CAPACITY BUILDING OF THE LAW ENFORCEMENT AGENCIES FOR APPROPRIATE TREATMENT OF DETAINED AND SENTENCED PERSONS







Implemented by the Council of Europe

CONTINUOUS TRAINING

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Module 1



CAPACITY BUILDING OF THE LAW ENFORCEMENT AGENCIES FOR APPROPRIATE TREATMENT OF DETAINED AND SENTENCED PERSONS









Implemented by the Council of Europe

Ministry of Internal Affairs Training Centre

CONTINUOUS TRAINING ON HUMAN RIGHTS IN POLICE PROCEEDINGS

Module 1: Ethical Conduct and Respect of Human Rights in Police Proceedings

OCTOBER, 2014

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Representatives of the Ministry of Internal Affairs, as well as external experts, were nominated to work in the working group within the project on "Capacity Building of the Law Enforcement Agencies for Appropriate Treatment of Detained and Sentenced Persons", implemented by the Council of Europe.

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LIST OF ACRONYMS

DCAF Geneva Centre for the Democratic Control of Armed Forces

ECHR European Convention on Human Rights

ECJ European Court of Justice

EU European Union

LA Law on Internal Affairs
LA Learning assignment

CCP Code of Criminal Procedure

PPO Public peace and order

CC Criminal offence
Criminal Code

Lesbian, Gay, Bisexual, and Transgender Group

LPC Local Prevention Council

MolA Ministry of Internal Affairs

MTR Material and technical resources

NGOs Non-governmental organisations

JD John Doe

OU Organisational unit

PPO Public Prosecutor's Office

UN United Nations

OSCE Organisation for Security and Co-operation in Europe

PO Police officer
PS Police station
US United States

CAG Citizen advisory group

CoE Council of Europe

MODULE 1: ETHICS AND HUMAN RIGHTS IN POLICE PROCEEDINGS

LEARNING ASSIGNMENT:

- 1. Police integrity and professional approach of the police officer 8 classes
- 2. Police ethics 9 classes
- 3. Fundamental human rights and freedoms 3 classes
- 4. Non-discriminatory police proceedings 3 classes
- 5. Community policing 6 classes

1. General objectives

- Introduce the role and duties of the police in a democratic society
- Acquire knowledge about views and principles of the police integrity and system of personal values
- Introduce the professional manner of conduct of police officers
- Introduce the basic human rights and freedoms according to the Constitution and international conventions

2. Specific Objectives

- Professional approach of the police officer
- Be able to maintain integrity in police work
- Be able to communicate effectively with citizens
- Respect human rights and freedoms
- Introduce the system of internal and external control (supervision)

3. Operational objectives

Information objectives

- Know the legal regulation concerning wearing the uniform
- Know how to communicate effectively
- Explanation of the role and duties of the police in a democratic society
- Description and definition of the required characteristics of police officers in a democratic society
- Explanation of the principles of professional police work

Formative objectives

- Recognition of the professional conduct of the police officer in a democratic society
- Make distinction between professional and non-professional conduct
- Recognition of the police integrity as a basis for professional conduct and proceedings in police work
- He/she behaves in line with the positive legislation
- Meeting of requirements and expectations of the community where he/she works

4. Obligations of learners

• Number of classes for Module 1: 29

LEARNING ASSIGNMENT: 1.1 POLICE INTEGRITY AND PROFESSIONAL CONDUCT OF THE POLICE OFFICER

Introduction:

Personal integrity that in fact defines the ethical conduct of a person is the essence of the police authority. The public has confidence and trust in the police if they guarantee that the manner of fulfilment of their duties shall reflect permanently consistent and high level of integrity. It is this view of the instinctive integrity within the police that effectively assures the public in the impartiality and acceptance of responsibility by those who violate the law before the criminal justice system. Nothing is more demoralising (undermining) for special police departments or for the entire police profession than disclosed scandals or disclosed acts of inappropriate or unethical conduct of the police. The value of the integrity of the police officer is measured by his ethical conduct.

Overview

Working on this assignment the police officers will become acquainted with the existence and the meaning of the most significant social values that are the driving force governing the relations between people, and their determining influence on the establishment and application of the norms of conduct, and consequently the conduct of police officers in the performance of their official duties.

Account will be made of the most significant values that construct the notion of the "police integrity", as well as the values that are specific, distinctive and necessary for each police officer, as a member of an institution responsible for direct law enforcement, especially when addressing internal challenges, primarily with regard to corruption, as a constant threat for them.

A review will be made of the necessity of strengthening the capacities for further development of the police integrity, with further development of police officers' ethical codes of conduct and by this the so-called "disciplinary code" that would contain in itself the types of conduct considered unacceptable for police work.

Effective communication of the police officer, possession, development, and application of communication skills of police officers in everyday contact with citizens will also be the subject of interest in the elaboration of the assignment, as a significant precondition for effective performance of police work and implementation of the police function as the "service for the citizens."

Within the strengthening of the capacity for legal, consistent, and professional law enforcement by the police, a review will be made of the most significant types on external and internal supervision and control of police work through the powers granted to the Ombudsman and the Sector for Internal Control and Professional Standards of the Ministry of Internal Affairs.

Main points:

- Social values
- Types of values
- Norms of conduct
- Police integrity
- Professional treatment by and conduct of police officers
- Capacity building for development of police integrity
- Control and supervision of police work
- Ombudsman
- Sector for Internal Control and Professional Standards

Thematic units of the learning assignment (LA):

- Thematic unit 1: Social values
- Thematic unit 2: Police integrity
- Thematic unit 3: Capacity building for development of police integrity
- Thematic unit 4: Effective communication in police work
- Thematic unit 5: Control and supervision of police work

Core activity:	•	Ethical conduct and respect of human rights in police proceedings		
Learning assignm	_		grity and professional conduct of the er	
Date:		19 Sept. 2014	Performance of the learning assignment - location:	Organisational units in MoIA
Version:		4	Item:	1.5
Competencies		etencies		

	Com	petericies
	×	1. acts in accordance with the defined role and duties of the police
ł		2. implements the authorisations
ł		3. uses means of coercion
ł		4. performs various types of controls, checks, and
		court orders
	×	5. provides assistance
		6. uses MTR
		7. drives vehicle safely with priority of passage
İ		8. drafts and writes any type of report
Ì	×	9. takes initiative in work
Ì	×	10. prioritises
		11. accepts a task from a competent person
ĺ		12. carries out the planned activity
ĺ	×	13. communicates, coordinates, and analyses
ĺ	×	14. works in the spirit of democratic processes
	×	15. enforces the law and respects the rule of law
	×	16. uses communication skills
		17. establishes and builds a close relation with
	×	citizens
		18. recognises and resolves their problems
	×	19. knows the social and ethnic structure
	×	20. respects diversities
	×	21. provides assistance to everyone
	×	22. respects cultural and other values
		23. communicates in English
	×	24. constantly improves himself
	×	25. listens and asks questions
	×	26. knows how he can learn
		27. accepts well-intentioned criticisms and
	×	suggestions
Į	×	28. notes what is negative and removes it

Work	ing pattern		
×	a. introduction into events		
×	b. planning with goals and specific assignment		
×	c. monitoring, preventive, and operational work		
×	× d. communication with citizens		
	e. information, use of material and technical resources, radio communication and other		
×	f. provision of assistance - service to citizens		
×	g. performance of work assignments		
×	h. respect of human rights		
×	i. use of authorisation		
×	j. submission of reports		

		Date: 18 September 2014
Learning ass	earning assignment: version for learners	
CoCore activity	Ethical conduct and respect of human rights in police proceedings	Version: 4
Learning assignment	Police integrity and professional conduct of the police officer	Location: Organisational units in MoIA
		Required time: 8 classes
Description	The existence of social values, moral and customary norms define the ethical conduct of a person and thus also the police officer in the process of developing his personal and professional integrity. The public has confidence and trust in police officers if the police guarantee that the manner of fulfilment of their duties reflects the permanently consistent and high level of integrity. It is this view of the integrity within the police that effectively assures the public of the impartial and fair conduct, as well as provides responsibility of those who violate the law before the criminal justice system. Professional (police) integrity forms the basis of the qualified ethical standards that have become necessary for police work within democratic societies. Nothing is more demoralising (undermining) for special police departments or for the entire police profession than disclosed scandals or disclosed acts of inappropriate or unethical conduct of the police. The value of the integrity of the police officer is measured by his/her ethical conduct in specific situations. Example - situation: During traffic control, police officers in charge of traffic safety on the roads became aware that a person – a taxi driver is engaged in the taxi activity without previously obtaining a license for performing that activity. On that occasion, they asked the taxi driver to buy them lunch and drinks in a nearby restaurant so that they do not issue a payment order for a fine against him, and the driver agreed and did it. Then he reported corruptive conduct on the telephone number 199, with the Sector for Internal Control and Professional Standards of MoIA being notified accordingly. Consequently, the police conducted investigation on the spot and adequate measures and activities were taken against the police officers.	

Expected results	At the end of this learning assignment, the police officers: will know: what are social values and what is their meaning what are the personal and professional values that build professional integrity which acts of the police officers create a good or bad image about the police what are the functions and assignments of the Ombudsman what is internal control and how it works within MoIA will be able to: maintain integrity in the police conduct efficiently communicate during police actions recognise inappropriate conduct of police officers	
Legal framework	- Constitution, Article 77 - Law on Internal Affairs, Articles 2, 6, 38, 39 - Law on Police, Article 3 - Law on the Ombudsman - Declaration on Police - Council of Europe - Code of Police Ethics - Guidance on the Manner of Conduct and Interrelations of Police Officers	
Questions from the LA	- What are values? - What are the values that are considered universal? - What are norms of conduct and what norms exist? - What is police integrity? - What is the meaning of the existence of police integrity in police work? - What are the forms through which police integrity can be strengthened? - What is effective communication in police work? - What forms of control and supervision are in place over the work of the police and their members? - What is the Ombudsman and what are his powers concerning police work? - Who performs the internal control in the Ministry of Internal Affairs and what is its duty?	

		Date: 18 September 2014
Learning assig	gnment: version for instructors	Item: 1.1
Core activity	Ethical conduct and respect of human rights during police proceedings	Version: 4
Learning assignment	Police integrity and professional conduct of the police officer	Location Organisational units in MoIA
		Required time: 8 classes

ORIENTATION

Learners will be oriented at learning the assignment

Discussion is conducted with police officers about the values, integrity, police integrity, about what ethics is, whether the police officers behave ethically in doing their job, what they have noticed in their everyday life, what was unethical by the police officers. They are asked to give examples of unethical conduct by police officers that they have noticed or become aware of through the media. By reading the assignment, learners are made aware that as police officers they can often find themselves in a situation where they or their colleagues might behave unprofessionally or unethically, and then asked if such behaviour is proper.

Planning of the learning activity

This LA will be implemented through 8 activities from 5 thematic units with training in the classroom according to the following schedule:

Thematic units of LA:

Thematic unit 1: Social values
Thematic unit 2: Police integrity

Thematic unit 3: Effective communication in the police work

Thematic unit 4: Listening skills

Thematic unit 5: Control and supervision of police work

- Methods

- Time - Schedule

- individual/ group

learning

activities

Activity 1: Thematic unit 1: Social values

Duration: 1 class Location: classroom

Method of work: discussion, self-learning, brainstorming, group work

Activity 2: Practical exercises and video presentation

Duration: 1 class Location: classroom

Method of work: Video presentation, practical exercises, discussion,

video feedback.

Activity 3: Thematic unit 2: Police integrity

Duration: 1 class Location: classroom

Method of work: self-learning, discussion, brainstorming, group work

Activity 4: Thematic unit 3: Effective communication in police work

Duration: 1 class Location: classroom

Method of work: discussion, self-learning, group work

Activity 5: Thematic unit 4: Listening skills

Duration: 1 class Location: classroom

Method of work: discussion, self-learning, group work

Activity 6: Thematic unit 5: Control and supervision of the police

work

Duration: 1 class **Location:** classroom

Method of work: discussion, self-learning, group work

Activity 7: Chronological exercise

Duration: 1 class Location: classroom

Method of work: discussion, self-learning

Activity 8: Practical exercises

Duration: 1 class Location: classroom

Method of work: discussion, self-learning, practical exercises

Activities of learners:

- What do the listeners do? - Results

- Discuss

- Work in small groups

- Role play

- Acquire competencies for implementation of LA

PERFORMANCE

Roles of the
instructor
 directing
the learners
- control of
the learning

processes

The instructor

- directs
- clarifies
- discusses
- facilitates
- participates in demonstrationasks and answers questions
- monitors the learning process

The instructor has to monitor this process from aside to be sure that they are moving in the right direction.

EVALUATION

Evaluation

- plenary evaluation with learners - individual evaluation with learners

Evaluation

Plenary

- through participation in discussions

- asking questions

Individual

- participation in discussions
- asking and answering questions
- through exercises
- self-learning

LEARNING RESOURCES AND MATERIALS

Learning

- resources
- materials
- IT
- Constitution
- Law on Internal Affairs
- Law on Police
- Law on the Ombudsman
- Declaration on Police Council of Europe
- Code of Police Ethics
- Guidance on the Manner of Conduct and Interrelations of Police Officers
- Flipchart, markers, white paper, blackboard, computer, projector

PREPARED BY/AUTHORS

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External members:

Slavica Andreevska, Judge of Preliminary Proceedings

Jovan Ilievski, Public Prosecutor

Activity 1: Thematic unit 1: Social values

Duration: 1 class **Location:** classroom

Method of work: discussion, self-learning, brainstorming,

group work

SOCIAL VALUES - CONTENT

What is told about values ... (to be read at the end of the class)

"Values are what determines the meaning of human activities, what is desirable and ideal toward which people of a certain culture aspire." (Kale, 1988, 76)

"The value orientation of a person represents a complex of principles, which handle and direct human aspirations and thoughts" (F. Kluckhonn)

Note for the instructor:

Open discussion with police officers about what kind of values they are aware of. Direct the discussion towards the social values, their meaning, the most significant social values, their essence, their characteristics, their connection with the moral and customary norms, as well as with the legal norms that exist in a society. Try to direct the police officers to define the term "social values."

Then write the key words related to the subject on the board with respect of individual parts of specific topics – itemising social values, types of values, characteristics.

The instructor divides the police officers into 5 groups and each group prepares a 5-minute presentation of a specific value and norms of conduct, and then a representative of a respective group presents the results.

First group: Life and freedom

Second group: Equality Third group: Rule of law

Fourth group: Customary and moral norms

Fifth group: Legal norms

At the end of the exercise, the instructor and the police officers together should sum up the material presented by each group into one entity.

SOCIAL VALUES ARE THE MOST COMMONLY AND WIDELY ACCEPTED AND ESTABLISHED KNOWLEDGE OF AND BELIEFS ABOUT WHAT IS SIGNIFICANT, IMPORTANT FOR THE IDENTITY OF A COMMUNITY, I.E. FOR ITS BENEFIT.

They are expressed as attitudes about what is right, desirable, and correct in everyday life, attitudes about the human activities and objectives that govern human existence and prosperity.

Social values are numerous and versatile depending on the period of social development in which they exist, the material conditions, the region, and other factors.

In one society, material success can be deemed as the highest value. Such a society highly values diligence, thriftiness, and respect of time. Advantage is given to certain ways of consumption, investment in material goods that are the basis for further increase of wealth, etc.

On the other hand, in another society, tradition can be the highest value. In this society, people are directed towards the past that has to serve them as the basic life orientation. Here, people have preservation of anything created thus far, through the collective effort of previous generations, as their basic objective.

Social values are most often comprehensive and accepted by all subjects in a society, and because of that, they appear as universal.

The universal values appear spontaneously during the joint life of people. However, given that they refer to substantial issues of the everyday life of people, especially in the modern living conditions, they are either issues that people aspire towards, or acts that they approve of or objectives they strive for. However, in order to make a list of universal values, consideration of special cultures has its contribution. After we state what some people appreciate more and what less, and what is the pillar a certain value stands upon, then we become aware of the orientation of a certain society, i.e. group. Each society builds a culture that is unique by the manner and form of building certain values. Variations of cultural elements in individual cultures and different building of the system of inter-personal relations are manifold.

Universal social values imply large number of individual values, first of all:

- life of people
- their personality (feeling of personal dignity)
- freedom
- health

- rule of law
- democracy
- peace
- equality
- equality before the law and state institutions
- care about the environment, etc.

The above values are in close correlation and they complement each other building the notion of social values that were presented at the very beginning of the topic.

CHARACTERISTICS OF SOCIAL VALUES

Once established, values sustain for a long period of time. They are the most durable part of culture, the most resistant to any changes. This persistence inter alia arises from their mutual conformity. They support and stimulate each other. However, in the course of time their change occurs. They change in a direction adequate to the existing social state. Let us remember that every society has a large number of values, but not all are of equal significance. When we talk about social values, we should take into account that they do not have to be equally important, and not even present (from the historical and geographical point of view) in each culture.

Social circumstances, the climate, essential existential frameworks in which a cultural model is created are very important parameters in that regard. However, there are always several important values that determine the choice of the basic objectives of people. Other values have an auxiliary role and serve for giving more specific instructions about the manner of accomplishing these objectives and accordingly, they can be diverse. In most cases there is concordance between the social and personal values, but there is a deviation from this, most often with socially maladjusted and "problematic" persons, who, as such, are in permanent conflict with other members of society.

TYPES OF VALUES

The notion itself and the essence of what is called social value is complex, multiple and integrates many sub-categories of values depending on whether the holders of the values in question are single persons as individuals, members of some religious groups, members of different political parties, values that are connected to state institutions, as well as values that are predominant for the members of certain professions (police officers, firemen, doctors, etc.).

NORMS OF CONDUCT

Norms can be defined as the rules and guidance by which society and culture define justified and desired behaviour of people in certain situations and in relation to other people. It is through these norms that the control of social behaviour is made. They are a reflection of social and cultural values, categories that represent abstract and general notions. Norms are widely accepted rules referring to a specific situation. In fact, they are templates, which members of a culture should adhere to in their conduct. Norms are also transferred and learned through the system of socialisation and thus people usually accept them without even being aware of it. They differ from one person to another, from one culture to another. Even within the same culture, there are nuanced differences between the norms. Inflexibility of the norms (as well as the values) is a common source of conflict between culture, on one side, and the individual, on the other.

Norms define how people "should" behave under certain circumstances in certain societies. We submit to the norms so readily that we are not even aware of their existence. In fact, we notice more the deviation from the norms, than the submission to them. Each society must have a system of social control in place, a set of means, in order to ensure that its members, generally taken, will behave in an expected and acceptable manner. All norms, whether modified in a law or not, are supported by sanctions, awards for their obedience or punishment for their disobedience. In social literature, there are three distinct types of norms: customary, moral, and legal norms.

Customary norms are the type of social, unwritten norms that are in fact rules of conduct and actions of people in a community or society in particular situations and circumstances, and their disobedience can result in contempt, ridicule, exclusion, and alike of the person that has breached these rules.

Moral norms are the type of unwritten social norms that define actions and conduct of people in a specific situation with regard to what is allowed

and what is not, what is good and what is bad, and noncompliance with them may result in occurrence of behaviour among other members of the community, such as rage, contempt, and even more difficult consequences like lynching or alike.

Legal norms are the written social norms that represent obligatory rules of conduct of people, prescribed and sanctioned by the competent state authorities, behind which is an organised force for coercion with regard to their compliance.

It is common for all the above types of norms to match and upgrade mutually on the grounds that they "derive" their existence from values that are dominant in a society, and given that they are accepted by almost all members of the community and beyond.

Activity 2: Practical exercises and video presentation

Duration: 1 class **Location:** classroom

Method of work: Video presentation, practical exercises,

discussion, video feedback.

POLICE INTEGRITY, CONCEPT AND CHARACTERISTICS

Note for the instructor:

- 1. The instructor presents a video clip to the police officers entitled "Corrupt police officer" (given in attachment to LA as an instruction tool), after which police officers individually depict the given situation presented in the video, using a single word such as for example "horrible", "corruption", "shame," "tragedy," and alike, which will be written on the blackboard, and after all police officers do it, each of them is supposed to explain what they wanted to say with the used word. The instructor should pay attention that the words, stated and written by the police officers that remain written on the board, are not repeated activity 15-20 minutes.
- 2. Immediately after the ending of the above activity, the group is divided into pairs, if possible, consisting of police officers who know each other well, and they will be first assigned a task, one of them turned towards the other, to say within a period of 2 minutes what are the largest, present personal and future "professional" values that his partner in the exercise possesses or will possess as a police officer. The exercise is repeated so that after the expiry of the first two minutes, the police officers change their roles, i.e. the second police officer in the following two minutes tells his partner in the exercise his impressions about the values of the partner. After the expiry of the second two minutes, the instructor asks all present learners to tell what affected them most in the addressing of the interlocutor, and write the key words that arise like "honest", "reliable", "impartial", "principled", "tolerant" on the board where they should remain until the term "police integrity" is defined activity 15-20 minutes.

Activity 3: Thematic unit 2: Police integrity

Duration: 1 class **Location:** classroom

Method of work: self-learning, discussion, brainstorming,

group work

Note for the instructor:

Discussion is carried out with police officers about what is police integrity and what they are required to contemplate about it. The above lasts 5 minutes and should serve for the police officers to be lead to presentations that should follow.

The instructor divides the police officers into 5 groups, allowing them 10 minutes to build a concept, which is then presented by a representative of each group.

First group: Integrity

Second group: Police integrity, definition

Third group: Professional work and conduct of police officers

Fourth group: Respect and improvement of the level of police culture Fourth group: Capacity building for development of police integrity.

Integrity is the foundation of the system of trust in values of a person that impact their social behaviour and professional conduct.

Personal integrity "is embossed" during childhood as a result of the exposure of the person to different stimuli and influences. These influences are deep-rooted by the family and culture but they also include those influences that are a result of observation (perception of the outside world) and strengthened through socialising with friends and other members of society.

