to improved police behaviour."[114] A 2011 assessment of European Union programming reached a similar conclusion.[115] A significant part of the challenge is that many of these initiatives continue to rely heavily on institutional capacity building and the "long route to accountability."[116]

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[112] PolicyLink. *Limiting Police Use of Force: Promising Community-Centered Strategies*, 2014, p. 12.

[113] Michael D. White. *Police Officer Body-Worn Cameras: Assessing the Evidence*. Office of Justice Programs, 2014.

[114] Independent Commission for Aid Impact. *Review of UK Development Assistance for Security and Justice*, 2015, p. 12. See also, an evaluation of a USAID community policing program in Bangladesh asserts that the initiative, unexpectedly, increased opportunities for enhanced accountability from below. However, relying mainly on an examination of program documents, stakeholder and key informant interviews, which were admittedly "skewed to toward people with positive experiences," the assessment provides little to no reliable empirical evidence to support its conclusion, Karene Melloul. Final Performance Evaluation of the Community-Based Policing (CBP) Project: Improving Public Security through Increased Citizen-Police Collaboration. (Bangladesh, USAID Contract AID-OAA-I-10-00003, January 2014), p. 9.

[115] *Thematic Evaluation of European Commission Support to Justice and Security System Reform: Final Report*, 2011.

[116] Rachel Goldwyn et al. *Security and Justice Macro Evaluation Evaluability Assessment: Final Report*, 2014. Most UK programming, according to a 2015 desk review that conceded a lack of an evidence base, nevertheless, concluded that most programming "fall[s] into standard approaches" in which "many of the assumptions… did not appear very robust or plausible, with numerous examples of phrases such as: 'government political will exists and is sustained'; 'ministries have the capacity to make use of support provided'; 'justice at the community level is not so politicised that our intervention will create, rather than help mitigate, conflict'; 'marginalised individuals (particularly women) are allowed to engage with the

These results indicate that the challenge is more than an overall lack of evidence for effective programming. For example, with the notable exception of UK police development in Malawi, it is rare to find policing programs that have provided significant and substantive support for reform of use of force and firearms protocols. Despite its centrality in policing, the topic is rarely discussed in development literature.[117]

In researching what works, the author queried major donors, research institutes, and NGOs and placed a questionnaire on the two leading knowledge networks in the field to generate examples of effective police accountability endeavours for which supporting empirical data exists. The author also interviewed a number of experienced police development practitioners, whose combined experience totals more than 200 years, with their having served in virtually every major donor-supported police development program. The result of this informal survey resulted in the identification of only one police accountability program for which credible evidence of effectiveness exists.

The interviews, furthermore, revealed the paucity of programming police practitioners believed to be effective. Time and again, respondents indicated that they knew of no program that could be deemed effective or, when identifying such an initiative, had no reliable evidence to support such their opinions. One police development practitioner stated that, over his twenty-plus year career at executive and senior national levels for a major donor, neither he nor the colleagues with whom he queried could identify police accountability initiatives "where behavior was changed" or "success was sustainable."[118] A senior practitioner of a leading NGO, with policing projects around the world, observed that in Kenya, where the United Kingdom has conducted police development programming for more than a decade, "if one really looks at [police accountability], we have not succeeded."[119] A third expert, with experience in the Balkans, Asia, and Africa, noted that "beyond moving closer to getting 'enabling platforms' from which little was

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programme'; 'civil society organisations can operate in insecure environments'; and 'formal state institutions have the capacity to respond as foreseen in the business case' [when]… experienced DFID governance and conflict advisers know, many of these assumptions should be the inverse… [and when] formal state institutions almost certainly will not have adequate capacity to respond" to improve safety and security or accountability, *DFID Security and Justice Assistance*, p. 13.

[117] See, for example, *Democratic Oversight of Police Services: Mechanisms for Accountability and Community Policing*, NDI, 2005.