These ideals of integrity that results from childhood, form the understanding of what is right and what is wrong, or acceptable or unacceptable, in terms of honesty, respect, decency, conscience, morality, reliability (meaning that one can count on them/rely on them), and accountability.

The surroundings play an important role in this process since they form boundaries of the exposure to different incentives that affect the development.

All these factors, taken together, dictate the scope within which ability of a person to make decisions is under influence of their acceptance of

accountability. Integrity also includes the extent to which personal judgment is under the influence of understanding that he is also responsible for actions he undertakes and for the reactions resulting therefrom.

Integrity is the basis of the system of beliefs that affects consistency of someone's ethical conduct.

Police integrity means capability of preserving personal dignity and dignity of other people in performing the police job and proceedings in accordance with the positive legal norms and the Code of Police Ethics.

Police integrity consists of values included in the body of the personal integrity, such as honesty, humanity, dedication, consistency, accountability, diligence, impartiality, adherence to principles, etc., put in a context of performing professional, in this case, police work and powers.

Police officers must strive to maintain high levels of accountability in performing their duties and to nurture personal and professional police integrity in everything they do, both when performing their duty and in their personal life.

The police officer must be a role model to other individuals in society, or anywhere where they perform their competencies.

Maintenance of the personal professional integrity is the greatest challenge as a problem that the police officers can encounter. Development and maintenance of an honest police organisation is particularly difficult when facing routine temptations. One of the ways to provide high standards in this plan is to employ honest, moral, and ethical people who will enforce the law. Integrity implies being the same person both in public and in private life.

- May a police officer, in taking measures and activities within his powers, i.e. when taking professional decisions, confuse his own individual values with the ones stipulated by law?
- What will happen if a police officer confuses his individual values with the ones stipulated by law, even though the attitude that the police officer should never confuse his own values with those stipulated by law is clear?

Police integrity is a combination of those deep-rooted and developed social values that are affected by family, social contacts, friends, the environment and culture that affect the perceived differences between what is deemed right or wrong in forming their personal judgments.

Professional work and conduct of the police officer

When exercising their police powers, police officers respect the fundamental freedoms and rights of a man and a citizen such as the right to life, right to beliefs, public expression of thoughts, freedom of speech, public access, public information, freedom of religion, freedom of association with the purpose of exercising citizens' rights, freedom of movement and other rights guaranteed by the Constitution of the Republic. In their actions, they respect the right to life of every citizen and they may not cause, encourage, or tolerate torture, torment, inhuman or degrading treatment or punishment. During police interventions against specific categories of persons like children, minors, pregnant women, old and weak persons with disabilities, the police shall act in accordance with the law and their medical needs.

Police officers respect the personal dignity and individual needs of a person that is apprehended or detained because of the existence of grounds for suspicion that the person has committed a crime or any other form of wrongful act. During detention of persons in the police station, police officers shall take care of their personal safety and health.

Police officers shall perform their assignments in accordance with the law and subject to regular legal procedures and sanctions. The Ministry of Internal Affairs has developed a high level of professionalism of police officers with them performing police work pursuant to the principles of a civil society in an honest and fair manner, governed by the principles of impartiality towards and equality of all citizens, at the same time respecting the presumption of innocence until the completion of the court proceedings.

Trust of the public and the code of conduct are one of the key elements and the foundation in building the police integrity. The Ministry of Internal Affairs has promoted trust among the police officers and the public through development of public, transparent, and service function of the police.

In order to justify trust of the citizens, the police must exhibit professionalism and a high level of integrity in performing its duty, be ready to resist temptations for misuse of powers and only exhibit professionalism and ethical values by following the rules of professional conduct. In achieving the objectives of the Ministry of Internal Affairs for uncompromised fight against crime, a significant factor is strengthening of the integrity of employees in the Ministry.

The police officer should be a person that complies with the rules, does not omit certain procedures, tells the truth, publicly expresses his moral attitudes even when these attitudes are not popular, cares about citizens offering help to those in need, undertakes responsibility for what he thinks, feels or does, he is honest and has a sense of moral consistency, lives his life honestly and authentically, does not have any prejudice and racial views against the world, is not prone to excessive use of force and does not use personal or family ties to be promoted. Police officers should have ability for reasonable judgment, open-minded thinking, maturity and feeling of fairness, communication skills, and managerial skills for the managing positions in the police.

For most of the above characteristics, the responsibility lies in the individual himself, but there are also certain characteristics which the organisation as a significant factor can influence. A huge role in creation and maintenance of the police integrity belongs to the system for timely reporting or detecting the problems and anomalies in work. Emotional intelligence is a significant factor for the police integrity and coping with complex situations the police officers face in their work.

Development and maintenance of high integrity standards depends the most on the commitment and the will of police officers. Personal and professional integrity and a conscious decision to do the right thing even when we face temptation to act otherwise is the moment when the ethical conduct transits from theory to practice. Prescribed rules for the manner of conduct of police officers are not a guarantee that they will be complied with and applied in police work. Adherence to ethical standards has more in common with the mindset of the police officers than with the existence of prescribed principles.

Strengthening of the professional integrity helps police officers who constantly face pressures and temptations not to undertake legal measures and actions, raises the awareness of police officers about corruption and enables them to comprehend the limits between acceptable and unacceptable actions.

Police officers comply with and promote the level of the police culture in accordance with the standards of conduct stipulated in the by-laws. The culture of the employees in the Ministry has a strong influence on acceptance or rejection of certain conduct and affects the discretionary police powers. The employees' ethics strengthen the sense of loyalty and solidarity with colleagues, the feeling that is usually missing among employees in other administrative services.

Police officers are expected to develop the feeling of stronger social responsibility. They can achieve this only if they gain trust of the citizens acting legally and ethically. Managerial personnel in the Ministry of Internal Affairs shall enable police officers to work in an environment where they will be less exposed to stress and dissatisfaction.

In order to prevent unprofessional conduct in a police organisation, all police officers should possess high ethical norms and capability to

make a distinction between right and wrong. In this, knowledge of laws, the fundamental human rights and the example given by the managerial superiors in the police are necessary.

The police officers are subject to legislation that applies to all citizens in the Republic except in cases regulated by law in the interest of adequate performance of the police function. With a purpose of maintaining stable police integrity, as well as the proper operation of the police in accordance with the principle of the rule of law, effective measures for efficient prevention and fight against corruption are established on all levels within the police organisation through defining the corruptive conduct and establishing organisational structures and control mechanisms.

Acting and conduct of police officers should not be reflected only in relation to their treatment of citizens, but also internally within the organisational unit where they work, above all in relation to other police officers of the same or a higher rank and their treatment of work resources.

Police officers obey written and oral commands of their superiors pursuant to the law and by-laws, and in case of conduct of another police officer opposite to the rules of the Ministry and opposite to the values of the police integrity, they should point out to him to his inappropriate acts and conduct, and if corruption or any other illegal behaviour is in question, they should inform the superior in charge and other competent services.

Proceedings and conduct of police officers in performing their official duties as well as in their everyday life is regulated with numerous legal acts and by-laws, and also with internal documents of the Ministry of Internal Affairs, with the most important being the Law on Police, the Guidelines on the Manner of Performing Police Works, Guidance on the Manner of Conduct and Interrelations of Police Officers, Code of Police Ethics and Police Code of Conduct, etc.

Capacity building for development of police integrity

The personal integrity and the police integrity is subject to everyday challenges for derogating from the values that constitute it, mainly for acquiring material or other benefits (money, gifts, services, etc.).

The most common facts that affect the police integrity and the entire work of the police, in terms of their undermining, are fast social changes and creation of post-conflict societies where substantial change of social, personal values and thus the values that constitute the police integrity occurs.

Traditionally, police officers are trained to preserve public order and cope with crime, but in today's conditions the very concept of police operations changes and is directed more towards the preventive role that the police have and their increasing role as a service to citizens."

This significantly makes police work more complex and requires its ever-growing professionalisation, which imposes the need for adjustment of the existing police organisation in all segments of its work.

It is necessary to develop the existing and introduce new determinants in all spheres of police work, and thus in the part of the police integrity, through implementation of a general, collegial approach before the "order-command" approach.

The basic form of the capacity building for development of the police integrity includes trainings of new police officers, as well as trainings for the incumbent police officers that would be carried out continuously.

This by itself requires activity during the selection of new police officers concerning their general and specific qualifications, but not less concerning their personal predispositions as developed personalities.

Training for ethical values and developing their professional profile should not only be the technical part of the comprehensive training of the police officer; rather, it should be considered as something essential and something that should predetermine the entire work of an individual and an entire police organisation in the future.

A great role in the building of the police integrity linked to the individual, the police officer, and to the entire police organisation as well, is attributed to the acting of direct superiors and conduct and actions of higher police officers since if they possess values contained in the term police integrity, they would contribute for it to become a kind of a standard for all police officers.

Moreover, in the effort for the capacity building for development of the police integrity, a significant role is given to further development of ethical codes of conduct of police officers, and thus to the so called "disciplinary

code" that would also contain types of conduct considered as unacceptable in police work.

Activity 4: Thematic unit 3: Effective communication in police work

Duration: 1 class **Location:** classroom

Method of work: discussion, self-learning, group work

Note for the instructor:

Start by whispering a short message to one of the police officers who should spread the same message to the police officer next to him, and he to the next police officer all the way to the last police officer, according to the "word of mouth" principle, while taking care that other police officers do not disturb the peace and silence in the room. Then ask the last recipient of the message what the message was about, i.e. to present its content. Afterwards, ask questions about what communication is, what kinds of communications they are aware of, what the types of communication they present contain basically, and the same time write the key words on the blackboard.

Duration: 15 minutes

Communication, meaning, types of communication

In performing everyday activities, police officers are citizen-oriented and constantly in direct communication with them.

In addition to knowledge of regulations related to his service, existence of the integrity for performing the service, knowledge about the psychology of people, it is necessary for the police officer to also possess communication skills in addressing conflict situations.

Most generally, communication means sending information with certain contents from one to another person.

In order to talk about communication, there should be a subject that gives and subject that receives the communication, in such a way that it should be properly understood by the recipient.

The communication itself implemented by one person, and thus by the police officer as well, may occur as a verbal communication expressed through speech, i.e. expressed in words, which is the most common case, but it may also be expressed in a written form.

There is also non-verbal communication, not less important in communication, which is accomplished through the so-called "body

language", most commonly through the body position (posture, position of limbs, breathing) as well as the use of gestures and mimicking (raised eyebrow, smile, frown).

In communication between people there is always suspicion whether the message is properly given or not, whether it is properly understood and interpreted by the recipient, so that the two types of communication should complement each other successfully.

This also largely depends on the existence of language barriers between the police officer and the citizen, cultural differences, different perceptions and views, as well as on many other factors (profession, sex, etc.).

During verbal communication, establishment of successful communication greatly depends on the use of so-called "paralanguage", i.e. the use of intonation, colour and the vocal pitch of the expressed words.

The intonation of the voice may express fear, authority or empathy, and international contours are usually an indicator of emotion, tension, or stress, while the voice pitch, loud speech, is usually used to support the importance of the expressed words, and also emotions such as fear, panic, etc.

Activity 5: Thematic unit 4: Listening skills

Duration: 1 class **Location:** classroom

Method of work: discussion, self-learning, group work

Note for the instructor:

Before the beginning of the class, select four police officers who will work in two scenarios, two for each.

The first part of the exercise features two police officers, one playing the role of a citizen who wants to report physical assault against him and talks about the incident, and the other police officer playing the role of a police officer who receives the report and listens and asks questions, but at the same time the police officer occasionally talks on the phone, answers calls, interrupts the "citizen" with questions that do not correspond to the incident (e.g. asks questions of personal nature), laughs, looks unconcerned, and someone constantly makes noise and enters the room where the conversation is going on and asks something. It is important here that the person who plays the role of the "citizen" does not know what will happen during the "conversation."

After the end of the first part of the exercise, the "citizen" should be asked how he felt, whether the police officer understood the incident that he wanted to report and if he wanted to withdraw from the report. The roleplay exercise together with its preparation should last approximately 15 minutes, and the discussion should take about it 5 minutes, or 20 minutes in total.

In the second part of the exercise, two other police officers are playing the roles of a "citizen" who wants to report physical assault and a "policeman" who should receive the report, but this time, "the policeman listens to the 'citizen' with attention, without the phone ringing, without inappropriate questions and without anyone entering the room, and after the ending of this part that lasts 10 minutes, the citizen is invited" to discuss the actions of the policeman.

Listening skills

In verbal communication between the police officer and the citizen, the so-called "listening skill" is of the most importance.

The listening skill in its essence basically involves two aspects of listening, such as:

- **1.** The act of listening that includes listening of the message itself, focusing on the words, interpretation of their meaning and essence, thinking about asking questions or giving answers.
- 2. The act of listening that includes eye contact, head nodding, not interrupting the interlocutor, repeating previous statements, presence or absence of facial expressions, depending on a specific situation.

As a whole, it can be talked about many acts and possibilities for the police officer in implementation of an effective communication with the citizens, the most common being the following:

- manifesting an **open attitude**, with the body posture and the face turned towards the interlocutor, slightly inclined towards him, in a relaxed position, without unnecessary additional movements (e.g. turning a chair, looking the watch, etc.);
- in addition to the pronounced speech, concurrently following the manifested emotions by the interlocutor, showing empathy with him without additional comments, which would mean having pity on him;
- existence of **good conditions for making conversation**, without disturbance by other persons or the passage of time affecting the communication:
- leaving an opportunity to the interlocutor to express him completely
 after an event, without interruptions, if possible, and allowing
 sufficient time for the interlocutor to concentrate and tell everything,
 while leaving a possibility to make very short breaks before asking
 questions and receiving answers;
- **asking questions** that encourage the interlocutor to think and give answers, while avoiding closed questions that require "yes" or "no" answers, asking for clarification of the already said;
- if necessary, the police officer should obligatorily ask open questions like "when", "who", "what", "where", "why" and "how."

Activity 6: Thematic unit 5: Control and supervision of police work

Duration: 1 class **Location:** classroom

Method of work: discussion, self-learning, group work

Note for the instructor:

Open discussion with police officers whereby you can use some of the questions below in order to verify their previous knowledge about the Ombudsman as an institution:

- When was the institution Ombudsman introduced in our country?
- When was the Law on the Ombudsman adopted?
- -How important is the cooperation of the police with the Ombudsman?
- What are the competencies of the Ombudsman?

The instructor divides police officers into 5 groups, allowing them 10 minutes to prepare presentation, and then a representative of each group presents it to the team:

First group: Control and supervision of police work

Second group: Ombudsman

Third group: Competencies, functions, and assignments of the

Ombudsman

Fourth group: Cooperation with the Ombudsman

Fifth group: Sector for Internal Control and Professional Standards.

Types of supervision and control of the police

Building control mechanisms over the work of the police is of enormous importance for a democratic society that should lead to an easier identification of the police weaknesses and their overcoming, and also their sanctioning in given cases, thus increasing trust of the citizens in the police. Building of the capacities requires commitment from the very top of the organisation and changes in the organisational culture. Measures for combating corruption and other illegal activities by the police should be an everyday obligation of the control mechanisms, i.e. it should be something that is integrated into everyday activities as a norm of conduct and accepted working practice.

The control over the police organisation occurs in two forms - as internal control and as external control and supervision of the work of the police.

When we talk about the internal police control, we think primarily of the existence of the internal control mechanism within the police organisation that exists as a separate organisational unit within the Ministry of Internal Affairs. This can be perceived even wider, as control made directly by senior superiors in an organisational unit.

According to the law, the external control and supervision are made by bodies that exist outside the organisational structure of the Ministry of Internal Affairs, and those are the Assembly, the Ombudsman, the Public Prosecutor's Office (pursuant to authorisations stipulated by the Criminal Code). In a wider sense, subjects that are outside the system of state authorities and institutions, such as non-governmental organisations and the public, can influence indirectly the elimination of deficiencies in the police actions.

The Ombudsman

The Ombudsman appeared for the first time in the 19th century, with the emergence of the concept of the legal state. Sweden is the fatherland of the Ombudsman institute, which has later spread throughout Europe and even to other democratic countries all around the world. The popularity of the institute has led to this term being used in the world's legal literature in its original Swedish form. The Ombudsman today, in Sweden and elsewhere in the world, is understood primarily as a guardian of the rights of citizens against unlawful, improper and inefficient work of administration bodies and public services.

The Ombudsman is a parliamentary representative, and is obliged to address complaints of citizens and to act upon his own initiative whenever he notices unlawfulness or inappropriateness in the work of administration bodies (in some countries, in the courts as well) that breach the fundamental human rights and freedoms, with all legal means for their protection being exhausted.

The work and the role of the Ombudsman is in the interest of the entire society, meaning the state and its bodies as well, and in this sense, of the executive authorities. This comes from the fact that state institutions will thus work in compliance with the law and act more efficiently and with better quality. Even without undertaking a specific action, the Ombudsman has fulfilled the purpose of his existence.

A constant control is required in order to ensure the legality, accountability and the quality in the work of the administrative bodies and the public services and institutions, which at the same time means limitation of excessive use and abuse of the authorisations available to them.

The Public Advocate or the Ombudsman is a specific, special, professional and independent authority with authorisations to protect the rights of citizens, meaning that it is not a legislative body or an executive or judiciary authority, and even less a public prosecutor or an authority of inspection and supervision. It is the manner of his acting and conduct in which his significance and specificity of the function lies. The method and the manner of acting by the Ombudsman comprises giving proposals, advice, suggestions, cooperation, teaching, skill to listen to citizens and to act on time in the direction of accomplishing citizens' rights.

The Ombudsman as the holder of the position is transparent, and his office is open at any time and available to every citizen of the Republic or to any other person.

The competence of the Ombudsman is also to undertake actions and measures for protection of the principle of non-discrimination and adequate and equitable representation of members of communities in the public administration, the local self-government and in public institutions and agencies.

The Constitution inaugurates and prescribes the existence of this authority in our democracy: "The Assembly elects the Ombudsman. The Ombudsman protects the constitutional and legal rights of citizens when violated by bodies of the state administration and by other bodies and organisations with public mandates."

However, only after the promulgation of the Ombudsman Law in 2003, this authority obtained its real physiognomy and a place in the society. This Law prescribes that the Assembly elects and dismisses the Ombudsman with the majority of votes from the total number of representatives, whereby a majority of votes of the total number of representatives that belong to the communities that are not a majority in the country is also required. The Ombudsman is elected for a period of **eight** years with a right to one more election.

The Ombudsman has many deputies, and their number is defined by the Assembly on the proposition of the Ombudsman.

Competencies, functions, and assignments of the Ombudsman

When the Ombudsman states that the rights of an applicant are breached by a state authority, he may:

- give recommendations, proposals, opinions, and indications for the manner of elimination of stated violations (he gives the recommendation when it is established with certainty that the violation of the rights with a concrete act or action is in question, while the opinion is given when it is assessed that there is a need for change or amendment of a general act of the authority or the organisation. Indications are given in the event when it results from the factual state that the continuation of a certain conduct of the authority or the organisation may violate the rights of the applicant);
- propose repeated implementation of a certain procedure in line with the law, if the legal requirements for the repetition or renewal of the procedure at the request of the applicant are met or if there is a ground for the amendment of the administrative act *ex officio*;
- instigate an initiative for initiation of a disciplinary procedure against the official or responsible person, if he estimates that his acting, or non-acting rises a ground for suspicion that he has breached the working or official duty;
- -submit a request to the competent public prosecutor for determination of the criminal responsibility if he estimates that there is a reasonable suspicion for committed misdemeanour or criminal offence stipulated by law;
- request temporary delay of execution of an administrative act until a decision of the second-instance authority or until a decision of a competent court, if he has stated violation of rights and the execution of the administrative act would cause irremediable damage for one of the parties in the dispute.

The Ombudsman, whenever possible during the procedure, advocates for a negotiated settlement of a case. The negotiated settlement of the case means that the procedure regarding the case is final. Negotiation must be in compliance with the Constitution and the laws. During the procedure, the Ombudsman may refer to the principle of fairness when it can be inferred from objective or subjective circumstances and the applicable positive legislation that application of legal provisions would cause obvious injustice.

When monitoring the situations concerning adequate and equitable representation of members of communities, the Ombudsman takes action:

- upon submitted complains;
- at his own initiative if he becomes aware in any way that this principles are not complied with;
- based on direct inspection of the bodies, organisations or institutions;
- by monitoring programme-prescribed obligations of bodies and organisations;
- by monitoring announcements for new employment in bodies and organisations that are obliged to comply with the above constitutional principles.

In order to ensure compliance with the constitutional and legal rights and the principle of non-discrimination and adequate and equitable representation of members of communities, the Ombudsman may, as his own initiative, offer recommendations, opinions and critics to the bodies before which he is competent to act if he assesses that certain general or individual acts are not complied with or fail to create legal mechanisms for compliance and fulfilment of rights of citizens and accomplishment of the above principles in relation to members of communities by certain actions taken or not taken by the above bodies or organisations.

Having received a complaint, the Ombudsman may decide not to initiate a procedure or not to take the complaint into consideration if it is anonymous, not submitted within the stipulated term or if it presents misuse of the right to appeal, but he is obliged to notify the applicant as soon as possible, to explain the reasons for that and if possible, instruct him about the manner of exercising his right.

The Ombudsman shall reject the complaint if:

- it can be inferred from data available to him that fundamental freedom and rights of people and citizens are not violated;
- the complaint is not complete and if the applicant, following suggestion by the Ombudsman, fails to complete it; and
- the subject of the complaint is in the court procedure.

The Ombudsman does not initiate a procedure if more than a year has elapsed since the action or the last decision of the authority or the organisation, except if he assesses that the applicant has missed the deadline for justified reasons.

If the Ombudsman decides to initiate a procedure, he notifies thereof the applicant and the authority, or the organisation to which the application refers.

Having received a complaint, the Ombudsman may do the following in the procedure, within his competence:

- request necessary explanations and additional information from authorities or organisations for allegations in the application;
- make a direct inspection of the work of the competent authorities or organisations;
- invite an official or an officer of the authority or the organisation or any other person for an interview, and to ask an opinion from scientific or professional institutions.

Cooperation with the Ombudsman

Authorities and organisations are obliged to cooperate with the Ombudsman and to provide all data and information at his request regardless of the level of confidentiality and to enable him to implement the procedure. Regulations regarding the confidentiality are obligatory for the Ombudsman.

When the Ombudsman establishes that certain constitutional or legal right of the applicant is violated, he may do the following with regard to the authority or the organisation that has violated the right:

- propose the authority or the organisation to implement certain procedure pursuant to the law;
- submit request to the competent authority for initiation of an administrative dispute;
- submit a request to the authority or the organisation for temporary suspension of the execution of the act;
- propose initiation of a disciplinary procedure against the official of the authority or the organisation;
- submit a request to the competent public prosecutor for initiation of a procedure in order misdemeanour or criminal responsibility to be determined:
- give proposals for improvement of the work and the conduct of authorities or organisations with clients.

Consequences stipulated by law, regarding the civil servants that enforce the law, but do not implement referrals and measures of the Ombudsman, are the following:

- notification of a direct superior authority;
- notification of the head of the authority;
- notification of the Government;
- notification of the Assembly;
- notification of the public/citizens through the media.

In addition to these formal ways of accomplishing his functions, the Ombudsman also has at his disposal other methods through activation of international and domestic non-governmental organisations, international bodies and specialised institutions for protection of human rights and other measures for pressure and influence.

Sector for Internal Control and Professional Standards

Within the assignments and duties, pursuant to the Law on Internal Affairs, the Law on Police and the Rulebook on the Manner of Performing Police Affairs within the Ministry of Internal Affairs, the Sector for Internal Control and Professional Standards directly works on documenting the incidents where the legal authorities were exceeded, on disclosure of secrets, illegal and unauthorised use of material and technical means, and also other illegal activities made by the employees in the Ministry of Internal Affairs. In such cases, the Sector for professional standards undertakes measures to disclosure of these affairs through appropriate procedure.

Within its competencies, the Sector collects data and evidence, either on its own initiative, or at the request submitted or presented by the employees in the Ministry. For its work the Sector for Internal Control and Professional Standards directly notifies the Minister of Internal Affairs.

Within its activities, the Sector for Internal Control and Professional Standards works on resolving of irregularities in the work after receiving complaints from citizens or employees in the Ministry of Internal Affairs. It checks and replies to requests obtained by the Public Prosecutor or the Ombudsman regarding the acts undertaken by the employees in the Ministry, and works to evidence the illegal activities made by the employees in the Ministry. All information is collected in an operative manner.

The Sector for Internal Control and Professional Standards documents the evidence for various misuses made by the employees in the Ministry, collects material evidence for committed crimes and submits criminal charges to the competent Public Prosecutor's Office, and also submits proposal for initiation of disciplinary procedures for the above-noted criminal offences or major violations in the field of public order, such as physical assault and participation in a fight.

Activity 7: Chronological exercise

Duration: 1 class **Location:** classroom

Method of work: discussion, self-learning

Note for the instructor:

The instructor reads or assigns one of the police officers to read the chronological exercise. After each part of the exercise discuss with the police officers the questions and how they answered to them. For certain questions you may share the blackboard and if there are opposite answers to record them and write them.

At the end of the class make a summary regarding the whole matter related to the police ethics and police officers' conduct.

The exercise is given as an enclosure to the LA.

Activity 8: Practical exercises

Duration: 1 class **Location:** classroom

Method of work: discussion, self-learning, practical exercises

Note for the instructor:

The instructor encourages the participants to comment examples from practice related to the police integrity. The instructor guides them to think about the inappropriate conduct and consequences of such conduct.

QUESTIONS:

- What are values?
- What are the values that are considered universal?
- What are norms of conduct and what norms exist?
- What is police integrity?
- What is the meaning of the existence of police integrity in police work?
- What are the forms that can contribute to the strengthening of the police integrity?
 - What is effective communication in police work?
- What forms of control and supervision are in place over police work and its members?
- What is the Ombudsman and what are his powers concerning police work?
- Who is performing the internal control in the Ministry of Internal Affairs and what is its duty?

SUMMARY

Realisation of the police basic functions in each society, in the manner and in terms of positive legal regulations, largely depends on the approach of each police officer, as an individual, towards the generally adopted, universal social values, on his/her personal beliefs and attitudes, but also on the manner how he/she accepts and possesses values that are specific and more closely related to his institution to which he/she belongs - the police service.

If this would be the case, and if every police officer would have a built police integrity, it would be a good ground for legal and professional implementation of his/her professional duties, and the most consistent application of the concept of the police as a "service to citizens", which is verified everyday through a direct communication of police officers with citizens.

Thus, it is necessary, given the existing challenges occurring during their direct work, the police officers to invest efforts, constantly and persistently, into the further development and expansion of values that make up the "police integrity".

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CHRONOLOGICAL EXERCISE FOR THE CODE OF POLICE ETHICS

SCENARIO CONCERNING ETHICS 1:

Police officer Mile M. has been assigned to a patrol in the City Park in Skopje since he lives in the vicinity and sometimes eats in the Sofka Restaurant. The owner of the restaurant, Stanislav H, is very kind with the police officers and knowing that the man is a police officer offers him free meals and drinks.

In your group, answer the following question:

1. Would the police officer have problems if he accepted the offered meal and drink from the owner of the restaurant? State the reasons for your answer.

SCENARIO CONCERNING ETHICS 2:

Mile M. knows that many of his colleagues eat and drink for free in the restaurant.

Today, Mile M. and one of those colleagues have an assignment to check the allegations that Dragan H., son of Stanislav, deals drugs. Stanislav knows that the police officers investigating the case and when they come to visit him he asks both of them not to be very harsh towards his son.

- 1. Do you think that there would be a dilemma for the police officer and his colleague in such a situation?
 - 2. If there was, what would the dilemma be?
 - 3. How is the police officer supposed to resolve this dilemma?

SCENARIO CONCERNING ETHICS 3:

Time passes, and in the next two years Dragan H. will have been apprehended four times on suspicion of drug dealing. Everyone is aware that he and his father sell drugs to minors throughout the country, and they are even under suspicion that they have sold or tried to sell drugs to police officers' children. Every time he was apprehended, Dragan H. was released because of lack of sufficient evidence. The team did not have enough time to completely investigate the case due to obligations, and this situation

has caused anger and frustration in them, so they think it was high time something was undertaken with regard to this.

Discuss about the following within the group:

- 1. In your opinion, what method can the group use in order to circumvent the rules in the interest of truth and whether this would be acceptable under such circumstances?
- 2. Would you take into account the use of force in order to force him to admit certain things?
- 3. Would you take under consideration modification of the official report in order to help collection of evidence?
- 4. Would you take under consideration falsifying evidence in order to send this dangerous dealer into prison?
 - 5. Would you askyour colleagues to do something of the aforementioned?
- 6. What would you do if you become aware that some of your colleagues have done something of the aforementioned?
 - 7. Do you believe that there is a rule of silence among police officers?

SCENARIO CONCERNING ETHICS 4:

There is again sufficient evidence for the arrest of Dragan H, but during the investigation the police officer Mile M. receives information from two independent sources that his best friend and colleague is helping Dragan H. The information is that outside the working hours, the friend drives vehicles full of narcotics and uses his police badge to avoid the control points.

If you were in the shoes of the police officer, discuss in your group about the following:

- 1. What would you do and what would be the consequences of your action for you?
- 2. What would you honestly do and what would be the consequences of your action for you?

After Dragan H. is detained by the police, he refuses to answer the questions and a colleague, from mere frustration, hits him strongly several times. The colleague asks the police officer not to tell anyone about the incident because he may lose his job, and since they were the only ones there at that time, nobody else will know.

- 1. Has the colleague committed a criminal offence?
- 2. Has the colleague breached the human rights of suspects?
- 3. If you were the police officer, what should you do?
- 4. If you were the police officer, what would you honestly do?
- 5. If you were the police officer and did nothing, can you state some of the possible problems that you might encounter in the future?

SCENARIO CONCERNING ETHICS 5:

Against his own beliefs, he (Mile M.) decides to help the colleague by telling nothing about the incident. The police officer Mile M. subsequently becomes aware that the colleague planted evidence, which was instrumental in Dragan H. being convicted and sentenced to imprisonment.

- 1. What should the police officer do and what are the possible consequences of his action?
- 2. What do you sincerely think that the police officer will do in such circumstances?

SCENARIO CONCERNING ETHICS 6:

The police officer Mile M. does not undertake any action and several years later he is promoted to a managing position. The colleague that hit the suspect works with the police and is now inferior to Mile M. Mile M. discovers that the colleague has breached again a major rule about which he is required to write a report, which would probably be a reason for dismissal of the colleague. The colleague comes to the police officer's office and reminds him of the incident with Dragan H., who is now released from prison, and how Mile M. said nothing about his behaviour at the time. Therefore, he asks Mile M. not to submit the report at all, or to falsify the report without writing anything about his involvement, pointing out that if Mile M. does not do this, he would pull him down with him.

- 1. What was the police officer supposed to do in order to avoid finding himself in such a position at the very beginning?
- 2. In your opinion, what should or could the police officer do under such circumstances?
 - 3. What lesson can be drawn from this scenario?

LEARNING ASSIGNMENT: 1.2 POLICE ETHICS

Introduction:

For the citizens, ethical conduct of police officers and their professional conduct means behaving in accordance with the customary norms and standards accepted by the community, as well as respect of the allowed behaviour in line with the legal regulation. Only in this way can police officers acquire trust and build their reputation among the local population. In their private life as well, police officers should also adjust their behaviour according to the customary norms and standards, the cultural and traditional behaviours of the population and should be a positive model in the community where they live.

Building the authority and reputation is a long-term effort, and unethical conduct can suddenly change the image of the police officer in the community where he/she works and lives.

Summary

From the aspect of expected police practices, ethical conduct presupposes following certain set of standards of conduct and proceedings, which refer to accepted principles and what is right or wrong in the profession.

Ethics is the manifested behaviour of a person and is under direct influence of the application of the acquired system of values formed from the level of integrity of a person.

The "Declaration on the Police", adopted by the Council of Europe, contains various provisions relating to ethics. A police officer who accepts the provisions of this declaration is entitled to active moral and physical support of the community which he/she serves.

Police officers should be resolute in refusing gifts, favours, or benefits that can be considered by the public as a possibility for making influence on the judgment of police officers in performing their duties.

The system of personal values is a standard by which individuals define the socially acceptable behaviour for themselves, and may use it as a ground for judging the acts of others. Police ethics means following a certain set of standards of conduct and proceedings that refer to accepted principles of what is right or what is wrong in the profession and maintaining honesty and integrity when professional decisions are made. A police officer should never confuse his/her own individual values with the ones stipulated by law and the fulfilment of duties.

Vilifying the police service, loss of respect by the community

Responsibility is required from all police officers who will be personally responsible for their actions and for doing or not doing things or omissions they have made, which were unlawful.

The police organisation should have a clear command structure and making authorisations within the police. It should be possible at any time to determine who is responsible for a certain act or omission made by police officers.

According to the Code of Police Ethics, the police organisation provides a clear hierarchy of commands within the police, whereby it is always possible to determine the person with the ultimate responsibility for action, disregard or omission of members of the police. Members of the police are obliged to comply with the written and oral commands of their superiors, pursuant to the laws and by-laws of the Ministry of Internal Affairs.

Ethical work of the managerial police officers according to the 'Guidance on the Manner of Conduct and Interrelations of Police Officers'

The managerial level must undertake responsibilities for the work of officials and must check whether the code of conduct and human rights are complied with or not through regular unscheduled and scheduled checks.

Several strategies can help the managing police officers for ethical conduct in management. The police are responsible before the state, before the citizens and their representatives through the internal and external control of their work.

For their unethical and unprofessional work, the police officers will have professional and personal consequences of such behaviour, except for finding themselves in conflict with the law and for the sanctions for minor charges and criminal sanctions against them.

The police accountability means that police work, starting from individual behaviour of every police officer to the strategies for police operations, procedures for appointment or management of the budget, is inspected by several supervision institutions.

Main points:

- Ethics
- Code of Police Ethics
- System of personal values
- Police challenges with regard to ethics
- Ethics in management
- Responsibility and accountability of police officers

Thematic units of LA:

- Thematic unit 1: Ethics
- Thematic unit 2: Ethical conduct of the police officer
- Thematic unit 3: Ethical conduct in management
- **Thematic unit 4:** Responsibility of the police officer towards the citizen, colleague, and superiors and accountability of the police officer

Core activity:		Ethical co	onduct and respect of human rights in police proceedings	
Learning assignme		Police ethic	S	
Date:		19 September 2014	Implementation of the learning assignment - location:	Organisational units in MoIA
Version:		4	Item:	1.2
Competencies		etencies		

	peterreies					
×	1. acts in accordance with the defined role and duties of the police					
×	2. implements the authorisations					
	3. uses means of coercion					
	4. performs various types of controls, checks and					
	court orders					
	5. provides assistance					
	6. uses material and technical resources					
	7. drives vehicle safely with priority of passage					
×	8. drafts and writes any type of report					
×	9. takes initiative in work					
×	10. prioritises					
	11. accepts a task from a competent person					
	12. carries out the planned activity					
×	13. communicates, coordinates and analyses					
×	14. works in the spirit of democratic processes					
×	15. enforces the law and respects the rule of law					
×	16. uses communication skills					
×	17. establishes and builds a close relation with citizens					
	18. recognises and resolves their problems					
×	19. knows the social and ethnic structure					
×	20. respects diversities					
×	21. provides assistance to anyone					
×	22. respects cultural and other values					
	23. communicates in English					
×	24. constantly improves himself					
×	25. listens and asks questions					
×	26. knows how he can learn					
	27. accepts well-intentioned criticism and					
×	suggestions					
×	28. notes what is negative and removes it					

Working pattern a. introduction into events b. planning with goals and specific assignment × c. monitoring, preventive, and operational work × d. communication with citizens e. information, use of material and technical resources, radio communication and other f. provision of assistance - service to citizens × g. performance of work assignments × h. respect of human rights × i. use of authorisation × j. submission of reports ×

		Date: 19 September 2014
Learning ass	signment: version for learners	Item: 1.2
Core activity	Ethical conduct and respect of human rights in police proceedings	Version: 4
Learning assignment	Police ethics	Location: Organisational units in MoIA
		Required time: 9 classes
Description	In their everyday work, the police officers should demonstrate high moral and ethical values, i.e. with their conduct they should be a model in their environment. They must adjust their attitudes and thinking to what everyday positive behaviour means without protecting their own feelings, attitudes, and even prejudice. Only with personal example of positive behaviour, the police officers shall manifest that even in undertaking of official measures and activities they respect all citizens equally and they are really the first to comply with the law and enforce it as stipulated and equally towards all. Likewise, police officers should behave in their private lives according to the usual norms and standards in the positive sense, to maintain high moral and ethical standards and always be a positive example in the community where they live. Example of a situation: Police officer X, in his everyday communication with citizens on his beat, has a professional approach, civilised relation, respect for diversity of people, and has acquired trust among the population. This results in excellent cooperation; he obtains useful information for prevention and detection of criminal acts. X is a fan of motorbikes and in his free time, in his garage he very often works on the repair of a motorbike until late in the night and makes noise with electrical devices. During the day, he also checks how the motorbike works, drives it in high speed, makes high noise, performs dangerous activities (drifts), thus endangering the safety of his neighbours.	

Expected results	At the end of this LA, the police officers shall: know: what is ethics, what is ethical conduct what is a system of personal values which acts of the police officers vilify the police how he has to act if he receives an unethical command from a manager be able to: comply with the norms and standards of the everyday usual conduct of the population adjust his behaviour to the environment in which he/she lives recognises ethical conduct of the police officer maintain high level of the system of personal values	
Legal framework	- Constitution, Article 77 - Law on Internal Affairs, Articles 2, 6, 38, 39 - Law on Police, Art. 3 - Law on the Ombudsman - Declaration on the Police - Council of Europe - Code of Police Ethics - Guidance on the Manner of Conduct and Interrelations of Police Officers	
Questions from LA	- What is ethics? - What is the system of personal values? - What are the most common forms of unethical conduct of police officers? - What are the most common forms of unethical conduct in the management? - What is the responsibility of police officer for unethical behaviour and what are personal and professional consequences of unethical conduct?	

		Date: 19 September 2014
Learning assig	gnment: version for instructors	Item: 1.2
Core activity	Ethical conduct and respect of human rights in police proceedings	Version: 4
Learning assignment	Police ethics	Location: Organisational units in MoIA
		Required time: 9 classes

ORIENTATION

Participants
will be
oriented
towards the
learning
assignment

A discussion is held with the police officers about what ethics are, whether the police officers behave ethically in their work. what they have noticed in their everyday life that was unethical conduct by police officers, ethical conduct in the management, and responsibilities of the police officer towards the citizen, colleagues, and superiors, and accountability of the police officers.

They are asked to give examples of unethical conduct by police officers that they have noticed or become aware of through the public media.

By reading the assignment, police officers are made aware that as police officers they can often happen to find themselves in a situation where they or their colleagues might behave unprofessionally or unethically, and then asked if such behaviour is proper.

Planning of the learning activity

This LA will be implemented through 7 activities of 4 thematic units with training in a classroom according to the following schedule:

Thematic units of LA:

- Methods

- Time - Schedule
- individual/ group learning activities
- Thematic unit 1: Ethics
- Thematic unit 2: Ethical conduct of the police officer
- Thematic unit 3: Ethical conduct in management

Thematic unit 4: Responsibility of the police officer towards the citizen, colleagues and superiors and accountability of the police officer

- What do the

Activity 1: Thematic unit 1: Ethics **Duration:** 1 class Location: classroom

listeners do? - Results

Method of work: self-learning, discussion

Activity 2: Thematic unit 1: Code of police ethics - 1 class

Duration: 1 class **Location - classroom**

Method of work - discussion, group work, independent learning

Activity 3: Thematic unit 2: Ethical conduct of the police officer -

System of personal values

Duration: 1 class **Location:** classroom

Method of work: self-learning, discussion, group work

Activity 4 Thematic unit 2 - Ethical conduct of the police officer - Police challenges with regard to ethics

Duration: 1 class interactive instruction

Location: classroom

Method of work: self-learning, discussion, group work

Activity 5: Practical exercise-examples from practice

Duration: 1 class **Location:** classroom

Method of work: self-learning, discussion, group work

Activity 6: Thematic unit 3: Ethical conduct in management

Duration: 1 class **Location:** classroom

Method of work: self-learning, discussion, group work

Activity 7: Practical exercise-examples from practice

Duration: 1 class **Location:** classroom

Method of work: self-learning, discussion, group work

Activity 8: Thematic unit 4: Responsibility of the police officer towards the citizen, colleagues and superiors and the accountability

of the police officer **Duration:** 1 class **Location:** classroom

Method of work: self-learning, discussion, group work

Activity 9: Chronological exercise for non-ethical conduct of the

police officer
Duration: 1 class
Location: classroom

Method of work: self-learning, discussion, group work, practical

exercise

Activities of learners:

- Discuss

- Work in small groups

- Role play

- Acquire competencies for implementation of LA

PERFORMANCE

Roles of the
instructor
 directing
the learners
- control of
the learning

processes

The instructor

- directs - clarifies - discusses
- facilitates
- participates in demonstration - asks and answers questions

- observes the learning process The instructor should monitor this process from the side to be sure

that they move in the right direction.

EVALUATION

Evaluation plenary evaluation with learners - individual evaluation with

Evaluation

Plenary

- through participation in discussions

asking questions

Individual

- participation in discussions

asking and answering questions

- through exercises - self-learning

LEARNING RESOURCES AND MATERIALS

Learning

learners

- resources

- materials - IT

- Constitution, Article 77

- Law on Internal Affairs, Articles 2, 6, 38, 39 - Law on Police, Article 3

- Law on the Ombudsman

- Declaration on the Police - Council of Europe

Code of Police Ethics

- Guidance on the Manner of Conduct and Interrelations of Police Officers

- Ethics Resource Centre (2005), National Business Ethics Survey 1994

- 2005

- Rogen International Group (2005) Influential Leadership Communications Skills Programme, Presentation to Victoria Police Senior Management Leadership Development Programme, June 2005, Rogen International Ltd, New Jersey, USA.

- Flipchart, markers, white paper, board, computer, projector

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MANUAL FOR THE INSTRUCTORS

LA POLICE ETHICS

DURATION OF THE ASSIGNMENT: 9 CLASSES

Learning means and materials:

- Constitution, Article 77
- Law on Internal Affairs, Articles 2, 6, 38, 39
- Law on Police, Article 3
- Law on the Ombudsman
- Declaration on the Police Council of Europe
- Code of police ethics
- Guidance on the Manner of Conduct and Interrelations of Police Officers
- Ethics Resource Centre (2005), National Business Ethics Survey 1994 2005.
- Rogen International Group (2005) Influential Leadership Communications Skills Programme, Presentation to Victoria Police Senior Management Leadership Development Programme, June 2005, Rogen International Ltd, New Jersey, USA.
- Flipchart, markers, white paper, board, computer, projector

Expected results:

At the end of this LA, the police officers shall:

know:

- what is ethics, what is ethical conduct
- what is a system of personal values
- which acts of the police officers vilify the police
- how he has to act if he receives an unethical command from a manager

be able to:

- comply with the norms and standards of the everyday customary behaviour of the population
- adjust his behaviour to the environment in which he lives
- recognises ethical conduct of the police officer
- maintain high level of the system of personal values

THEMATIC UNITS OF LA:

- Thematic unit 1: Ethics
- Thematic unit 2: Ethical conduct of the police officer
- Thematic unit 3: Ethical conduct in management
- Thematic unit 4: Responsibility of the police officer towards the citizen, colleagues, and superiors and the accountability of the police officer

Activity 1: Thematic unit 1: Ethics

Duration: 1 class **Location:** classroom

Method of work: self-learning, discussion

Note for the instructor:

At the beginning, open discussion with police officers with regard to the question: What is ethics? Write down on the blackboard their thoughts and try to give a common definition. Give a short introduction about what is ethic and what it is not, and then switch to ethics in police work. Open discussion about what the ethical conduct of a police officer should be like?