[118] Interview conducted Spring 2016.

[119] Interview conducted Spring 2016. Significant effort by multiple actors has also been undertaken to establish external police oversight boards, human rights commissions, NGOs, and research centers in, for example, Kenya, Nigeria, and South Africa, focusing on how to investigate, record, and document police performance and police malfeasance. In South Africa, for instance, a National Assembly Portfolio Committee on Police has been established as well. These initiatives could be said to be constructing 'enabling platforms' from and upon which police accountability could be strengthened in the future. The argument is that building "critical mass" will prove to be an inflection point, but this seems to be a 'hope line' rather than a plausible theory of change. Nevertheless, there remains the possibility that with increased scrutiny, having "lifted the lid on police malpractice and abuse and see what happens inside," such as within police custody, improvements can be achieved.

implemented," he "had not seen a lot that was successful." Lastly, a U.S. practitioner with almost twenty years of experience within the U.S. government when queried, could not produce a single example of effective police accountability programming.[120] None of this evidence is empirically reliable, but it does suggest the state of knowledge about what works in police accountability development, not to mention belief in its effectiveness.

TABULA RASA INITIATIVES – PAKISTAN, PERU, AND GEORGIA

Nevertheless, there appear to be a couple of notable exceptions to the general rule, two of which concentrate on traffic police – Pakistan (the building of a Highways and Motor Police when none existed)[121] and Peru (the disbanding of and subsequent building of a new unit, largely composed of women officers). In the Pakistan case, the new unit has adopted a "discussion-based system of problem solving" and had all its officers trained together.[122] Both of these elements seem to be crucial variables for successful accountability programming.

The Peruvian example, disbanding an entire police, is not likely to be a replicable model, even though Georgia's police reform came close to doing so.[123] The Georgian example is an example of conflict and tension, where one elite faction won an election and removed its political opponents. To assert its control over the police, the electorally successful faction sought to reduce police corruption. Police pay was dramatically increased and wages were deposited directly into the police officers' individual bank accounts.[124] The police were no longer allowed to collect administrative fees and fines (traffic violations, passports, driver's license, vehicle and weapon registration, etc.) and fired approximately 85% of all police officers.[125] Across a range of indicators, police accountability and performance improved. However, the cost of that strengthening was significant. Political control over the police was heightened and deeply politicized.[126] In addition, certain types of human rights violations continued and high-level corruption was left, largely, untouched or new forms emerged.

POLICE ACCOUNTABILITY FROM BELOW – SIERRA LEONE, NIGERIA, NEPAL

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[120] Interview conducted Spring 2016.

[121] Mark Shaw. *Policing in Pakistan: An Overview of Institutions, Debates and Challenges*, UNODC, 2012.

[122] *Ibid*, p. 34.

[123] Alexander Kupatadze. *Police Reform in Georgia*. Center for Social Sciences, 2012; Kornely Kakachia and Liam O'Shea. Why Does Police Reform Appear to be More Successful in Georgia than Kyrgyzstan or Russian? *The Journal of Power Institutions in Post-Soviet Societies*. Issue 13. 2012.

[124] Similarly efforts electronically to transfer police wages into individual bank accounts were undertaken in both Afghanistan and Congo, but with less success in reducing police corruption, Interviews conducted 2016.

[125] *Why Does Police Reform Appear to be More Successful in Georgia*, p. 6. The actual percentage of police officers removed from police payroll is debated and uncertain, with other reports indicating it was upwards of 50%, see *Police Reform in Georgia*, p. 7. The traffic police unit, as in the case of Peru, was disbanded and reconstituted.

[126] See *Police Reform in Georgia*.