Ethics and ethical conduct

Ethics most commonly addresses the issue of studying morality. Some are of opinion that ethics is linked to the feelings that tell us what is right and what is wrong, other think that it is linked to religious beliefs, some other that ethics means doing what the law imposes and others that it comprises standards of conduct accepted by our society, etc.

The meaning of the term *ethics* is hard to define, and the attitudes about ethics are not certain with many people since being ethical does not mean following somebody's feelings or identifying oneself with religion, and it also does not mean complying with the law or doing what is acceptable for the society. Then, the question "What is ethics?" arises.

Ethics are two things:

First, ethics relates to well established standards of the right and wrong that determine what people should do. **Second**, ethics relates to the study and development of someone's ethical standards. Ethics is also a continuation of efforts for studying our moral convictions and our moral behaviour.

Simply, ethics relates to the standards of behaviour, which tells us how human beings should act in a number of situations in which they can find themselves - as friends, parents, children, citizens, businessmen, teachers, professionals, etc.

According to the aforesaid, we can freely say that ethics is not:

- same as feelings;
- a religion;
- following of the law;
- following of the norms accepted in a civilised manner; and
- we can say that it is even not a science.

Can ethics be learned?

Most of the world's psychologists agree with Socrates' view, which is very old, that: Ethics consists of knowledge about what we should do, and such knowledge cannot be learned.

The personal integrity that actually defines the ethical conduct of a person is the essence of the police authority. Public has confidence in the police, if the police guarantee that their manner of performing their duties will be reflection of permanently consistent and high levels of integrity.

Nothing is more demoralising for special police departments or the entire police profession than disclosed scandals or disclosed acts of inappropriate or unethical conduct of the police. The value of the **integrity** of a police officer is measured by his **ethical** conduct.

Ethical conduct from the aspect of police practices presupposes "following of a certain set of standards of behaviour and actions that refer to accepted principles of what is right or wrong in the profession."

Activity 2: Thematic unit 1: Code of Police Ethics

Duration: 1 class **Location:** classroom

Method of work: discussion, group work

Note for the instructor:

Divide police officers into 5 (five) groups and give each group an assignment to elaborate three articles from the Declaration on the Police - Council of Europe - 10-15 minutes.

Afterwards, each group presents what it has done.

Code of Police Ethics

Major ethical requirements are imposed on the police. These requirements are expressed in various ethical codes, including a large number of norms that govern the conduct. The police officers are expected to comply with those norms in performing their police work, all with a purpose to meet the public expectations.

The "Declaration on the Police", adopted by the Council of Europe, contains various provisions relating to ethics. A police officer who accepts the provisions of this Declaration is entitled to an active moral and physical support from the community which he/she serves. The provisions are the following:

- 1. Fulfilment of duties provided for in the law is primary the responsibility of the police force and the police officer as an individual. Our police are in charge of protection of citizens and the community from violence, robbery and other harmful acts, as defined by the law. The policeman represents the entire community and its legally expressed will and is never an "extended arm" of any political or ethnic group.
- 2. Integrity, impartiality, and dignity are required from all members of the police forces. Among all institutions representing the authorities, the police are most "visible." Therefore, the police officer is the one who bears the responsibility for maintaining the honour and integrity of all governmental institutions. The police officer must be careful not to put himself/herself in a position in which any person can expect special compensation or in a situation where the public can reasonably anticipate that special compensation was granted.

Accordingly, the police officers should be resolute in refusing gifts, favours or benefits that can be considered by the public as a possibility for making influence on the judgment of police officers in performing their duties. He/she will also abstain and strongly oppose any acts of corruption.

- **3.** Torture and inhuman treatment, including short non-procedural actions and other forms of inhuman or degrading treatment or punishment remain forbidden under any circumstances. The police officer has an obligation not to obey or not to pay attention to any command or instruction that contains such measures. Any violation in this sense also means limitation of the fundamental rights of the victim.
- **4.** The implementation of an appropriate command, given by the superior officer, is requested from every police officer. In implementing the issued command, police officers must abstain from implementing a command which they know or should know is unlawful.
- **5.** Reacting in case of violations to the law is an obligation of all police officers in order to oppose to such violations. If a direct or an irrevocable or serious damage arises as a result of allowing violation to occur, the police officer will undertake an urgent procedure in his/her best possible manner.
- **6.** When reporting violation to the law, where there is not direct or irrevocable threat, the police officer must endeavour to prevent the consequences of this violation, or its recurrence, and report it to his superiors. If there are no results, he/she can report the violation to a higher authority.
- **7.** There would be no initiation of a disciplinary or criminal procedure against the policeman who refused to implement an unlawful command.
- **8.** Partiality and prejudice is not tolerated and the policeman will not participate in the search, arrest, detaining or handing over persons who have not been suspected of committing an unlawful act but have nevertheless been searched, detained or pursued because of their race, religion or political conviction. This would constitute breach of human rights.

- **9.** Responsibility is required from all police officers who will be held personally responsible for their actions and for the actions of obeying or not obeying order or for the omissions regarding the orders they have commanded, which were unlawful.
- **10.** The chain of command needs to be clear and understandable. With such a chain of command, it will be possible to determine the superior who is directly responsible for the acts or omissions of the police officer.
- **11.** Legal guarantees shall be established by the legislature, which gives a system of legal guarantees and assistance for any kind of damage resulting from the police activity.
- **12.** Use of force requires guarantee that all police officers, in performing their duties, will use all necessary solutions to achieve the goal that is legally requested or allowed. The police officers should never use more force than reasonably justified. Human rights may be violated by unnecessary or excessive use of force.
- **13.** All police officer should be given clear instructions that would guarantee that they possess clear and precise instructions according to the manner and conditions in which they should use fire arms.
- **14.** Obligations for medical care give assurances that the police officer, who has a person in need of medical care under his supervision, will provide such care by medical staff, and if necessary, will undertake measures to preserve the person's life and health. He/she will follow the instructions of doctors and other competent medical professionals when putting a detained person under medical care. Protection of life is the most fundamental human right.
- 15. Confidentiality requirement (keeping of confidential information) gives guarantee that the police officer will keep all issues of confidential nature of which he/she has become aware as a secret, except when performing his/her duty or when the legal regulations require otherwise. The right to respect privacy, family and private life is also an important human right.

Activity 3: Thematic unit 2: Ethical conduct of the police officer – System of personal values

Duration: 1 class **Location:** classroom

Method of work: self-learning, discussion

System of personal values

The system of personal values is a standard by which individuals define the socially acceptable behaviour for themselves, and may use it as a ground for judging the acts of others.

Although the virtues/positive traits of a personal system of values promote positive influence in managing the personal behaviour, they usually ignore individual differences when they are used for non-discriminating judgment of the actions of others. In its extreme, such systems may put the individual beliefs in conflict with the legally defined norms or behaviour.

Everyone has a set of personal values, according to which they judge not only their own actions, but the actions of others and the world as a whole. This can become a problem every time when there is an attempt of imposing personal beliefs on others or when a person is isolated from the community.

It is important for the police officers to recognise and admit to themselves when their personal values differ from the values of others, and when they are NOT necessarily the same as the ones stipulated by the law. The interference of the system of personal values with the legal values and standards can compromise the duties of the police officer, especially if these values are in conflict with the law.

Persons demonstrate solid ethical conduct when their actions are not under influence of others who may judge them. The true test of solid ethical conduct is when someone behaves in the same way in his/her private life as he/she would behave in the public.

Ethics is a quality that means being honest and always having high moral principles in any situation.

The ethical conduct of the police officer is a measure of demonstrated moral values, in various circumstances, which forms the reputation of the police officer's personality from the manner in which others interpret his/her actions.

Simply said, ethics is doing what is right, at the right time and with the right reason.

Nothing is more demoralising (undermining) for special police departments or for the entire police profession than disclosed scandals or

disclosed acts of inappropriate or unethical conduct of the police. Unethical conduct can ruin the professional career of a police officer. Being a superior when such unethical conduct is disclosed may also ruin one's career.

When a scandal affects the police service, the superior may lose his work or be degraded. Many of the violations that result in disciplinary measures or exclusion are due to omissions of the superiors or the failures of undertaking necessary procedures when addressing the acts of unethical conduct.

Rationalisation of the actions, depending on the presence or absence of witnesses, is based on the view that the way in which a person acts is under the influence of a situation of the person. A simple and practical explanation is: "His acts can be questionable in ethical terms, but from technical aspect, they are within the law."

Ethics is the manifested behaviour of a person that is under direct influence of the application of the acquired system of values formed from the level of the integrity of a person.

Activity 4: Thematic unit 2: Ethical conduct of a police officer - Police

challenges with regard to ethics

Duration: 1 class **Location:** classroom

Method of work: self-learning, discussion, group work

Note for the instructor:

The instructor divides police officers into 3 groups, and each group works 1 class for the preparation of a presentation, and on the second class each group gives its presentation.

First group: Maintenance of honesty and integrity

Second group: Values

Third group: Vilifying of the police service, loss of respect by the

community

Police challenges with regard to ethics

The value of integrity of the police officer is measured by his/her ethical conduct.

Police officers must strive to maintain high level of duty, honesty and integrity in everything they do, in performing their duties and in their personal life. The police officer must be a role model to other individuals in the society.

A. Maintenance of honesty and integrity is the major challenge that police officers may encounter as a problem. Development and maintenance of an honest police organisation is particularly difficult when facing routine temptations. Likewise, the police officer is the one who bears the responsibility for maintaining the honour and integrity of all governmental institutions. The police officer must be careful not to put himself/herself in a position in which any person can expect special compensation or in a situation where the public may reasonably anticipate that the special compensation was granted. Accordingly, police officers should be resolute in refusing gifts, favours

Accordingly, police officers should be resolute in refusing gifts, favours or benefits that can be considered by the public as a possibility for making influence on the judgment of police officers in performing their duties. They will also abstain and strongly oppose to any acts of corruption. One of the ways to provide high standard is to employ honest, moral and ethical people to enforce the law.

Examples from the practice:

A large theft was committed in a store for home appliances and computer equipment in the community area where the community policing officer X works. Many appliances were taken and great material damage was caused. Being long time on this beat, he knows the owner of the store.

The police officer X works in the field, collects information, finds a suspect and files criminal charges. As a token of gratitude for the discovered theft and compensation of damage, the store owner has given a laptop computer to the police officer X as a gift.

B. Values are the second important challenge for the police, especially in determining the peculiarities between the individual and the professional system of values. When professional decisions are made, the police officer should never mix his/her own individual values with the ones stipulated by law.

The execution of duties, stated in the Law is the primary responsibility of the police service, and of the police officer as an individual, but all those duties should be performed with integrity, impartiality and dignity. Among all institutions representing the authorities, the police are most "visible."

Confidentiality, i.e. the keeping of confidential information gives a guarantee that the police officer will keep as secret all issues of confidential nature, which he/she has become aware of. The right to respect of privacy, family and private life is also an important human right.

Examples from the practice:

- 1. A person named Trajko, who often drives his brother's car although he does not have a driving license, lives in the community area where the police officer Z operates. Since he is a hunter and often returns with rich catch, the police officer Z who is also a hunter goes sometimes for a hunt with Trajko. When the police officer Z meets Trajko driving the motor vehicle on his beat, he does not sanction him, which causes reactions in the part of the community.
- 2. Doing his policing duties, the police officer X notices a person named Mane leaving intoxicated a night bar late at night. The bar in the community is known for organised parties with dancers brought in illegally and for all kinds of services.

After some time the police officer X conveys this information to Jane, Mane's neighbour. Mane and Jane do not like each other and fight very often. Jane spreads the information through the community that Mane lives immoral life, gambles, goes to bars and uses the services of dancers, etc. The word comes to Mane's family and they have a domestic quarrel.

Vilifying of the police service, loss of respect by the community

Responsibility is required from all police officers who will be personally responsible for their actions and for doing or not doing things or omissions in the orders they have given, which were unlawful.

Unethical practices and performances by the police officers undermine their effectiveness and their constant efforts to defend from such allegations result in noticeable erosion of their reputation.

Unethical proceedings and conduct have many forms, such as:

- Excessive use of force
- Discrimination in police practices
- Violation of human rights
- Partiality and arbitrary practices in the law enforcement
- Misconduct (abuse of the office)
- Corruption and criminal offences
- Bribe and extortion
- Dissuasion of police sources
- Practice of fraud
- Lack of public accountability

Activity 5: Practical exercises - examples from practice

Duration: 1 class **Location:** classroom

Method of work: discussion

Note for the instructor:

The instructor indicates examples from the practice to the learners and they discuss about unethical conduct.

Examples from the practice:

1. Excessive use of force

The police officer J intervened in the community area to settle a fight. Although the persons were separated and calmed down, the police officer J used the baton against one of the participants in the fight who frequently violates the public order, and hit him over his hands twice telling him that he was fed up with his behaviour and that this was punishment for his conduct.

2. Discrimination in police practices

People from different ethnic group have settled in the community policing area of the police officer C. Although they are exemplary citizens and do not disturb the customary conduct and they do not make any violations, the police officer C visits this part of the area more often since he has certain prejudice towards this community. He controls the members of that ethnic community more often, makes different controls, keeping them longer than required and in communication with them he is impertinent and uses a vulgar language.

3. Breach of human rights - Freedom of religion

A person X, who has religious belief characteristic of the Roman Catholic religion, lives in the community policing area of the police officer B, although all the citizens in the neighbourhood are of Turkish nationality. The police officer B does not like this and he is in constant communication with the person X suggesting him that he should change his religion, that this is not a good choice.

4. Partiality and arbitrary practice in law enforcement The police officer tolerates a certain group of citizens and does not

sanction their violations because they originate from his native place (fellow citizens).

5. Misconduct (abuse of office)

With the official vehicle that he uses to perform field work, every day the police officer A. takes his child to the kindergarten, which is on the opposite part of the town.

6. Corruption and criminal offences

For official measures and activities performed in the field, the police officer X requests certain compensation from citizens for detected criminal offences. He has detected the thief who had robbed the home appliances store and he demands a laptop computer from the store owner as compensation.

7. Bribe and extortion

The police officer X should write a sanction for a minor offence to a citizen who violated the public order and instead of issuing him an order for charging a fine, he asks the citizen to pay him lunch in a nearby tavern.

8. Dissuasion of police sources

Acting on a voluntary ground in order to feel safe in the community where he lives, a citizen frequently gives information to police officers regarding the committed criminal offences. The police officer X meets the citizen and tells him that his identity may be disclosed, that there might be some consequences for him from persons that he reported, and there might be some consequences for his family, and in this way persuades him not to cooperate with the police in the future.

9. Practice of fraud

The police officer X, during the community policing, promises to a citizen that he will help him obtain a permit for the purchase and possession of firearm, even though he knows that the person was convicted in the past and does not meet the requirements for this.

10. Lack of public accountability

In the community where he works and lives, the police officer X behaves rudely, he is frequently drunk, enters into disputes with his neighbours, etc. Neighbours react to this and frequently avoid communication with him.

Activity 6: Thematic unit 3: Ethical conduct in management

Duration: 1 class **Location:** classroom

Method of work: self-learning, discussion, group work

Note for the instructor:

Discuss with police officers why it is needed to have a clear command structure and appointment of competencies within the police. Elaborate the part of the Code of Police Ethics regarding the police organisation and the general principles of the police intervention, as well as the Guidance on the Manner of Conduct and Interrelations of Police Officers - the part for the management and conduct of the managerial police officers. Discuss with police officers about the responsibility of the managing police officers for the work of official persons.

The police organisation should have a clear command structure and allocation of competencies within the police. It should be possible at any time to determine who is responsible for a certain act or omission made by police officers.

The managing (commanding) staff should have sufficient operative responsibility in order to be able to make independent operative decisions. These decisions must be in proportion to the laws and should be subject to review by the legislative, executive and judicial authorities.

Although democratic governments most often participate in the appointment of the highest police managing persons, other jobs and promotions should remain an internal police issue where the governing structures have the right only to check and verify the transparent results of the choice. Additional transparency may be obtained through inclusion of service commissions or civil supervisory bodies.

Decentralisation and reallocation of resources management and decision-making are particularly important in the context of the police work in the community.

According to the Code of Police Ethics, the police organisation provides clear hierarchy of commands within the police, whereby it is always possible to determine the person with the ultimate responsibility for an action, disregard or omission of members of the police.

Members of the police are obliged to comply with the written and oral commands of their superiors, pursuant to the law and by-laws of the Ministry of Internal Affairs.

Members of the police execute the commands given by their superiors, abstain from executing illegal commands and inform their superiors about given and executed commands. Members of the police, without fearing sanctions, must abstain from execution of unlawful commands that constitute commitment of a criminal offence.

Members of the police are obliged to perform their duties in an honest and just manner, guided by the principle of impartiality and equality of all citizens.

According to the **Guidance on the Manner of Conduct and Interrelations** of Police Officers:

- Managing police officers exerts maximum efforts in the management for execution of the assigned duties, with full compliance with the principle of legality in the work of police officers;
- They take care about constant improvement of professional qualification and psycho-physical readiness of the police officers;
- They take care about discipline and accountability in the work of police officers and control their performance of the police job;
- They take care about the working conditions, health of the police officers and get acquainted with their abilities, habits and affinities.
- With their work and behaviour at the workplace and outside it, they serve as a role model and influence educationally on other police officers, and
- They take care about the implementation of measures for occupational safety and protection of police officers.

The managing police officer reviews and studies every claim, request or complaint. If he/she is competent for the proposed context, he/she resolves it immediately, and no later than 15 days from the date of receipt; if he/she is not competent, he/she gives his opinion to the competent managing police officer within 5 days, with a purpose of its further resolution.

If the police officer files a complaint against another police officer for incorrect conduct, the managing police officer warns him and strives to overcome the situation.

The police officer who manages the organisational unit issues written or oral commands to the police officers from the same organisational unit for the performance of the police works.

The oral command may be issued directly, via the communication means, or by a courier, only when there are not possibilities for it to be issued orally.

The person receiving the oral command may ask the person issuing the command to confirm it additionally in writing.

After the issued command, the police officer should confirm whether he has understood the command, and to repeat it upon the request of the managing police officer.

After the execution of the command, the police officer, upon the request of the managing police officer, prepares a written document with regard to the executed command.

The commands issued by the police officers should be clear, timely, specific, and unambiguous and complete, so that the police officers to whom they relate may understand them completely.

The managing police officer, who issues a command, also provides means for their successful execution.

The managerial level must undertake **responsibilities for the work of officials** and must check whether the code of conduct and the human rights are complied with through regular unscheduled and scheduled checks.

Senior police officers will also be responsible, if they know or should know that the police officers under their command breach human rights, regulations or the Law, while performing their police duties.

The supervisory system of reporting and regular analysis of these reports should assist in foreseeing the trends, improve training and safety of employees, and provide timely information to the service in resolving the problems of the citizens. Timely and accurate informing helps in the maintenance of credibility of the service.

A number of strategies that can help senior police officers with regard to ethical conduct in management: (according to Rogen International Group (2005) Influential Leadership Communications Skills Programme, Presentation to Victoria Police Senior Management Leadership Development Programme, June 2005, Rogen International Ltd, New Jersey, USA)

Strategy 1: Establishment of an open communication with the employees

Encouraging open communication, constructive dialogue and mutual trust between the employees and the managing police officers helps them in their professional work at the workplace. These are important elements of a culture that does not protect, tolerates or conceals abuse and corruption. These discussions can help develop a better picture for all issues or potential areas of concern for your employees and your job.

Managing police officers should not wait for an incident to happen or an incident to be reported before they start building strategies for the improvement of awareness of employees about their professional and ethical responsibilities. Establishment of the importance of professional standards exists from the beginning of your relation with your employees.

Strategy 2: Guide - talk with a positive example

Talking with the employees about how they should identify themselves, assess and address ethical problems, will help them develop a capability to recognise ethical dilemmas and equip them to act adequately, if they face unethical conduct. By creating possibilities for sincere discussions about performances, ethics and problems, you should encourage them to talk more openly with you with regard to these issues and build their confidence so that they would be able to confide to you if they witness misuse or corruption.

Sharing personal stories or examples from one's own life will encourage others to do the same. These discussions will raise awareness about the importance of the ethical and professional conduct and can be an important step towards the readiness for reporting inappropriate behaviour and corruption. Moreover, with your personal positive relation, demonstrate positive example of conduct.

Strategy 3: Provision of support and information

When a report is made, adequate support should be given to the employee who has filed the report, as well as to other employees at the workplace until this issue is fully resolved.

When you provide support for the employee who has filed the report, it is important to take into account the privacy and confidentiality of that person and of others around him/her.

Strategy 4: Show that you should not tolerate "maturation" or reprisals by the staff

Warning about potential for "maturation" and revenging actions by other employees is a part of building of professional work. It is of crucial importance for your employees to be aware that no reprisals by other employees will be tolerated against those who have raised an issue of inappropriate conduct with you. All your employees should be aware of your effective strategies to respond quickly in order to protect any employee who has reported inappropriate conduct against any negative consequences. Your strategies may include public strengthening of the accomplishments from responsibility and practices, as well as making your staff aware that anyone who speaks or behaves as a violent person or ill-treats a colleague will be deemed to have committed a criminal offence.

Strategy 5: Determination of false reports and unfounded accusations

You may receive a complaint based on personal dissatisfaction. Maliciously motivated false complaints are rare, but as a senior police officer, you should be aware of possible personal dissatisfactions within a working place.

Activity 7: Practical exercise

Duration: 1 class **Location:** classroom

Method of work: self-learning, discussion

Note for the instructor:

The police officers are instructed to write anonymously on the paper a specific example of unethical behaviour in management by their managers and leave the examples at a place that guarantees anonymity. Examples are then reviewed individually and a joint attitude about whether the behaviour was unethical is taken.

Activity 8: Thematic unit 4: Responsibility of the police officer towards the citizen, colleagues, and superiors and accountability of the police officer.

Duration: 1 class **Location:** classroom

Method of work: discussion, group work

Note for the instructor:

Discuss with the police officers about the methods of control of the police work.

Divide the police officers in two groups, allow them five minutes to prepare the presentation and then let a representative of each group make the presentation:

First group: Professional consequences Second group: Personal consequences

In accordance with the Code of Police Ethics, members of the police are personally responsible and accountable for their activities, disregards and omissions, as well as for commands received from their superiors and those given to their subordinate officers.

The police are responsible before the state, before the citizens and their representatives through the internal and external control of their work.

Internal control is realised through a special organisational unit for the needs of the Ministry that carries out procedures for the assessment of the legality of conduct of an employee in the Ministry.

External control of the work of the Ministry is performed by the Assembly and the Ombudsman.

With the purpose of development of relations between the police and the public, it is necessary to promote the mechanisms of accountability, based on the communication and mutual understanding between the police officers and the public. Police officers are responsible for their actions before the citizens.

In case of violation of the constitutional and legal rights by the police officers, the citizens may also request protection of these rights from the Ombudsman.

Nowadays, the police operations, as well as their errors are becoming increasingly visible and announced due to the great transparency in our society. A trial of a police officer is irresistible sweet news for modern media. Negative publicity that is generated is devastating when there is no

visible effort for prevention of the recurrence. A single incident of unethical behaviour may turn the most reputable police service into a least respected one within one day.

For their unethical and unprofessional operation, police officers will have professional and personal consequences of such behaviour, in addition to breaching the law and misdemeanour or criminal sanctions being undertaken against them.

A. Professional consequences

Unethical behaviour can destroy the professional career of a police officer. Being a superior officer, when such unethical conduct is disclosed, it may also ruin one's career. When a scandal hits the police service, the superior can lose his job or be degraded, while others may keep their jobs. Many of the violations that result in disciplinary measures or exclusion are due to omission of superiors or their failure to undertake the necessary procedures when addressing acts of unethical behaviour.

B. Personal consequences

Unethical acts also have personal consequences. If a police officer sees his name or a photograph on TV or finds them in the headlines in a newspaper in relation to corruption, he/she will face serious public humiliation for himself/herself and his/her family. Even if the police officer is subsequently acquitted, he/she will have problems to return in the service.

The stigma that results from the allegations about unethical behaviour will last forever, even in the personal life. In addition, police officers who have lost their jobs due to unethical behaviour do not have a bright future. Employers who would like to hire someone fired for unethical behaviour or convicted persons for corruption are rare. There have been cases when incriminated police officers have committed suicide. Thus, by preventing unethical behaviour, police officers help preserve the lives of their colleagues, as well as maintain the good reputation of the police.

In performing the police work, police officers should not receive rewards or any other property gain from natural or legal persons.

The police officer warns the other police officer when the latter acts contrary to the provisions of the Guidance. If the warned person does not accept the advice and change his behaviour, the former police officer will notify the direct managing police officer thereabout.

The police accountability means that police work – starting with the individual behaviour of every police officer, and the strategies for police operations, procedures for appointment or managing of the budget, is monitored by many supervisory institutions.

The police inform the public objectively about their activities, pursuant to the principles of confidentiality of data, which are complied with a purpose of protection of the personal integrity of citizens, complying with the principle of presumption of innocence, as well as the reasons for a criminal proceeding and for that purpose professional procedures for contacts with media are established.

The police must serve the public and be accountable before the public it serves.

The essence of the police is the public service. In democratic societies, the police keep the public safety. They are responsible before the public in implementing this assignment.

Openness and accountability are the essential aspects of the role of the police in a democratic society. When a controversial issue arises, the police must be ready to respond to the public requirements and to maintain the confidence of the citizens. It is preferred that the public confidence in the police is raised with urgent reactions and investigations about the controversial incidents and public presentation of known results as soon as possible.

One of the fundamental requests for the public confidence in the police services is a trust in the fact that the members of the police are responsible for ill-treatment of the citizens or the public accountability. This trust does not exist with certain parts of the population – especially among marginalised groups, which have the most frequent contacts with the police. In addition, it is clear that the main precondition for assurance of the public that the police are committed to improvement and protection of human rights is the belief in the fact that the police will not abuse these rights. And the best way to create this belief is to convince people that in case of a complaint there will be fast, efficient and independent mechanisms for control and verification of complaints.

In implementing their powers, the police must demonstrate that they adhere to the internationally recognised human right standards. Torture and other forms of inhuman and degrading police proceedings should not remain unpunished in any case.

Activity 9: Chronological exercise for non-ethical conduct of the police officer

Duration: 1 class - Practical exercise – (self-learning,

preparation for presentation)

Location: classroom

Method of work: discussion, group work, practical exercise

Note for the instructor:

The instructor reads the scenarios in phases and afterwards discusses with the police officers how they would act or what their opinion is about the conduct of the police officers in the scenario.

The candidates are presented a video-scenario about unethical conduct.

SCENARIOS ENCLOSED TO LA SHOULD BE ELABORATED WITH THE POLICE OFFICERS.

SUMMARY:

In undertaking official measures and powers, the police officers should act with utmost professionalism and legality in order to manifest a developed ethical person, who will apply the law equally to all citizens. Only with the developed strong integrity of a person with set clear values, the police officers will be able to respond to everyday challenges in the service and remain on the side of professional conduct and enforce the law.

Communication and conduct among colleagues should always be with mutual respect and trust. In the communication with citizens, the police officers behave with respect of their personalities and dignity.

In the police work related to citizens, consideration is always given to the responsibility and accountability of police officers.

Managing police officers contribute with their personal examples to the professional conduct of police officers and abstain from unethical management.

Likewise, in their private life, the police officers should be a positive model in everyday behaviour, adjust themselves to usual norms and standards of living in the direct environment.

QUESTIONS:

- What is ethics?
- What is the system of personal values?
- What are the most common forms of unethical conduct of the police officers?
- What are the most common cases of unethical conduct in management?
- What is the responsibility of a police officer for unethical behaviour and what are personal and professional consequences of unethical behaviour?

BIBLIOGRAPHY - REFERENCE:

- Constitution
- Law on Internal Affairs
- Law on Police
- Law on the Ombudsman
- Declaration on the Police Council of Europe
- Code of Police Ethics
- Guidance on the Manner of Conduct and Interrelations of Police Officers
- Ethics Resource Centre (2005), National Business Ethics Survey 1994 2005
- Rogen International Group (2005) Influential Leadership Communications Skills Programme

Presentation to Victoria Police Senior Management Leadership Development Programme, June 2005, Rogen International Ltd, New Jersey, USA.

SCENARIO CONCERNING ETHICS 1:

Police officer Mile M. has been assigned to patrol in the City Park in Skopje since he lives in the vicinity and sometimes eats in the Sofka Restaurant. The owner of the restaurant, Stanislav H, is very kind with the police officers and knowing that the man is a police officer offers him free meals and drinks.

In your group, answer the following question:

1. Would the police officer have problems if he accepted the offered meal and drink from the owner of the restaurant? State the reasons for your answer.

SCENARIO CONCERNING ETHICS 2:

Mile M. knows that many of his colleagues eat and drink for free in the restaurant. Today, Mile M. and one of those colleagues have an assignment to check the allegations that Dragan H., son of Stanislav, is dealing drugs. Stanislav knows that the police officers are investigating the case and when they come to visit him he asks both of them not to be very harsh towards his son.

- 1. Do you think that there would be a dilemma for the police officer and his colleague in such a situation?
 - 2. If there was, what would the dilemma be?
 - 3. How is the police officer supposed to resolve this dilemma?

SCENARIO CONCERNING ETHICS 3:

Time passes, and in the next two years Dragan H. will have been arrested four times on suspicion of drug dealing. Everyone is aware that he and his father are selling drugs to minors throughout the country, and they are even under suspicion that they have sold or tried to sell drugs to police officers' children. Every time he was arrested, Dragan H. was released because of lack of sufficient evidence. The team did not have enough time to completely investigate the case due to obligations, and this situation has caused anger and frustration in them, so they think it was high time something was undertaken with regard to this.

Discuss about the following within the group:

- 1. In your opinion, what method can the group use in order to circumvent the rules in the interest of truth and whether this would be acceptable under such circumstances?
- 2. Would you take into account the use of force in order to force him to admit certain things?
- 3. Would you take under consideration modification of the official report in order to help collect evidence?
- 4. Would you take under consideration falsifying evidence in order to send this dangerous dealer into prison?
 - 5. Would you ask your colleagues to do something of the aforementioned?
- 6. What would you do if you became aware that some of your colleagues have done something of the aforementioned?
 - 7. Do you believe that there is a rule of silence among police officers?

SCENARIO CONCERNING ETHICS 4:

There is again sufficient evidence for the arrest of Dragan H, but during the investigation the police officer Mile M. receives information from two independent sources that his best friend and colleague is helping Dragan H. The information is that outside the working hours, the friend drives vehicles full of narcotics and uses his police badge to avoid the control points.

If you were in the shoes of the police officer, discuss in your group about the following:

- 1. What would you do and what would be the consequences of your action for you?
- 2. What would you honestly do and what would be the consequences of your action for you?

After Dragan H. is detained by the police, he refuses to answer the questions and a colleague, from mere frustration, hits him strongly several times. The colleague asks the police officer not to tell anyone about the incident because he may lose his job, and since they were the only ones there at that time, nobody else will know.

- 1. Has the colleague committed a criminal offence?
- 2. Has the colleague breached the human rights of suspects?
- 3. If you were the police officer, what should you do?

- 4. If you were the police officer, what would you honestly do?
- 5. If you are a police officer and you undertake nothing, can you state some of the possible problems that you may encounter in the future?

SCENARIO CONCERNING ETHICS 5:

Against his own beliefs, he (Mile M.) decides to help the colleague by telling nothing about the incident. The police officer Mile M. subsequently becomes aware that the colleague planted evidence, which was instrumental in Dragan H. being convicted and sentenced to imprisonment.

- 1. What would a police officer undertake and what are the possible consequences of the undertaking?
- 2. What do you sincerely think that the police officer will do in such circumstances?

SCENARIO CONCERNING ETHICS 6:

The police officer Mile M. does not undertake any action and several years later he is promoted to a managing position. The colleague that hit the suspect is still working with the police and is now subordinate officer to Mile M. Mile M. discovers that the colleague has breached a major rule again, for which he is required to write a report, which would probably be a reason for his dismissal. The colleague comes to the police officer's office and reminds him of the incident with Dragan H., who is now released from prison, and how Mile M. said nothing about his behaviour at the time. Therefore, he asks Mile M. not to submit the report at all, or to falsify the report without writing anything about his involvement, pointing out that if Mile M. does not do this, he would pull him down with him.

- 1. What was the police officer supposed to do in order to avoid finding himself in such a position at the very beginning?
- 2. In your opinion, what should or could the police officer do under such circumstances?
 - 3. What lesson can be drawn from this scenario?

LEARNING ASSIGNMENT: 1.3 BASIC HUMAN RIGHTS AND FREEDOMS

Introduction:

This LA is intended to offer an overview to the police officers of the structure for the human rights protection. High quality police work is the police work that is effective and lawful. One of the roles of the police in a modern democracy is to protect the fundamental rights of citizens, defend their human rights and freedoms and maintain public order and social security. This must be done through rules and practices that are lawful, humane and disciplined. This means that it is necessary for the police to implement and respect the legal regulations that protect and preserve human rights.

This LA will cover these rules and procedures that refer to human rights and everyday functioning of the police. Given that this assignment is about "Fundamental human rights and freedoms" and covers the bases of the rules on human rights, it should not be supposed that interest in this important issue will cease when the police officers leave the classroom, that is, it is expected that the police officers apply these rules in their everyday professional life. This learning assignment is intended to emphasise the meaning of human rights and freedoms in the implementation of the police function.

The police possess special powers (including the possibility for the use of force) in order to deprive people of their liberty temporarily, to restrict the full exercise of their rights (e.g. stop them, interrogate them, detain them and deprive them of liberty, seize their property, take their fingerprints, take their photos and make personal search), while in extreme cases it can even use lethal force. In addition, on many occasions, the police have the right of discretion to decide whether and how they will use these powers. In any case, police officers always have to adhere to the rule of law in accordance with the best international standards and procedural rules and strategies, which are prescribed in the applicable national and local laws. In performing their duties, police officers must respect and protect human dignity and preserve and protect the fundamental human rights, as well as the civil and political rights.

Ironically, the police are concurrently the main support and the main threat to a democratic society. When the police are managed according to laws, they protect the democracy through personal example for the compliance with the laws and in combating crime. Therefore, one element in defining a democratic society is a police service that:

- are subordinated to the rule of law, emphasising the values and the respect of human rights opposite to the wishes of the political leaders or parties;
- can intervene in the lives of citizens only in limited and carefully defined circumstances;
- are responsible before the public.

The Constitution prescribes that one of the fundamental values of the constitutional order is: "basic freedoms and rights of a man and a citizen, recognised by international law and stipulated by the Constitution." This is emphasised in a number of laws (Law on Internal Affairs, Criminal Code, Criminal Procedure Code, etc.).

As a supplement to domestic laws, attention should also be paid to the international instruments on human rights. The majority of these instruments are legally binding and must be complied with and implemented by the Government and its state institutions, and thus by the police as well.

Summary

Human rights and freedoms as the most sensitive segment of the social living are defined as those rights that are contained in the international acts and documents and accepted by a large number of countries as a constituent part of their national legislation. The starting points of the entire concept are: life and dignity of the human being. The Constitution warrants civil and political freedoms and rights, in addition to economic, social and cultural rights.

One of the fundamental functions of the Ministry of Internal Affairs is protection of life, personal safety and property of citizens. This is the very direction towards which the Ministry has a strategic goal in order to develop continuously into a democratic institution, which will guarantee the personal safety of a citizen, primarily through the protection of life and property in a legal, qualified, transparent and professional manner. Furthermore, the Ministry is a pillar of the safety of the community, i.e. through professional conduct in their work, police officers provide protection to the sovereignty and integrity of citizens. It is respect of human rights by the security services that actually increases their efficiency.

On the one hand, the police officers appear as a service to citizens, i.e. through their work they enable protection of citizens, human dignity and implementation of human rights. On the other hand, the fundamental principles of democracy, humanity, non-discrimination, etc. should be respected in undertaking the police powers. It is this second case that is a reason for raising the awareness of the police officers about the crucial meaning of the human rights and freedoms.

MAIN POINTS:

- Human rights and freedoms
- International documents that protect human rights and freedoms
- National legislation that guarantees human rights and freedoms
- Respecting human rights and freedoms in everyday policing

THEMATIC UNITS OF LA:

- Thematic unit 1: International documents (international agreements and declarations) that protect human rights and freedoms
- Thematic unit 2: National legislation that guarantees human rights and freedoms

Core activity:		Ethical co	onduct and respect of human rights in police proceedings	
	Learning assignment: Fundamental human rights and freedoms			
Date:			Performance of the learning assignment - location:	Organisational units in MoIA
Version	ր:	4	ltem:	1.3
	Comp	etencies		

×	1. acts in accordance with the defined role and duties of the police		
×	2. implements the authorisations		
×	3. uses means of coercion		
	4. implements various types of controls, checks and		
×	court orders		
×	5. provides assistance		
	6. uses material and technical resources		
	7. drives vehicle safely with priority of passage		
	8. drafts and writes any type of report		
	9. takes initiative in work		
×	10. prioritises		
	11. accepts a task from a competent person		
	12. protects fundamental human rights and freedoms		
×	of citizens in the modern democracy		
×	13. communicates, coordinates, and analyses		
×	14. works in the spirit of democratic processes		
×	15. enforces the law and respects the rule of law		
×	16. uses communication skills		
l	17. establishes and builds a close relation with		
×	citizens		
×	18. recognises and resolves their problems		
×	19. knows the social and ethnic structure		
×	20. respects diversities		
×	21. provides assistance to anyone		
×	22. respects cultural and other values		
	23. communicates in English language		
	24. constantly upgrades himself/herself		
×	25. listens and asks questions		
×	26. knows how he/she can learn		
	27. accepts well-intentioned criticism and		
×	suggestions		
×	28. notes what is negative and removes it		

Work	ng pattern	king pattern	
	a. introduction into events	a. introduction	
	b. planning with goals and specific assignment	b. planning wit	
×	c. surveillance, preventive and operational work		
×	d. communication with citizens		
	e. information, use of material and technical means, radio communication, etc.		
×	f. provision of assistance - service to the citizens	f. provision of	
×	g. performance of work assignments	g. performanc	
×	g. respect of human rights	g. respect of h	
×	i. application of authorisations	i. application o	
×	j. submission of reports	j. submission o	

		,
		Date: 19 September 2014
Learning ass	ignment: version for learners	Item: 1.3
Core activity	Ethical conduct and respect of human rights in police proceedings	Version: 4
Learning assignment	Fundamental human rights and freedoms	Location: Organisational units in MoIA
		Required time: 3 classes
Description	This LA is intended to offer an overview to the police officers of the structure for protection of human rights. High quality police work is police work that is effective and lawful. One of the roles of the police in a modern democracy is to protect the fundamental rights of citizens, defend their human rights and freedoms and maintain public order and social security. This must be done through rules and practices that are lawful, humane and disciplined. This means that it is necessary for the police to implement and respect the legal regulations that protect and preserve human rights. This LA will cover these rules and procedures that refer to human rights and everyday functioning of the police. Given that this assignment is about "Fundamental human rights and freedoms" and covers the basis of the rules on human rights, it should not be supposed that interest in this important issue will cease when the police officers leave the classroom, that is, it is expected that the police officers will apply these rules in their everyday professional life. This learning assignment is intended to emphasise the significance of human rights and freedoms in the implementation of the police function. Example of a situation: As a police officer in the group for interventions, you have deprived of liberty a person who was reported for burglary, and afterwards you took him to the police station where you work with an intention to detain and interrogate him. You have known this person for a long time as a perpetrator of the same criminal offences and you used a baton because of the insulting words addressed to you. You did not inform him about the reason for taking him into the	

	police station. In the station, you request that the person is placed immediately in the detention cell and you do not pay attention at all to his requests for medical assistance, although he is complaining about pain in his back as a result of the strikes with the baton. The detained person asks to call home and his lawyer, but you tell him that he will be allowed to call his parents later and to not even think to call a lawyer. After some time, your colleagues bring another person into the station – the actual thief, and you release and free the first detained person without any explanation. You prepare an official document, a report related to the use of the means of coercion.	
Expected results	At the end of this LA, the police officers will: know: to make an overview of the structure for protection of human rights, which should be applied during police proceedings. to respect the legal regulations that protect and preserve human rights. to respect the fundamental human rights and freedoms of citizens. be able to: implement and respect the legal regulations that protect and preserve human rights protect the fundamental human rights and freedoms of citizens in a modern democracy respect diversities, cultural and other values	
Legal framework	Constitution and Amendments to the Constitution I - XXXII European Convention on Human Rights Universal Declaration of Human Rights	
Questions from the LA	What are the international legal acts that regulate the human rights and freedoms? What is the fundamental role of a police officer with regard to human rights and freedoms? What legal acts in our country regulate the human rights and freedoms? What rights and freedoms are guaranteed by the Constitution?	

		Date: 19 September 2014	
Learning assignment: version for instructors		Item: 1.3	
Core Activity	Ethical conduct and respect of human rights in police proceedings	Version: 4	
Learning assignment	Fundamental human rights and freedoms	Location Organisational units in MoIA	
		Required time: 3 classes	
ORIENTATION			
Participants will be oriented towards the learning assignment	and its essence has to be explained Previous knowledge and experience of the police officers related to the learning assignment should be activated It should be discussed with them why they are required to master		
Planning of the learning activities - Methods - Time - Schedule - individual/ group learning activities	The learning activities will be implemented through - training in the classroom or another adequate area instructor's choice Training for the learning assignment will be implem 3 activities for the 2 thematic units according to the schedule: Activity 1: Thematic unit 1: International document agreements and declarations) which address human freedoms – the Universal Declaration of Human Right Duration - 1 class Location - classroom Method of training: Discussion, self-learning, group practical exercises Activity 2: Thematic unit 2: National legislation that human rights and freedoms Duration - 1 class Location - classroom Method of training: Discussion, self-learning, group Activity 3: practical exercises and examples Duration - 1 class Location - classroom Method of training: Discussion, self-learning, group practical exercises	assignment will be implemented through natic units according to the following 1: International documents (international ons) which address human rights and Declaration of Human Rights ssion, self-learning, group work and 2: National legislation that guarantees assion, self-learning, group work ises and examples	

Thematic units of LA: 1. International documents (international agreements and declarations) that address human rights and freedoms 2. National legislation that guarantees human rights and freedoms - Discuss - What do - Group work the police Practical exercises officers do? - Results - They acquire competencies for implementation of the LA **PERFORMANCE** Roles of the Preparation of the instructor - give instructions, directs and facilitates instructor - prepares specific assignments and provides assistance in - guiding the police discussions officers - observes the learning process - asks and answers questions - Control of Implementation of the assignment the learning - gives assignment - group discussion - the instructor takes care that the police officers follow the rules for processes feedback and reflection - the instructor takes care that all police officers receive feedback from the monitoring of their portfolios **EVALUATION - ASSESSMENT** - participation in discussions **Evaluation** - in the group - participation in group work with the - feedback and reflection police officers - individually with the police officers LEARNING RESOURCES AND MATERIALS - Constitution and Amendments to the Constitution I - XXXII - resources - materials - European Convention on Human Rights - IT - Universal Declaration of Human Rights Flipchart, paper, markers, computer **PREPARED** Dragana Kiric-Trpovski, Senior Adviser BY/AUTHORS Who is The task group within the project: responsible Noiko Stoicevski, Senior Adviser Lecturer/Instructor for the Aco Kamcev, Senior Adviser

Rozalita Dojcinoska, Police Adviser

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Arben Jashari, Adviser Instructor Blagoja Stojanovski, Senior Inspector

Jovan Ilievski, Public Prosecutor

External members:

learning

assignment?