Security sector practitioners who have worked in Sierra Leone and Nigeria insist that initiatives from below have improved police accountability, although there is little reliable evidence to support the claim. In Sierra Leone, the argument rests upon the existence and continued functioning of Local Policing Partnership Boards (LPPB) as the accountability mechanism from below.[127] LPPBs can contribute to crime prevention by addressing 'low level' crime through informal mechanisms that rely upon the "guidance of local [civil] leadership."[128] It may also be the case that the LLPBs may, over time, make the Sierra Leone police service friendlier, as the boards serve as community liaisons between the police and the citizenry. Practitioners, however, acknowledged that the LLPBs remain tools of elite networks domination, just as social accountability research suggests. This may not necessarily be a reason to decry the initiative, if and when reliable evidence arises to verify the efficacy of LLPBs' contribution to enhancing police accountability. Even without credible evidence, a friendlier police service is a step in the positive direction.

A similar claim for the improvement in police accountability is made for the community accountability fora (CAF) and community safety partnerships (CSP) that have arisen in Nigeria under the auspices of a U.K. police development program. The CSPs "provide a forum for the police to meet regularly with community and business leaders in individual police catchment areas. CSPs discuss security issues of concern to the community and generate joint solutions," while the CAFs "provide an opportunity for community members to directly engage with the police and [other policing] groups in an open public forum to discuss issues of local concern."[129] These fora provide a useful place and space for the Nigerian policing organizations, in their various incarnations, to meet their constituencies and to resolve local problems, whether it is in the relationship between traders and the police, to reduce burglary rates, introduce additional police (and police-neighborhood) patrols in high crime areas, or when police are accused of extorting money. Such "anecdotal evidence" of success, as those advising the program acknowledge, cannot be "lean[ed] upon too heavily," but are suggestive.[130]

Given that British support for police development began in 2002, with police accountability a key component from the outset, the challenge is whether this record adds up to reliable evidence that the program's 12 CSPs and 28 CAFs are a sustainable and cost-effective mechanism by which to increase police accountability in Nigeria. On the one hand, given the tens of thousands of U.S. dollars of assistance that has been spent on Nigerian police development over 14 years,[131] 'addressing' an average of 14 discrete local 'problems'[132] per CAF – which is less than 30 problems per year of British support – cannot be considered value-for-money. The CAFs and CSPs have not and, likely, cannot appreciably affect the severe systemic deficiencies in Nigerian police accountability.[133] Most recently, a consortium of 49 Nigerian NGOs has formed a Network on Police Reform (NOPRIN) in July 2016.[134] The purpose of NOPRIN is to establish an online portal to document and track human rights abuses by the Nigerian police because of the perception that the Nigeria Police complaint response unit was "not as efficient as we hoped it would be."[135]

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[127] See Peter Albrecht, et al. *Fifteen Years of Police Reform in Sierra Leone: Community Policing and Local Policing Partnership Boards*. DIIS Policy Brief, 2015.
[128] Ibid.
[129] Justice for All (J4A) Programme. *A summary of J4A police accountability results*. February 2016.
[130] Personal correspondence, June 2016.
[131] CAFs and CSPs are only one component of the overall HMG police development program in Nigeria, but they have become a cornerstone. It should be noted that the CAFs and CSPs are not the only initiative on police accountability undertaken by the HMG police development program. These initiatives, however,

On the other, it can be expected that 'problems' will continue to be 'addressed' by the existing CAFs and CSPs year after year, thereby progressively increasing the initiatives' value-for-money. Additionally, CAFs and CSPs have arisen across Nigeria, in states where the U.K. program is not providing assistance. This is a positive sign that local problems can be 'addressed' across Nigeria, the police accountability program has been effective, and the potential of its sustainability. Lastly, the Nigerian police has informed program officials of its intention to roll-out CAFs and CSPs throughout the country as an principal part of the expansion of the program's model police stations, which is another indicator of effectiveness.