MANUAL FOR THE INSTRUCTORS

LEARNING ASSIGNMENT: FUNDAMENTAL HUMAN RIGHTS AND FREEDOMS

DURATION: 3 CLASSES

Learning resources and materials:

- Constitution and Amendments to the Constitution I XXXII
- European Convention on Human Rights
- Universal Declaration of Human Rights
- Flipchart, paper, markers, computer

Expected results:

At the end of this LA, the police officers will:

know:

- to make an overview of the structure for protection of human rights, which should be applied in police proceedings.
- to respect the legal regulations that protect and preserve human rights.
- to respect the fundamental rights and freedoms of humans and citizens.

be able to:

- implement and respect the legal regulations that protect and preserve human rights.
- protect the fundamental rights and freedoms of humans and citizens in a modern democracy.
- respect diversities, cultural and other values.

THEMATIC UNITS OF LA:

- Thematic unit 1: International documents (international agreements and declarations) that address human rights and freedoms
- Thematic unit 2: National legislation that guarantees human rights and freedoms.

Activity 1: Thematic unit 1: International documents (international agreements and declarations) that address human rights and freedoms

Duration: 1 class **Location:** classroom

Method of work: Discussion, self-learning, group work

Note for the instructor:

Open a discussion with the police officers in order to check their previous knowledge about the regulation of human rights in international documents, and then by reading and giving their own explanation of certain articles of the Universal Declaration of Human Rights and the European Convention on Human Rights, help them understand correctly the essence of the read material.

Ask police officers to tell what human rights they know, and afterwards open discussion with them using some of the questions below in order to check their previous knowledge and introduce them into the matter of human rights:

- What international legal acts do they know that regulate this matter?
- What is the fundamental role of a police officer with regard to human rights?

In its further exposition on this subject, the instructor has to explain to the police officers the international and national regulations on human rights.

The instructor divides the police officers into 7 groups, out of which 5 groups are studying 6 article of the Declaration each and 2 groups are studying 7 articles of the Convention each. The groups work 10 minutes on the preparation of presentation and afterwards one representative of each group makes presentation in front of the others.

WHAT ARE HUMAN RIGHTS?

Human rights are derived from the inherent human dignity and they are values of all human beings. They are universal, inalienable and equal.

Nobody has the power to deprive another person of these rights arbitrarily for whatever reason, and this sets the basis of the international and domestic legal protection, as we noted in the previous exposition.

They are inherent/inalienable for each individual, regardless of race, colour, sex, language, religion, political or other beliefs, national or social origin, property, birth status or any other status.

In implementing their powers, the police must demonstrate that they adhere to the internationally recognised human right standards. Torture or other forms of inhuman and degrading treatment, either of citizens or of apprehended persons are incompatible with these principles and cannot be treated otherwise than as a misuse by the police officers. Human rights are based on the dignity and treatment of all human beings as universally equally valuable. This means that they refer to every human being, they cannot be taken away or decreased by anyone and everybody exercises them to the same extent – regardless of the race, colour, sex, language, religion, political or other beliefs, nationality, wealth, place of birth or any other status.

WHERE DO HUMAN RIGHTS COME FROM?

There are many international agreements and declarations that protect human individual freedoms. The best known is the Universal Declaration of Human Rights from 1948, which was adopted after World War II. Nevertheless, the agreement that we are most concerned with is the European Convention on Human Rights. The Council of Europe adopted it after World War II in order to strengthen the UN Declaration.

The Convention remains the major achievement of the Council of Europe and it may be considered a direct successor of many historical documents that have treated the issue of human rights.

For example:

- •1215 Magna Carta
- •1689 Bill of Rights (Collection of rights)
- •1776 US Declaration of Independence
- •1789 French Declaration of the Rights of Man and of the Citizen

The Universal Declaration of Human Rights was proclaimed in 1948 by the United Nations, recognising the importance of human rights throughout the world. This Declaration has 30 articles, which emphasise the fundamental human rights that belong to all people in the world.

The Declaration is binding as an authoritative interpretation of the human rights obligations, and it is considered a part of the international legislation.

The content of the Universal Declaration is further elaborated through the International Covenant on Civil and Political Rights (1976); International Covenant on Economic, Social and Cultural Rights (1976) and its two binding Protocols; Convention on the Elimination of All Forms of Racial Discrimination of 1965; Convention on the Elimination of All Forms of Discrimination against Women - 1979; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984; International Convention on the Rights of the Child of 1989.

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law.

All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention, or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

- 1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
- 2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, or to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

- 1. Everyone has the right to freedom of movement and residence within the borders of each state.
- 2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

- 1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- 2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

- 1. Everyone has the right to a nationality.
- 2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

- 1. Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- 2. Marriage shall be entered into only with the free and full consent of the intending spouses.
- 3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

- 1. Everyone has the right to own property alone as well as in association with others.
 - 2. No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

- 1. Everyone has the right to freedom of peaceful assembly and association.
 - 2. No one may be compelled to belong to an association.

Article 21

- 1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
 - 2. Everyone has the right of equal access to public service in his country.
- 3. The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realisation, through national effort and international co-operation and in accordance with the organisation and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

- 1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- 2. Everyone, without any discrimination, has the right to equal pay for equal work.
- 3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- 4. Everyone has the right to form and to join trade unions for the protection of his interests.

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

- 1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- 2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

- 1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- 2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- 3. Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

- 1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- 2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realised.

- 1. Everyone has duties to the community in which alone the free and full development of his personality is possible.
- 2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- 3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

EUROPEAN CONVENTION FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS AS AMENDED BY PROTOCOL NO. 11

The European Convention on Human Rights was signed in Europe in 1950 and further elaborated through a set of additional Protocols, proclaimed by the Council of Europe.

The instruments for protection of human rights are permanently binding and must be obeyed by the High Contracting Parties (or the governments) and their institutions, including the police service as well.

Article 1 - Obligation to respect human rights

The High Contracting Parties shall secure to everyone within their jurisdiction the rights and freedoms defined in Section I of this Convention.

Rights and Freedoms

Article 2 - Right to life

- 1. Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.
- 2. Deprivation of life shall not be regarded as inflicted in contravention of this Article when it results from the use of force which is no more than absolutely necessary:
 - a. In defence of any person from unlawful violence;
- b. In order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
- c. In action lawfully taken for the purpose of quelling a riot or insurrection.

Article 3 - Prohibition of torture

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

Article 4 - Prohibition of slavery and forced labour

- 1. No one shall be held in slavery or servitude.
- 2. No one shall be required to perform forced or compulsory labour.
- 3. For the purpose of this Article the term "forced or compulsory labour" shall not include:
 - a. Any work required to be done in the ordinary course of detention

- imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention;
- b. Any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service;
- c. Any service exacted in case of an emergency or calamity threatening the life or wellbeing of the community;
- d. Any work or service which forms part of normal civic obligations.

Article 5 - Right to liberty and security

- 1. Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save on the basis of the cases below:
 - a. The lawful detention of a person after conviction by a competent court;
 - b. The lawful arrest or detention of a person for noncompliance with the lawful order of a court or in order to secure the fulfilment of any obligation prescribed by law;
 - c. The lawful apprehension or detention of a person effected for the purpose of bringing him before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so;
 - d. The detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority;
 - e. the lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts or vagrants;
 - f. The lawful arrest or detention of a person to prevent his unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition.
- 2. Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him.
- 3. Everyone arrested or detained in accordance with the provisions of paragraph 1 (c) of this Article shall be brought promptly before a judge or other officer authorised by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial.
- 4. Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful.

5. Everyone who has been the victim of arrest or detention in contravention of the provisions of this Article shall have an enforceable right to compensation.

Article 6 - Right to a fair trial

- 1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.
- 2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.
- 3. Everyone charged with a criminal offence has the following minimum rights:
 - a. To be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;
 - b. To have adequate time and facilities for the preparation of his defence;
 - c. To defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;
 - d. To examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
 - e. To have the free assistance of an interpreter if he cannot understand or speak the language used in court.

Article 7 - No punishment without law

- 1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed.
- 2. This Article shall not prejudice the trial and punishment of any person for any act or omission which, at the time when it was committed, was criminal according to the general principles of law recognised by civilised nations.

Article 8 - Right to respect for private and family life

- 1. Everyone has the right to respect for his private and family life, his home and his correspondence.
- 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Article 9 - Freedom of thought, conscience, and religion

- 1. Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.
- 2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

Article 10 - Freedom of expression

- 1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
- 2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Article 11 - Freedom of assembly and association

- 1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.
 - 2. No restrictions shall be placed on the exercise of these rights other

than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.

Article 12 - Right to marry

Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right.

Article 13 - Right to an effective remedy

Everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity.

Article 14 - Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

The Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment entered into force in 1989. This Convention provides additional safety measures with a purpose of protecting persons held in detention, for their consistent application by the police and other persons with public authorisations. The protection is provided through the establishment of the Committee for the Prevention of Torture of the Council of Europe, which is authorised to visit places of detention and give recommendations for the improvement of the conditions of persons detained there.

The Convention for the Protection of National Minorities was signed in Vienna in 1993, the European Charter for Regional or Minority Languages was adopted by the Council of Europe in 1992 in Strasbourg, and many other both global and regional instruments for the protection of human rights are connected to the justice and peace in the world and the respect of human freedoms. In addition, each of them refers to the adherence to the principle

of the rule of law and they are all binding for the states - parties to the agreements, and at the same time signatories of the above documents.

Non-binding documents. In addition to these legally binding documents, there are others non-binding documents that particularly address the police work.

These documents by themselves are not legally binding, but they reiterate and point out to the afore-mentioned provisions of the covenants, with the establishment of detailed standards. These standards are universally accepted in the police work. They include: The UN Code of Conduct for Law Enforcement Officials (UN Resolution 34/169 - 1979) and the equivalent of the Council of Europe, the Declaration on Police (CoE Resolution 690 - 1979); the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; and the Basic Principles for Protection of All Persons under Any Form of Detention or Imprisonment.

Negative effects of the disrespect of human rights and freedoms

- Erosion of public confidence
- Impediment of the effective court procedure
- Isolation of the police from the society
- Cases of release of guilty persons and punishment of innocent
- Forcing of the police to act reactively, instead of preventively in combating crime
- Public reputation of the institutions and individuals is becoming disputable
- Inevitable civil disobedience.

The respect of human rights by the security services in fact increases the efficiency of those services. Where human rights are systematically respected, police officers have developed professionalism in their approach towards the resolving and prevention of crime and preserving the public order. In this sense, the respect of human rights by the police is a moral, legal and ethical imperative.

Positive effects:

- Public confidence and cooperation with the public is improving
- Legal procedures are more successful at the court
- The police are seen as a part of the community, which perform an important social function
- Fair and legally-based administration is created, as a result of the building of confidence in the system

- Example is given for the respect of the rights of other members of the society.
- The police are closer to the public and are in the position to act preventively and to combat crime through proactive measures
- The support from the media, international community and from higher authorities increases
- Contribution to peaceful resolution of conflicts and complaints is given.

Activity 2: Thematic unit 2: National legislation that guarantees human rights and freedoms

Duration: 1 class **Location:** classroom

Method of work: Discussion, self-learning, group work

Note for the instructor:

The police officers are asked to enumerate acts of police officers which they think violate human rights, and they can also indicate examples for such actions that they have possibly encountered as a personal negative experience.

Discussion should be opened and acts enumerated depicting the police officer as an officer who respects the human rights and freedoms.

The instructor divides police officers into 6 groups: First group: Civil and political rights and freedoms

Second group: Economic, social and cultural rights
Third group: Guarantees for fundamental human rights and freedoms

Fourth group: Protection of victims

Fifth group: European Court of Human Rights

Sixth group: Human rights standards for proper behaviour of police

members

Groups work on the preparation of presentations for 10 minutes, and then a representative of each group presents it to the team.

The European Court of Human Rights clearly points out that the States are obliged not to interfere in these areas except in strictly restricted circumstances: "There should be no interference by the police or the public authorities in exercising these rights, except in accordance with the law and only when necessary in a democratic society."

Intentions stated in the Constitution and the international instruments related to human rights are aimed at specifically limiting the restrictions on these situations where there is a need for action in the interest of national security, securing public safety, in the prevention of public disorder or a crime or with a purpose of protecting rights and freedoms of others.

Whenever the legitimacy of these applications is questionable, the police must justify their actions before the civil or criminal court.

Generally, these freedoms that are subject to restrictions include: right to freedom, right to privacy, expression, movement, ownership and/or detention.

The Constitution guarantees the inviolability and inalienability of human rights.

These rights include:

Civil and political rights and freedoms

- Citizens of our country are equal in freedoms and rights regardless of the sex, race, colour of the skin, national or social origin, political and religious opinion, property and social status. Citizens are equal before the Constitution and the laws.
- Human life is inviolable. In the Republic, the death penalty can not be imposed on any ground.
- Physical and moral integrity of a man is inviolable. Any form of torture, inhuman or degrading behaviour or punishment is forbidden. Forced labour is forbidden (for which the perpetuator shall be responsible only according to the prescribed punishment, he can not be responsible in any other way or compensate the incurred damage) Ex.: Physically assaulting Janko with two punches, Petre caused Janko bodily injury. Petre will be sued according to the Law on Misdemeanours and a prescribed sanction will be imposed on him, but neither the Police Station nor Janko can punch down Petre in the same extent in order to satisfy the justice.
- The freedom of a man is inviolable. Nobody's freedom can be restricted, unless by court decision and in cases and procedure stipulated by law. A person summoned, arrested or deprived of liberty must be acquainted immediately with the reasons for his summoning, arrest or deprivation of liberty and with his rights stipulated by law, and he may not be required to give a statement. The person is entitled to a lawyer during the police and court proceeding. The person deprived of liberty must immediately, and no later than 24 hours from the moment of deprivation, be taken before the court, which will decide, without delay, on the legitimacy of the deprivation of liberty. The detention until filing charges, with a court decision, may not exceed 180 days from the start of the detention. After filing charges, the detention continues or is determined by the competent court in the case and the procedure stipulated by law. Under the conditions stipulated by law, the detainee may be released to defend himself from freedom.
- -Person accused of a criminal offence shall be deemed innocent until his guilt is determined with a final court decision. The person illegally deprived of liberty, detained or illegally convicted, is entitled to compensation and other rights stipulated by law. For offences stipulated by law, a sanction can be

imposed by a government authority or organisation and any other authority with public powers. Court protection under the terms and procedures stipulated by law are guaranteed against the final decision for misdemeanour (Ex.: A criminal offence murder was committed and the suspect is the person Petre, he was deprived of liberty and in the police station, he was treated as a suspect, not as convicted person because only the court is competent to judge, based on collected evidence, whether he is guilty and if he is, to determine the sanction).

- No one can be punished for an act that is not stipulated before its commitment by law or by any other regulation as a punishable act and for which punishment is not provided for. No one can be convicted again for an act for which he has been already sued and for which a final verdict was issued.
- The right to appeal against decisions issued in a procedure before the first-instance court is guaranteed. The right to appeal or any other legal remedy against individual legal acts issued in the first-instance body procedure before a government administration body or organisation or any other authority with public powers is regulated by law. (E.g.: After the issuance of a decision in the first instance, a person has a right to appeal to a higher court, which may accept it or reject it. The second instance enables control and protection of legality).
- Freedom of beliefs, conscience, opinion and public expression of the opinion is guaranteed. Freedom of speech, public appearance, public information of free establishment of public information institutions is guaranteed. Free access to information, freedom of receiving and imparting information is guaranteed. The right to a reply in the public media is guaranteed. The right to protection of the source of information in the public media is guaranteed. Censorship is forbidden.
- The freedom and integrity of letters and all other forms of communications are guaranteed. Only upon a court decision, under the terms and in the procedure stipulated by law, can these rights of the integrity of letter and all other forms of communications be derogated, if it is necessary for the prevention or detection of criminal offences, criminal proceeding or when it is in the interest of safety and defence of the Republic. The law is adopted by a two-third majority of the total number of votes of members in the Assembly.
- The safety and confidentiality of personal data are guaranteed. Citizens are guaranteed protection of the personal integrity arising from registration of their information through data processing (E.g.: Personal data can be used only for official needs in a way and procedure stipulated by law).

- Freedom of religion is guaranteed. Freedom of free and public, individual or in association with others, expressing of the religion is guaranteed (E.g.: every person, at his own conviction, can belong to any religious group without consequences on his social life as a result of his affiliation).
- Citizens are guaranteed freedom of association with a purpose of exercising and protecting their political, economic, social, cultural and other rights and beliefs. Citizens may freely establish citizens' associations and political parties, join them and withdraw from them.
- -Citizens have a right to peaceful gathering and expressing public protest without prior notice and without special permission (E.g.: Employees in a company want to express their revolt against the employer for not receiving their salaries for a longer period. On the other hand, the police are engaged to secure the protest and on the occasion they encounter disturbance of the public order by the protesters. The police in their actions most often encounter the exercising of this right of citizens, when a gathering contains elements not only of a peaceful protest but also disturbance of the public order, as noted in the example).
- Every citizen turning 18 acquires the right to vote. The right to vote is equal, general and direct and it is exercised on free elections with secret voting. Persons deprived of legal capacity do not have the right to vote.
- Every citizen has a right to participate in the performance of public offices.
- Every citizen has a right to file a petition to the state authorities and other public services and to receive a reply thereto.
- Every citizen is guaranteed the respect and protection of privacy of his personal and family life, dignity and reputation (e.g. the police officer in performing his official work has information on the private life of a citizen, his hobby, weakness or passion; however, he is not allowed to comment on them outside the official treatment).
- Inviolability of home is guaranteed (e.g. entering and searching one's home can be made only upon a court order or in exceptional cases stipulated by law).
- Every citizen of our country has a right to move freely across the territory of the Republic and choose freely the place of his residence. Every citizen has a right to leave the territory of the Republic and return to the Republic.
- Defence of the Republic is the right and obligation of every citizen. Exercising of this right and obligation is regulated by law.
- Foreigners in our country enjoy freedoms and rights guaranteed with the Constitution, under the terms stipulated by law and international agreements.

Economic, social and cultural rights

- Right to property and right to succession are guaranteed;
- Everyone has a right to work, free selection of employment, protection at work, and material security during temporary unemployment. Every job is available to everyone, under equal terms and conditions;
- Everyone is obliged to pay taxes and other public duties and to participate in financing public expenditure in the manner stipulated by law;
- Citizens have the right to a social security and social insurance stipulated by law and with collective agreements;
- The state is taking care of the social protection and social security of citizens in accordance with the principle of social justice;
- With a purpose of fulfilment of their economic and social rights, citizens have a right to establish trade unions. Trade unions may establish their associations and become members of international trade union organisations;
- The right to strike is guaranteed. The law may restrict the terms and conditions for the exercising of the right to strike in the armed forces, police and other administration bodies:
- Every citizen is guaranteed the right to healthcare. The citizen has a right and obligation to keep and improve his own health and the health of others;
- The state provides special care and protection of the family. Legal relations in a marriage, family and a common-law marriage are governed by law;
 - A man has a right to decide freely on having children or not;
- The state protects in particular motherhood, children and minors. Persons younger than 15 cannot be employed. Minors and mothers have a right to a special protection at work. Minors should not be employed on jobs that are harmful for their health and morality;
- Every human being has the right to a healthy environment. Everyone is obliged to improve and protect the living environment and the nature. The state provides the conditions for implementation of the rights of citizens to a healthy living environment;
 - Everyone has a right to education;
 - The university is guaranteed its autonomy;
- Freedom of scientific, artistic creation and other types of creation is guaranteed;
- Members of communities have the right to freely express, foster and develop their identity and singularities of their communities and to use the symbols of their community. The state guarantees protection of the ethnic, cultural, linguistic and religious identity of all communities. Members of a

community have a right to establish cultural, artistic, educational institutions, as well as scientific or other associations, with a purpose of expressing, fostering or development of their identity. Members of communities have a right to education in their language on elementary and secondary level of education, in the manner stipulated by law. In schools where instruction is carried out in another language, Macedonian language is taught as well.

- The state takes care about the status and the rights of the members of the Macedonian people in the neighbouring countries and for emigrants from our country, assists in their cultural development and promotes connections with them. By doing this, the state does not interfere in the sovereign rights of other countries and their internal affairs.

Guarantees for fundamental human rights and freedoms

Every citizen can refer to protection of freedoms and rights stipulated by the Constitution before the courts and before the Constitutional Court in a procedure based on the principles of priority and emergency. Court protection of the legality from individual acts of the state administration and of other institutions with the public powers is guaranteed. The citizen has the right to be acquainted with human rights and fundamental freedoms and to contribute actively, individually or in association with others, in their promotion and protection.

The laws in our country must be in accordance with the Constitution, and all other regulations with the Constitution and the law. Everyone is obliged to comply with the Constitution and the laws. The freedoms and rights of citizens may be restricted only in cases stipulated by the Constitution. Freedoms and rights of citizens may be restricted during war or a state of emergency according to the provisions of the Constitution. Restriction of freedoms and rights cannot be discriminating on the ground of sex, race, skin colour, language, religion, national or social origin, property or social status. Restriction of the freedoms and rights cannot refer to the right to life, prohibition of torture, inhuman or degrading treatment and punishment, on the legal definition of punishable offences and penalties, as well as on the freedom of beliefs, conscience, opinion, public expression of the opinion and religion.

The right to privacy and the respect for privacy is protected with the Criminal Code, with a purpose of providing protection against illegal wiretapping and audio recording and surveillance. In the process of providing information about criminal activities, the police officers must have a sense that certain non-criminal information can still harm the reputation of others. Special attention and care should be taken for addressing such confidential information. Their inappropriate disclosure (i.e. if they are not disclosed for

the purpose of performing duties or if they do not serve the needs of justice) is deemed a violation of human rights. This principle is also protected with the Universal Declaration of Human Rights and the European Convention: the right to respect for private and family life. The Criminal Code completely restricts the use of certain methods of collecting information and imposes strict restrictions for the use of other methods:

- Violation of confidentiality of letters and other correspondence
- Misuse of personal data
- Unauthorised wiretapping and audio recording
- Unauthorised recording

Protection of victims

The police have a special duty to protect the victims of crime. All victims of crime have a right to be treated with due respect, compassion and care, which manifests the respect of their human dignity.

The police are required to act with due care in order to provide the victims of crime a complete, fair and equal access to all mechanisms of justice and help and to undertake all necessary measures in order to prevent recurrence of victimisation.

The specific provisions include:

- All victims of crime, misuse of powers or human rights should be treated with compassion and respect:
- Victims should have an access to the instruments of justice that are fast, cheap, efficient, easily accessible, as well as fast damage compensation. Victims should be informed of their role in the formal procedure, the venue, time and the progress of the procedure and the schedule of their case;
- Victims should receive any necessary legal, material, medical, psychological and social help and should be informed about the availability of such help;
 - The privacy and safety of victims should be protected.

The police should be trained about the needs of victims and should be provided with instructions how to provide adequate and fast assistance.

European Court of Human Rights

Our country has ratified the European Convention on Human Rights in 1997 (ECHR). The act of ratification of the Convention marked the beginning of its legal effect as a member country in the Council of Europe. Thus, ECHR has formally become a constituent part of the domestic legal system. In the European context, ECHR is the most important document, which not only

guarantees a wide set of human rights, but also establishes a supranational control system for the protection of proclaimed rights, through the work of the European Court for Protection of Human Rights and Fundamental Freedoms located in Strasbourg.

Human rights are a universal concept that does not tolerate national restrictions in the legal protection and requires wide and unique space for their proclamation and implementation. Therefore, in the European context, protection of human rights and fundamental freedoms is also provided before a court authority - the European Court of Human Rights.

Its establishment is regulated in the European Convention on Human Rights: "To ensure the observance of the engagements undertaken by the High Contracting Parties in the Convention and the Protocols thereto, there shall be set up a European Court of Human Rights. It shall function on a permanent basis."

The procedure before the European Court of Human Rights can be initiated only after all domestic legal remedies are exhausted, according to generally accepted principles of international law and within a period of 6 months from the date of adoption of the final decision in the respondent state.

The European Court of Human Rights first decides whether an individual appeal is admissible, and afterwards whether it is founded. After the established admissibility of the appeal, further proceeding before the European Court of Human Rights may end in two ways: with amicable settlement of the dispute or by a Court decision.

There is a prescribed procedure for initiation of individual appeals before the Court: "The Court may receive applications from any person, non-governmental organisation or group of individuals claiming to be the victim of a violation by one of the High Contracting Parties of the rights set forth in the Convention or the Protocols thereto. The High Contracting Parties undertake not to hinder in any way the effective exercise of this right."

Criteria for admissibility and inadmissibility of individual appeals in the procedure before the European Court of Human Rights are regulated with the European Convention on Human Rights.

- 1. The Court may only deal with the matter after all domestic remedies have been exhausted, according to the generally recognised rules of international law, and within a period of six months from the date on which the final decision was taken.
- 2. The Court shall not deal with any application submitted under Article 34 that:
 - a) is anonymous; or
 - b) is substantially the same as a matter that has already been examined

by the Court or has already been submitted to another procedure of international investigation or settlement and contains no relevant new information.

- 3. The Court shall declare inadmissible any individual application submitted under Article 34 if it considers that the application is incompatible with the provisions of the Convention or the Protocols thereto, manifestly ill-founded, or an abuse of the right of individual application.
- 4. The Court shall reject any application which it considers inadmissible under this Article. It may do so at any stage of the proceedings."

The judgments of the European Court of Human Rights of the High Contracting Parties to the Convention, i.e. or the member states of the Council of Europe are binding as stipulated in Article 46 - Binding force and execution of judgments:

- "1. The High Contracting Parties undertake to abide by the final judgment of the Court in any case to which they are parties.
- 2. The final judgment of the Court shall be transmitted to the Committee of Ministers, which shall supervise its execution."

Human rights standards for proper behaviour of police members

- 1. Everyone enjoys equal protection by the law, without discrimination on any ground, and especially on the ground of violence or threat. Be particularly efficient in protecting the vulnerable groups: children, elderly people, women, refugees, displaced persons and minority members.
- 2. Treat all victims with understanding and respect; particularly protect their safety and privacy.
- 3. Do not use force unless necessary, and it should be minimal under the circumstances.
- 4. Avoid the use of force in illegal, but non-violent gatherings. When you disperse a violent protest, use minimum necessary force.
- 5. The lethal force should be used only in inevitable situations, with the purpose of protecting one's own life or the lives of others.
- 6. Do not arrest anyone if there is no legal ground for that, and the procedure should be in accordance with the appropriate procedures.
- 7. Ensure that all detained persons after the arrest have adequate notification to their families and to legal representatives, as well as the necessary medical aid.
- 8. All arrested persons should be treated in a humane manner. Do not make, insist or tolerate any act of torture or ill-treatment under any circumstances and refuse if something like that is ordered to you.

- 9. Do not make, do not command or conceal any type of extrajudicial executions or "disappearance" and refuse to accept such a command.
- 10. Report any type of breach of standards by your superior officers or by public prosecutors. Make everything in your power for an investigation to be initiated.

Activity 3: Practical exercises and examples

Duration: 1 class **Location:** classroom

Method of work: Discussion, self-learning, group work and

practical exercises

Note for the instructor:

The instructor and the police officers implement 2 scenarios and take feedback and reflection.

ATTACHMENT: SCENARIO 1 AND SCENARIO 2

SUMMARY

Many people think that the respect of human rights is in contravention to efficient police work, which implies detection of perpetrators of criminal offences. In order to secure an indictment, it is necessary to "change the rules", at least a little. The tendency for the use of excessive force during control of protests, physical pressure with the purpose of drawing information or the use of force with a purpose of depriving a person of liberty may be considered on case by case basis. According to this way of thinking, the security services are in the war against crime, while human rights frequently represent an obstacle in this war used by lawyers and non-governmental organisations.

In fact, violation of human rights by the police only makes their already challenging work more difficult. When the police start violating human rights, the result is violation of human dignity, the law and of the institutions and authority. There are many negative effects from the violation of human rights.

In a democratic society a police officer is expected to respond to the challenges of the modern society. Confidence in the police that serve the community gives rise to a peaceful society. Police officers must meet the highest standards in order to keep the public confidence and first of all to respect the fundamental human rights and freedoms in taking any official measures and actions in the procedures against citizens.

QUESTIONS FROM LA:

- Which international legal acts regulate human rights and freedoms?
- What is the fundamental role of the police officer with regard to human rights and freedoms?
 - What legal acts in our country regulate human rights and freedoms?
 - What rights and freedoms are guaranteed by the Constitution?

BIBLIOGRAPHY - REFERENCE:

- Constitution and Amendments to the Constitution I XXXII
- European Convention on Human Rights
- Universal Declaration of Human Rights

TEMPLATE FOR SCENARIO 1

Learning assignment: Fundamental human rights and freedoms Names:

Police officer in Gazi Baba Police Station – Jovanov Jovan
Police custody officer in Gazi Baba Police Station – Popovski Petar
Person deprived of liberty – Bajrami Bajram

Context of the scenario - rights of persons deprived of liberty

The person, Bajrami Bajram who was deprived of liberty was brought into Gazi Baba Police Station under suspicion of theft of CDs from a market stall, where he was apprehended.

Senior inspector - the head of shift receives him in his office and immediately handcuffs him to the radiator pipe, and then searches him and finds the stolen items. Kicking him, he asks the detained Bajram to confess the theft. Bajram keeps silent and does not respond to the questions and the custody officer takes him to the detention cell, threatening and constantly hitting him with a baton.

Role description

A. Police officer – Jovan Jovanov

You are Jovanov Jovan from Skopje, a police officer employed in Gazi Baba Police Station. After a report by the stall seller that there was a theft and several CDs were stolen, you deprive of liberty the reported Bajrami Bajram, telling him at the same time the reasons and informing him about his rights (to be silent, etc.), and afterwards you take him to the Gazi Baba Police Station.

You explain the case to the Senior Inspector - head of shift and the reason for taking Bajram and you deliver Bajram in his office. You watch as the inspector ties the suspect to the radiator and objects loudly asking your colleague to comply with the procedures for such persons.

Cope with the situation complying with the procedures stipulated in the regulations.

Role description

B. Police custody officer - head of shift Popovski Petar

You are Popovski Petar from Skopje, Senior Inspector - head of shift, employed in Gazi Baba Police Station. The police officer Jovan brings a person who has stolen CDs from one stall on the market to your office, and you immediately handcuff him to the radiator pipe. You take a rubber baton from a drawer and threaten him to confess the theft, while insulting him and telling him that he is Roma and that they do nothing except steal. You kick him, search him and find the stolen CDs, and again, threatening him with the baton you exert pressure on him to confess the theft, but Bajram keeps silent all the time which annoys you even more. You swear loudly and insult him on the grounds of his Roma nationality, and then take him to the detention cell and hit him again several times with the baton.

Cope with the situation complying with the instructions in the scenario.

Role description

C. Person deprived of liberty – Bajrami Bajram

You are a person who is deprived of liberty by a police officer who takes you to Gazi Baba Police Station since you are a suspect for theft of CDs from a market stall. He takes you to the office of the Senior Inspector - head of shift where you are handcuffed to the radiator. He insults you and makes pressure on you to confess the theft, and when you ask to call home and your lawyer he kicks you. You keep silent and do not answer the questions of the police officer. The police officer takes you to the detention cell, hitting you with a baton and insulting you all the time. Comply with the orders of police officers.

Expected results

- professional and civilised approach towards persons deprived of liberty
- protection of fundamental human rights and freedoms in a modern democracy
- respect of diversities, cultural and other values
- be able to communicate with citizens effectively
- act properly and according to prescribed procedures

TEMPLATE FOR SCENARIO - 2

Learning assignment: Fundamental human rights and freedoms

Names:

Police officer – Goran

Police custody officer – head of shift Risto

Apprehended person Jovan

Citizen Zoran

Persons disturbing the public order Agim and Petar

Context of the scenario - human rights of detained persons

On Tuesday at 10:30 p.m., in Misko Mihajlovski street in the vicinity of the park, 2 JDs mistreated one JD. The incident is reported by a citizen, Zoran, who has taken his dog for a walk, and since he is not carrying his mobile phone with him, he goes home to report the incident to the police. On his way home, he meets the community police officer Goran and reports the incident to him. The police officer Goran heads immediately towards the place where he sees Agim and Petar (whom he knows) kicking JD who is lying on the ground. Seeing a police officer approaching, JD starts shouting "Help, help ...". The police officer comes to the place and orders Agim and Petar to stop with their action, and they do that. The police officer asks Agim and Petar why they have attacked the person and they reply that the person is a drug addict and he comes from another neighbourhood. JD introduces himself and says that his name is Jovan and he is not a drug addict and was attacked for no reason. The police officer Goran tells Jovan to stop talking, slaps him, handcuffs him and takes him to the police station, telling Agim and Petar to leave.

In the police station, he delivers him to the head of shift Risto and writes in the official note that he has noticed disturbance of the public order and after his arrival to the place, persons disturbing the public order fled and he started chasing them and managed to catch only Jovan.

The Senior Inspector - head of shift Risto takes Jovan and has an interview with him, telling the police officer Goran to prepare the official material. Jovan retells the incident saying that he feels pain. The head of shift notifies Jovan's family and calls and allows him medical help.

A. Citizen Zoran

You are a citizen who has taken his dog for a walk in the park and noticed how 2 JDs mistreat another JD, which has upset you. You are looking for your mobile phone in order to report to the police and notice that you did not take it with you. You are upset and you are heading towards your home. On the way home, you meet the community police officer and report the incident. The police officer expresses his gratitude and heads towards the park.

B. Police officer - Goran

You are Goran, a police officer who regularly patrols in a certain area. A citizen approaches to you, obviously upset, and reports that 2 JDs are maltreating another person in the park. You thank the citizen and head towards the park immediately. Arriving in the park, you notice how Agim and Petar are kicking a JD who is lying on the ground. Since you know the persons. Agim (son of a member of the municipality council) and Petar (son of a doctor in the local outpatient clinic), you slowly come to the place of incident and listen how the person calls for help. You approach them and call them by their names (Agim and Petar) asking them why they are kicking the person, and they reply that he is a drug addict; he is not from the neighbourhood and has nothing to do in the park. At that moment the attacked person introduces himself as Jovan and asks you to help him because the persons who attacked him inflicted injuries to him. You tell Agim and Petar to leave and to Jovan to stop talking. Jovan asks you why you release the persons, and you say "Shut up, you drug addict", slap him, handcuff him and apprehend him taking him to the police station. You prepare an official note where you state that during regular patrol you noticed disturbance of the public order, and when you approached, the persons started running trying to flee. You started chasing them, caught one of them, took him to the police station and handed him in to the Senior Inspector - head of shift.

The attacked person Jovan

You are a citizen (student) who passes through the park on the way to your apartment. You are met by two persons and without saying anything, they start pushing and pulling you so that in one moment you fall on the ground. From that moment persons start kicking you, you defend yourself and notice a policeman approaching you. With a high voice, you shout "Help" several times. The police officer approaches the persons who are attacking you, calls them by their names and starts conversation with them. They tell him that you are a drug addict and you should not move through the park. At that moment you react tempestuously and ask why he releases the attackers, whereby the police officer "insults you", slaps you, handcuffs you, apprehends you to the police station and hands you in to another police officer.

In the police station, you talk with the police officer, tell him the truth and complain about the pains in your stomach. He listens to you, calls a doctor, the doctor examines you and tells you that you have no serious health problems, you only need rest.

Attackers Agim and Petar

You are sitting in the park when an unknown person approaches you. You circle him and start pushing him while he is trying to get free, and in that he falls on the ground. You start kicking him. At one moment the person starts shouting "Help, help", and you notice a patrolling policeman approaching you, he calls you by your names and asks why you are attacking the person. You reply that you do not know him; you suppose he is a drug addict and he comes from another place. The police officer tells you to leave and you run away, and on leaving the park you notice that the person is handcuffed and is moving together with the policeman.

Police custody officer - head of shift Risto

You are Risto, Police custody officer - head of shift.

The police officer Goran comes to the station with a handcuffed person. You ask the policeman what is the reason for apprehending the person. The police officer replies that the detained person has disturbed the public order, i.e. he had fight with another person, so the police officer had to chase them in order to catch them and after catching one person, he handcuffed him and took him to the police station. You tell the police officer to prepare the official material and deliver it to you. Meanwhile, you interview the apprehended person who explains the whole situation and complains of pain. You prepare the official documentation on the apprehended person and call a team of doctors to provide medical help to Jovan. The police officer Goran delivers you the official material that is completely different from Jovan's statement.

You order the police officer to find and bring Agim and Petar and to file corresponding charges.

Expected results

- professional and civilised approach towards apprehended persons
- protection of fundamental human rights and freedoms in a modern democracy
- respect of diversities, cultural and other values
- be able to communicate with citizens effectively
- act properly and according to prescribed procedures

LEARNING ASSIGNMENT: 1.4 NON-DISCRIMINATION IN POLICE PROCEEDINGS

Introduction:

Regardless of differences, the approach of the police should be equal against everyone, which manifests high consciousness, professional approach and skills in addressing differences. Our country is a democratic and social state in which everybody is equal before the law, and one of the fundamental values of the constitutional order of the Republic, among other things, is respect of the democratic principles and human rights. Besides the existence of a comprehensive legal frame of anti-discriminatory regulations that prohibit discrimination in certain areas of life and provide effective implementation, there is still awareness that incidents with discriminatory conduct exist and they are mostly spread in the areas of social life that are particularly significant and sensitive for the exercise of the citizens' rights.

In the police work, we encounter everyday people of other sex, race, religion, ethnic origin, social status, professional status, political beliefs, persons with special needs (disabled) or persons from the so-called LGBT group (homosexuals, bisexuals or trans-sexuals) who can be a part of our work.

These persons are frequently, sometimes or somewhere marginalised categories in society, and it even happens that they are discriminated against in certain segments of social living.

Public servants, and especially police officers, in the contact with them when performing official activities, and especially when making interviews when such a person is an injured or an indicted party, should have high professional and official conduct.

Summary

Discrimination means making any form of distinction, use or restriction of people based on their collective identities (sex/gender, class, ethnic origin, sexual identity) which endangers or disables exercising or protection of their human rights or freedoms.

The category that is the most endangered from discriminatory conduct regards the people of lower social strata who are frequently with lower educational level, beside their undesirable material status. In addition, of special concern is that the victims of discrimination are the most vulnerable categories in the society: children, women, elderly people and disabled persons. There are indications about discrimination on ethnic or religious ground and political affiliations.

Direct protection of citizens, including protection against discrimination, inevitably seeks consistent implementation of the constitutional definition that the courts are the ones deciding about protection of individual rights and freedoms of citizens. To that end, completion and strengthening of the legislation as a fundament for efficient and practical action is necessary in the first place, with concurrent strengthening of the capacities of professionals who work in the institutions on the state and central levels.

On the one side is protection and ensuring the rule of law, and on the other it is citizens who should know how to protect themselves against restrictions, misuse, and prevention in exercising their rights and freedoms.

MAIN POINTS:

- Discrimination
- Prejudice
- Stereotypes
- Equal approach

THEMATIC UNITS OF LA: NON-DISCRIMINATION IN THE POLICE PROCEEDINGS

- Thematic unit 1: Discrimination
- Thematic unit 2: Prejudice and stereotypes
- Thematic unit 3: Equal approach

Core Ethical co		onduct and respect of human rights in police proceedings	
Learning assignment: Non-discrim		nination in the police proceedings	
Date:		Performance of the learning assignment - location:	Organisational units in MoIA
Version:	4	ltem:	1.4
Competencies			

	COIII	Sectificity
	×	1. acts in accordance with the defined role and duties of the police
ł		2. implements the authorisations
ł		3. uses means of coercion
ł		4. performs various types of controls, checks and
		court orders
	×	5. provides assistance
		6. uses material and technical resources
		7. drives vehicle safely with priority of passage
		8. drafts and writes any type of report
	×	9. takes initiative in work
	×	10. prioritises
		11. accepts a task from a competent person
		12. carries out the planned activity
	×	13. communicates, coordinates and analyses
	×	14. works in the spirit of democratic processes
	×	15. enforces the law and respects the rule of law
	×	16. uses communication skills
		17. establishes and builds a close relation with
	×	citizens
		18. recognises and resolves their problems
	×	19. knows the social and ethnic structure
	×	20. respects diversities
	×	21. provides assistance to anyone
	×	22. respects cultural and other values
		23. communicates in English language
	×	24. constantly improves himself/herself
	×	25. listens and asks questions
	×	26. knows how he can learn
		27. accepts well-intentioned criticism and
	×	suggestions
	×	28. notes what is negative and removes it

Working pattern a. introduction into events b. planning with goals and specific assignment × c. monitoring, preventive and operational work × d. communication with citizens e. information, use of material and technical resources, radio communication and other f. provision of assistance - service to citizens × g. performance of work assignments × h. respect of human rights × i. use of authorisations × j. submission of reports

		Date: 19 September 2014		
Learning assignment: version for learners		Item: 1.4		
Core activity	Ethical conduct and respect of human rights in police proceedings	Version: 4		
Learning assignment	Non-discrimination in the police proceedings	Location: Organisational units in MoIA		
		Required time: 3 classes		
Description	In the police work, the police officers every day encounter people of other sex, race, religion, ethnic origin, national origin, of different social status, professional status, professional status, political beliefs, persons with special needs, persons with different sexual orientation, the so-called LGBT group, who can be a part of our work. Treatment by the police officer should not differ from treatment of other persons, and if certain disapproval occurs due to their beliefs, it should not be manifested, and if manifested by someone, it should be responded to in a way as to indicate that the police officer has an equal approach towards all. Example of a situation: An order is given for issuing an arrest warrant for person A against whom a proceeding for criminal offence is under way. In action based on the arrest warrant, the person is deprived from liberty. After informing him about the reason for his deprivation of liberty, the police officer learns that the person A - the accused, is a member of the LGBT population. In spite of such knowledge, the police officer should treat him professionally, not manifesting any inappropriate behaviour, and even if there are reactions from other persons involved in the interview who manifest disapproval, the police officer should point out that the arrested person does not differ from other people and that he should be accepted as he is.			

Expected results	At the end of this LA, the police officer will: know: to comply with the laws, especially the ones that protect and preserve human rights to protect the fundamental rights and freedoms of humans and citizens in a modern democracy to know the social and ethnic structure be able to: enforce and comply with the laws, especially the ones that protect and preserve the human rights protect fundamental rights and freedoms of humans and citizens in a modern democracy respect diversities, cultural and other values	
Legal framework	Constitution Law on Prevention and Protection against Discrimination Law on Police Law on Internal Affairs Rulebook on the Manner of Performing Police Affairs Code of Police Ethics European Convention on Human Rights Law of Criminal Procedure - Preliminary Investigation Criminal Code - criminal offences for exceeding the powers Collective Agreement of the MoIA - part on sanctions Law on the Ombudsman - actions on citizens' applications Law on Misdemeanour - sanctions part	
Questions from LA	What is discrimination? What is indirect discrimination? What is prejudice? What are stereotypes? What is the basic regulation that governs anti- discrimination in the national legislation? What are human rights? What is the fundamental role of the police officer in relation to human rights?	