While the Sierra Leone and Nigerian examples do not possess sufficiently credible evidence to support their claims, the likelihood exists that the Nigerian experience may turn out to be positive. A USIP program in Nepal, however, has generated credible evidence of success. At the heart of the Nepalese program were a series of facilitated dialogues, bringing together communities and police to establish collaborative relationships.[136] As other partners were brought on board and activities undertaken,[137] the main additional component was a survey of safety and security in the concerned neighborhoods, around which further dialogues based on data were conducted.

The survey and its data were invaluable because, through the facilitated dialogue, it allowed the communities and the police to see each other in a new and objective light.

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are the only ones that practitioners have identified as having the potential of being considered effective, as of the writing of this Report. All other efforts, most of which were institutional capacity building endeavors, have been deemed ineffective by those engaged in them.

[132] There is no credible evidence for the UK policing program to claim that the "problems" have been resolved. The claim can only assert that efforts were undertaken to address them.

[133] See Oluwakemi Okenyodo, *Governance, Accountability, and Security in Nigeria*. African Security Brief. No. 31, June 2016.

[134] Judd-Leonard Okafor. *Nigeria: CSOs Launch Portal to Track Police Abuse*. Daily Trust, 2 July 2016, accessed July 2016, http://allafrica.com/stories/201607020355.html

[135] *Ibid*. Among the challenges is how to link the CAFs and the CSPs with official mechanisms of the Nigeria Police complaint response unit (CRU). The CRU is reported to have received and processed 1,054 complaints nationwide with only 20 police officers receiving sanctions of some form. On face value these statistics suggest a deep structural and cultural problem with police accountability in Nigeria, the depth of which requires more analysis to ascertain.

[136] See USIP, *Evaluation of USIP's Strengthening the Rule of Law and Security in Nepal Program*.

[137] Of note were a youth-police dialogue and the broadcasting of radio programs.

This gave each partner the ability to offer tangible solutions to mutually recognized problems, upon which decisions were reached and action taken. This process built trust because the police were seen to be responsive to concrete neighborhood needs, which is a form of improved police and policing.

In an evaluation of the program, whose findings were statistically significant,

> "survey respondents who were program beneficiaries were significantly more likely to interact with the police outside of reporting a crime than respondents who were not program beneficiaries (81% versus 17%).[138] In addition to more frequent interaction with police, there is evidence suggesting that the program was effective in engendering other types of positive interaction among program beneficiaries, such the sharing of information with police and participation in police activities. Moreover, program beneficiaries saw a direct link between the dialogues and increased information sharing in their communities. When asked to identify the cause of increased information sharing with the police, 72%... of beneficiaries referenced USIP's dialogues."[139]

The increase in non-criminal interactions between police and neighborhoods is pivotal. First, the vast majority of citizen-police interactions are of a non-criminal nature and, second, increased communication by the police with citizens is one of the best methods of building community trust and confidence in the police. The more and the better the communication, the higher the level of police responsiveness and accountability. It appears that this is what the Nepal program achieved, for there was

> "a dramatic rise in citizen interaction with the police, doubling from 23% in 2009 to 49% in 2014. That number is considerably higher for program beneficiaries, with 81% indicating they have interacted with the police in the past three years. This stands in stark contrast to non-beneficiaries where only 17% indicated interacting with the police. Moreover, a test of significance found that the difference between beneficiaries and non-beneficiaries (64.2%) is statistically significant at a 1% level, suggesting that the program was effective in engendering interaction between citizens and the police."[140]

While the USIP Nepal program concentrated on a social accountability mechanism, a police development program in India, in the state of Rajasthan, concentrated on training and, more specifically, ensuring maximum training coverage.[141] Police personnel were trained on 'soft skills' such as communication, mediation, leadership, team building, etc. The percentage of personnel trained ranged from 25%, 50%, 75%, and 100% of the entire workforce of the station. The objective was to determine what level of coverage was needed to change police attitudes and behavior. Training in soft skills, with 100% coverage improved the satisfaction of crime victims in the police service they received by 50%, irrespective of the outcome of the police investigation.[142] It also appears to be the case that the increase in satisfaction was statistically significant only when all the police in a station were trained,[143] a finding consistent with the new training protocols of the New York City police on use of force and firearms.[144] This finding is also significant because it coincides with the Nepalese results that the ways in which police communicate are of prime importance to improving perceptions of their responsiveness and, hence, accountability.

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[138] The increase in non-criminal interactions between police and neighborhoods is pivotal because, first, the vast majority of citizen-police interactions are of a non-criminal nature and, second, increased communication by the police with citizens is one of the best methods of building community trust and confidence in the police.

[139] *Evaluation of USIP's Strengthening the Rule of Law, p. 5.*

[140] *Ibid*., p. 20.

[141] Abhijit Banerjee. *Improving Police Performance in Rajasthan, India: Experimental Evidence on Incentives, Managerial Autonomy and Training*. MIT; http://economics.mit.edu/files/11440; Downloaded May 2016.

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[142] *Improving Police Performance in Rajasthan*, p. 20.

[143] http://blogs.worldbank.org/impactevaluations/calling-the-cops-institutional-reform-in-the-rajasthan-police, Downloaded May 2016.

[144] With 100% of the police personnel trained, police registration of cases rose more than 9%, *Improving Police Performance in Rajasthan*, p. 21.

SECTION V

CONCLUSION

This report is the first extensive attempt to analyze the empirical evidence of 'what works' and what is reliably known about police accountability development. While the empirical evidence is limited, sufficient indications exist to suggest that effective police accountability programming is not only possible but also feasible. Of the four types of police accountability, the dimension along which it is most likely to achieve effective programming is from below – at very local levels when the performance of the police corresponds to what local communities and neighborhoods want.

A key to effectiveness appears to be, as the USIP program in Nepal suggests, a series of facilitated dialogues, which bring together communities, police, and other relevant stakeholders to establish collaborative problem-solving relationships. As social accountability research indicates, effective programming is multi-layered, with more than one activity targeted to the same community, neighborhood, and police service. The more varied the support offered, consistent with the lessons learned of social accountability, the more likely it is for improvement in police accountability to occur and be sustainable. Because the extent and level of communication and the exchange of information appear to be causal for police accountability to be enhanced, it also seems essential, as the Rajasthan initiative suggests, for the police to be trained on 'soft skills,' such as communication, mediation, leadership, team building. A crucial caveat appears to be that all police offices in the stations involved in programming must be trained to ensure as close to 100% coverage as possible.

Western criminology provides other avenues along which improvements in police accountability are plausibly achievable. Unfortunately, most of these techniques are not likely to be transferrable to police development in many of the environments in which it is currently conducted. Nevertheless, more speculatively, there appears to be one specific component that could be efficacious because it coincides with the multi-layered approach of accountability from below. As originally introduced in the U.K., it seems vital to institutionalize new approaches to the use of force and firearms, which has been, often, overlooked in police development programs. Of particular import would be to emphasize de-escalation skills, behaviors, and norms. The challenge, however, would be to ensure that these approaches were aligned with the culture and values of the police, communities and neighborhoods in which programming is being conducted and that all local stakeholders were involved in the institutionalization of new use of force and firearms protocols.

As for police development along the other three dimensions of police accountability – vertical, horizontal, and external – there is little credible empirical evidence that such endeavors will result in enhanced accountability. Taken together, they define the long route to accountability and there is little existing credible evidence to suggest that they generate effective programming. This claim does not preclude initiating programming along these three dimensions. It is merely an assertion that conducting such programming would be based upon political ideology and personal preference, rather than empirical evidence. Furthermore, such programming should *only* be conducted as an integral part of a multi-layered approach and not as stand-alone programmatic components. This conclusion is strongly supported when questions of political commitment and political economy assessments adopt a temporal approach, which is essential for ensuring feasible and practical programming according to the 'windows of political opportunity.'

ANNEX A. BIBLIOGRAPHY

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