		Date: 19 September 2014	
Learning assig	gnment: version for instructors	Item: 1.4	
Core activity	Ethical conduct and respect of human rights in police proceedings	Version: 4	
Learning assignment	Non-discrimination in the police proceedings	Location: Organisational units in MoIA	
		Required time: 3 classes	
ORIENTATION			
Participants will be oriented towards the learning assignment	It is discussed with the police officers about the meaning of discrimination, prejudice and stereotypes. The police officers should have equal approach towards all persons regardless of their orientation (national, religious, racial, sexual, etc.). The police officers shall warn their colleagues or citizens if they notice that a certain person is marginalised in his community due to his disability or orientation.		
Planning of the learning activity	This LA will be implemented through 4 activities of with training in a classroom according to the follow Thematic units of LA: Thematic unit 1: Discrimination Thematic unit 2: Prejudice and stereotypes Thematic unit 3: Equal approach	the following schedule:	
Made	Activity 1: Thematic unit 1: Discrimination Duration: 1 class Method of work: self-learning, discussion Location: Classroom or another adequate area at the	ne instructor's	
- Time - Schedule - individual/ group learning	Duration: half a class Method of work: self-learning, discussion, group work Location: Classroom or another adequate area at the instructor		
Activities Activity 3: Thematic unit 3: Equal approach Duration: half a class Method of work: self-learning, discussion Location: Classroom or another adequate area at the instructor choice		ne instructor's	
	Activity 4: Practical exercises and scenarios Duration:1 class Method of work: Practical exercises and scenarios, refeedback and reflection, video feedback	role play,	

Location: Classroom

- What do the Activities of learners: listeners do - Discuss - Work in small groups - Role play - Results - Acquire competencies for implementation of LA

PERFORMANCE

Roles of the The instructor instructor - directs - directing - clarifies the learners - discusses - control of - facilitates the learning - participates in demonstration processes

- asks and answers questions observes the learning process

The instructor should monitor this process from aside to be sure that they move in the right direction.

EVALUATION

Evaluation Evaluation - plenary Plenary evaluation with - through participation in discussions learners - asking questions - individual Individual evaluation with - participation in discussions learners - asking and answering questions - through exercises self-learning

LEARNING RESOURCES AND MATERIALS

Learning Constitution Law on Prevention and Protection against Discrimination - resources Law on Police - materials - IT Law on Internal Affairs Rulebook on the Manner of Performing Police Affairs Code of Police Ethics European Convention on Human Rights Flipchart, markers, white paper, board, computer, projector **PREPARED** Slavica Andreevska, Judge of Preliminary Proceedings BY/AUTHORS | Arben Jashari, Adviser Instructor Who is The task group within the Council of Europe project: responsible Noiko Stoicevski, Senior Adviser Lecturer/Instructor for the Aco Kamcev, Senior Adviser Dragana Kiric-Trpovski, Senior Adviser learning Rozalita Dojcinoska, Police Adviser assignment? Suza Trajkovska, Adviser Instructor Blagoja Stojanovski, Senjor Inspector External members: Jovan Ilievski. Public Prosecutor

MANUAL FOR THE INSTRUCTORS

LA NON-DISCRIMINATION IN THE POLICE PROCEEDINGS

DURATION OF THE ASSIGNMENT: 3 CLASSES

Learning resources and materials:

Constitution

Law on Prevention and Protection against Discrimination

Law on Police

Law on Internal Affairs

Rulebook on the Manner of Performing Police Affairs

Code of Police Ethics

Flipchart, markers, white paper, board, computer, projector

Expected results:

At the end of this LA, the police officer will:

- know:

- to comply with the laws, especially the ones that protect and preserve the human rights.
- to protect fundamental rights and freedoms of humans and citizens in a modern democracy
- to know the social and ethnic structure

- be able to:

- enforce and comply with the laws, especially the ones that protect and preserve the human rights.
- protect fundamental rights and freedoms of humans and citizens in a modern democracy,
- respect diversities, cultural and other values

THEMATIC UNITS OF LA:

- Thematic unit 1: Discrimination
- Thematic unit 2: Prejudice and stereotypes
- Thematic unit 3: Equal approach

Activity 1: Thematic unit 1: Discrimination

Duration: 1 class

Method of work: self-learning, discussion

Location: Classroom or another adequate area at the

instructor's choice

Note for the instructor:

Open discussion with the police officers with open questions as given in the assignment below. Check and use their knowledge from the previous learning assignments.

What is the basic regulation that governs anti-discrimination in our country?

What are human rights?

What is the fundamental role of the police officer in relation to human rights?

After comprehensive and detailed preparations, the country has adopted the Law on prevention and protection against discrimination, the so called Anti-Discrimination Law.

This Law provides prevention and protection against discrimination in exercising the rights guaranteed by the Constitution of the Republic, the Law and the ratified international agreements.

Based on this Law, and with a purpose of protection against discrimination, a Commission for protection against discrimination was established.

The Law stipulates that the protection and prohibition against discrimination relates to all physical or legal persons in the process of exercising their rights and freedoms guaranteed with the Constitution and the laws of our country.

Any direct or indirect discrimination, invocation and stimulation of discrimination and helping in discriminatory treatment on the grounds of sex, race, skin colour, gender, belonging to marginalised group, ethnic origin, language, citizenship, social origin, religion or confession, other types of belief, education, political belonging, personal or social status, mental and physical disability, age, family or marital status, property status, health condition or on any other grounds established by the law or by ratified international agreements (hereinafter: discriminatory basis).

The Commission is a special body responsible for combating discrimination in the country, but the anti-discrimination is an obligation of all adequately competent authorities in the country.

Actually, the anti-discrimination law is applied by all state authorities, bodies of the local self-governments, legal entities with public legal powers and legal and physical persons in many fields: labour and labour relations; education, science and sport; social security, including the field of social protection, retirement and disability insurance, health insurance and health protection; justice and administration; housing; public information and media; access to goods or services; membership and activities in the trade unions, political parties, associations of citizens and foundations or other organisations based on membership; culture and other field established by law.

Application of the Anti-Discrimination Law is particularly important for the work of the police.

Those who enforce the law and maintain the public order (e.g. police officers) must provide the following:

- Respect of the law and law abiding
- Respect for human dignity
- Respect of human rights and their protection.

These basic principles in a democratic society are guaranteed by the principle of the rule of law.

Violations of human rights **undermine the maintenance of the public order and security.**

International instruments for human rights point out that human beings are born free and accordingly they should have equal protection of their dignity and rights.

According to this, the basic principle of a democratic police work is to manifest and strengthen the fundaments of non-discrimination, which are, on the other hand, fundamental for protection and promotion of human rights and freedoms.

Both the European Convention and our Constitution proclaim the protection against discrimination on the grounds of sex, race, skin colour, language, political or other belief, national or social origin, belonging to a national minority, property status, origin of birth, or on any other status.

- 1. Equality of rights
- 2. Inalienation of rights
- 3. Universality of rights

- Children should not be subject to torture; cruel, inhuman or degrading treatment or punishment; to corporal punishment; or to the life imprisonment without any possibility for release.
- Detention or imprisonment of children shall be an extreme measure that shall be applied for the shortest possible time.
- Children should be separated from adult detainees.
- The detained children should be allowed to receive visits and to maintain correspondence with the members of their families.
- Minimum age for criminal responsibility should be established.
- Extrajudicial procedures and alternatives for the institutional custody should be enabled.
- Juvenile privacy shall be respected and complete and safe records shall be maintained and kept with confidentiality.
- Use of physical restrictions and force against children shall be exclusive and applied only if the control measures are exhausted and failed to give result, and even then in the shortest possible time.
- Parents should be informed about deprivation of liberty, detention, escort, illness, injury or death.

Women came into the focus of the implementation of the law and human rights to a great extent. Provision of their effective and nondiscriminating role as police officers is one of the primary ways to provide guarantees against the discriminatory treatment and ill-treatment.

With this progressive approach, many of the concerns about the human rights and treatment of women who have broken the law, especially during search, deprivation of liberty or detention, may be overcome.

Women have the same constitutional rights to equal exercise of all human rights as men. There are no legal differences.

The definition for "discrimination against women" is set out in the Convention for Elimination of all Forms of Discrimination against Women: "any distinction, exclusion or restriction made on the basis of sex, which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

It is necessary to point out that the police are obliged not only to behave non-discriminatory, but to combat the emergence of national, racial or religious hatred, conflicts or intolerance and to pursue the perpetrators of these acts, because they are considered criminal offences. According to the Criminal Law:

"A person who by force, mistreatment, endangering the security, ridicule of the national, ethnic or religious symbols, by damaging other people's

objects, by desecration of monuments, graves, or in some other manner causes or excites national, racial or religious hate, discord or intolerance, shall be punished with imprisonment of one to five years".

"A person, who commits the crime from item 1 by misusing his position or authorisation, or if because of these crimes, riots and violence were caused among people, or property damage with a large extent was caused, shall be punished with imprisonment of one to ten years".

Discrimination describes a situation when an individual in some way is placed in unfavourable position due to a "protected characteristic". Discrimination may take different forms: direct discrimination, indirect discrimination, harassment and incitement and motivation of discrimination.

Direct discrimination is characterised by the existence of a different treatment, i.e. it must be shown that the alleged victim was treated in an unfavourable way because of the characteristics that belong in the "ground for protection" category.

The unfavourable treatment is determined through a comparison of the alleged victim and another person in a similar situation who does not possess the protected characteristic.

It may be that the "ground for protection" is not the explicit reason for different treatment. It is sufficient if there is no ability for the explicit reason to be separated from the "ground for protection."

The European Court of Human Rights (ECtHR) and national courts have accepted the concept of associative discrimination, according to which an individual is treated in an unfavourable way due to its link to another individual who possesses the "protected characteristic."

Harassment, although treated in the legislation of the EU as a separate criminal offence, is concrete manifestation of direct discrimination.

Indirect discrimination is characterised by different influence or effect, i.e. in such a case it must be shown that due to a certain decision one group is put in an unfavourable situation compared to the comparing group.

Proving the indirect discrimination of an individual prescribes for him to collect evidence that as a group, those who share his protected characteristic, are subject to different effects and influences compared to those who do not possess that characteristic.

In order to guarantee equal enjoyment of the rights, the governments, employers and service providers should undertake separate or special measures for adjustment of their rules and practices against people with different characteristics.

It can be deemed that the notions "special measures" and "specific measures" imply over passing of a certain underprivileged from the past to which persons who possess some protected characteristic were exposed. When this is deemed proportional, such interpretation may be used as justification for discrimination.

Example: Case Nachova and Others v. Bulgaria, refers to two persons of Roma origin who were shot and killed while fleeing from the military police when it tried to arrest them for an absence without leave. At the time of incident, the soldier who killed the victims shouted to a neighbour "You damn Gypsies!" The ECtHR has established that the State violated the right to life of the victims, not only in its substantial form, but also in the procedural form, since it did not carry out adequate investigation procedure regarding the death cases. It was established that the failure of carrying out the investigation is a violation, related to the right to freedom against discrimination, because the State was obliged to investigate specifically possible discriminatory motive.

Activity 2: Thematic unit 2: Prejudice and stereotypes

Duration: half a class

Method of work: self-learning, discussion, group work **Location:** Classroom or another adequate area at the

instructor's choice

Note for the instructor:

Opening discussion and hearing the opinion of the police officers, and then their division in 3 groups.

First group - stereotypes

Second group - prejudice

Third group - gives and comments the examples about stereotypes and prejudice

The groups work 10 minutes each on the preparation of presentation, and then a representative of each group gives presentation.

Stereotype

In contemporary use, the **stereotype** is a simplified mental image about an individual or a group of people who share certain characteristic (or stereotype-like) qualities. The term is used in its negative sense, and the stereotypes are considered unwanted beliefs which may be modified through education and/or getting to know the subject of the stereotype. Stereotypes are in fact when wrong considerations sustain in spite of data and facts. Stereotypes are harmful phenomena because they are used to justify animosity.

This term was developed in the period of emergence and development of clear ethnic, religious and social intolerances. Factors that contributed to the creation of stereotypes are historical factors, generalisation, the first impression, simplification, exaggeration, racism, homophobia, and other forms of discrimination, related to other groups. In the basis of the stereotypes we can find wrong and unjustifiable wide generalisation, therefore each stereotype related to a group which contains expressive emotionally negative assessment of a racial, ethnic, religious or social group is interpreted as prejudice.

The stereotypes are most frequently based on supposition that the members of another group have some special or particular characteristic that is inherent only to them and according to which they are distinct from

others, meaning that the stereotypes negate the individuality of a person and may present him very simply and superficially, and as a result of this, create a wrong image. Moreover, with stereotypes we imply that the properties by which we characterise a certain "group" are part of all members of that "group".

We can divide the stereotypes into positive and negative. These are generalisations which we base on minimum awareness about the "group" we are talking about. Most frequently, we encounter stereotypes created about ethnic belonging, religious, gender, sexual orientation and other categories or groups.

Prejudice

The term **prejudice** is most frequently used to denote previously acquired, usually unwanted, judgments directed at people or persons, due to their gender, social class, age, disability, religion, sexuality, race/ethnicity, language, nationality or any other personal characteristics. They may also refer to the unfounded beliefs whereby it may include any unreasonable behaviour that is usually resistant to the influence of the reason.

Prejudice is conclusion or an attitude about something or someone made beforehand and based on unproved allegations, i.e. negative attitude against a group or an individual. It is frequently the foundation of various forms of unjust behaviour and discrimination against the one they relate to. Prejudice is emotionally coloured and it prevents us to assess people, subjects or situations fairly. It is attitudes and beliefs that are not grounded on factors/facts.

Prejudice very frequently contains negative and hostile attitude towards the object and this means a serious problem in the public or social behaviour.

Prejudice includes all forms of judging, underestimation, hostile attitudes, and the main properties of prejudice include unsoundness, non-existing evidence, established facts. Each fight against prejudice must begin in the family.

The term **sexism** is usually connected to the negative disposition against women that originates from the belief that women are less valuable or less capable than men.

Nationalism is a disposition founded on common cultural characteristics that connect the population and frequently create a politics of national independence or separatism. Nationalism suggests "common identity" of the people-members of the nation which minimises the differences within the group and stresses the perceived boundaries between the group and those who are not its members. This leads to the supposition that the members of the nation have much more in common than they really have, that they

are "culturally united", even if within the nation there is injustice based on differences in the status or the race. At the time of conflict of one nation with another, nationalism is controversial since it can function as an accelerator of the criticism when it comes to the own problems of the nation, due to which it makes the hierarchies in the nation and the internal conflicts seem natural. It can also serve as a way for gathering people from the nation for certain political cause. Nationalism most frequently includes pressure for conformity, submission and solidarity among people of the nation and it can result not only in the feeling of public responsibility, but also in the consideration of the community in a narrower sense due to the exclusion of those who are considered outsiders. Since the identity of the nationalists is linked to their submission to the state, presence of aliens who do not share this submission can lead to hostility.

Sexual discrimination - Sexual orientation of a person is "preferring" homosexuality, heterosexuality or bisexuality. As most minority groups, homosexuals and bisexuals are not immune to prejudice and stereotypes by the majority group. They can be the subject of hatred by others because of their sexual preferences; one term for such intensive hatred based on sexual orientation of a given person is **homophobia**.

Racism is defined as "belief that the races exist, that the physical characteristics determine the cultural distinctions and the racial characteristics make some groups superior." Classification of people in hierarchies based on their race relies on the claims that the unequal treatment between different groups of people is fair due to their genetic differences.

Activity 3: Thematic unit 3: Equal approach

Duration: half a class

Method of work: self-learning, discussion

Location: Classroom or another adequate area at the

instructor's choice

Note for the instructor:

The instructor opens discussion about the multiethnic society, police and human rights and examples of non-discrimination in the police work are discussed.

Human rights are derived from the inherent human dignity and they are values of a human personality of all human beings. They are universal, inalienable and equal.

Nobody has the power to deprive another person from these rights arbitrarily from whatever reason, and this sets the basis of the international and domestic legal protection.

They are inherent/inalienable for each individual, regardless of the race, colour, sex, language, religion, political or other beliefs, national or social origin, property, birth status or any other status.

In a democratic society the police officer is expected to respond to the challenges of a modern society. Confidence in the police that serve to the community gives rise to a harmonious and peaceful society.

Police officers risk and suffer awkwardness to protect the lives of citizens, and they bear these risks and awkwardness for the benefit of people who might be different from them. The police officers must meet the highest standards in order to maintain the confidence of the public.

Since all police officers should serve as a role model, they have an obligation to behave in a way that should not seem indecent. In other words, the integrity with words and acts, consistent to the democratic principles is one of the better ways that would provide security that the police organisation may satisfy the noble promise of a democratic public service. It must be borne in mind that a minor misuse may cause long-term consequences not only for the police officer, but for the entire service.

Through training, police officers shall be able to perform their duties professionally, know how to cope with different challenges, different persons, recognise the differences, recognise and respect the belonging to a certain group, culture, nationality. The purpose is for them to surpass themselves

through training, to protect the individual, and by protecting the individual to protect the legal system, functioning of the community, and with such professional behaviour to provide the rule of law.

Basic categories of human rights

The Constitution guarantees the inviolability and inalienability of human rights.

These rights include:

- The right to life
- The right to physical and moral dignity is inalienable and inviolable and accordingly, all forms of torture, inhuman or degrading treatment or forced labour are forbidden
 - The right to a fair trial.

Human rights and freedoms and constitutionally restricted under certain circumstances or conditions, authorised and restricted by law.

Protection of victims

The police have a special duty to protect the victims of crime. All victims of crime have a right to be treated with due respect, compassion and care, which manifests the respect of their human dignity. The police are required to act with due care in order to provide the victims of crime with a full, fair and equal access to all mechanisms of justice and help, and to undertake all necessary measures in order to prevent the recurrence of victimisation.

The specific provisions include:

- All victims of crime, misuse of powers or human rights should be treated with compassion and respect.
- Victims should receive any necessary legal, material, medical, psychological and social help and should be informed about the availability of such help.
- Privacy and safety of victims should be protected, especially of the minors, women, disabled persons and alike.
- The police should be trained about the needs of victims and should be provided with instructions how to provide adequate and fast assistance.

Until the adoption of the new Criminal Procedure Code, the positive regulations did not treat victims and injured parties separately and this incompleteness and imprecision may be considered a certain weakness in the mechanisms for protection of human rights.

The Criminal Procedure Code makes distinction between the categories victim and injured party in the entire procedure, starting from the detection of a criminal offence and all through the adoption of the final judgment. Separate treatment of the victims and injured parties, among other, should contribute to the more efficient functioning of the mechanisms for protection of human rights.

Non-governmental organisations are directly involved and give support to their requests, and they have also given their opinion about the Anti-Discrimination Law. The report of the European Commission, in the part on the human rights, also gave controversial assessments of the country with regard to the need for protection of the rights of homosexuals.

After comprehensive and detailed preparations, the country has adopted the Law on Prevention and Protection against Discrimination, or the so called Anti-Discrimination Law.

Adoption of this Law as a legal instrument is of exceptional significance for the police work as well, since in its operation, the police encounter homosexuals every day.

After an interview with them in the capacity of an injured party or a defendant, our conduct with them should be professional.

National laws prohibited persons who were previously convicted of criminal offences to become certified accountants, since the criminal judgment indicates a lack of honesty and confidentiality needed for that profession. The plaintiff in the case was convicted because he refused to wear military uniform while serving the military service. His refusal was due to his membership in the Jehovah's Witnesses, a religious group that is committed to pacificism. The European Court of Human Rights (ECtHR) decided that there is no reason for prohibition of the performance of the profession when the criminal judgment of the concerned persons does not refer to the confidentiality or honesty of an individual. The Government discriminated the plaintiff by not anticipating exemptions from the rule for such situations, and in that way, it violated the right of expression of religious beliefs in relation to the prohibition of discrimination.

Spheres of conflict between the police powers and human rights and freedoms

- Powers connected to freedom of movement.
- Treatment of persons in a police station and exercise of the rights in the police procedure.
- Police records and their keeping.
- Powers that refer to the use of force and means of extortion.
- Impunity of police officers.
- Behaviour of police officers and their inappropriate conduct.
- Incorrectness in the conduct, partiality, corruption, non-professionalism, lack of competence and lack of training.

Activity 4: Practical exercises and scenarios

Duration: 1 class

Method of work: Practical exercises and scenarios, role play,

feedback and reflection, video feedback

Location: classroom

Note for the instructor:

Implement scenarios No. 1 and No. 2 with the police officers and make feedback and reflection.

Present a video - scenario on discrimination to the police officers.

SUMMARY:

It is necessary to point out that the police are obliged not only to behave non-discriminatorily, but to combat the emergence of national, racial, or religious hatred, conflicts or intolerance and to pursue the perpetrators of these acts because they are considered criminal offences. No matter whether they agree or not with the existence of different groups and beliefs of people, during the police treatment all should be treated equally and their dignity should be respected.

QUESTIONS:

What is discrimination?
What is indirect discrimination?
What is prejudice?
What are stereotypes?

BIBLIOGRAPHY - REFERENCE:

Constitution
Law on Prevention and Protection against Discrimination
Law on Police
Law on Internal Affairs
Rulebook on the Manner of Performing Police Affairs
Code of Police Ethics
European Convention on Human Rights
Law of Criminal Procedure - Preliminary Investigation
Criminal Code - criminal offences in exceeding the powers
MoIA Collective Agreement - part on sanctions
Law on the Ombudsman - actions on citizens' complaints
Law on Misdemeanour - sanctions part

TEMPLATE FOR SCENARIO - 1

Learning assignment: Non-discrimination in the police proceedings

Names: Egzon, Miki, Asan Useinov

Context of the scenario

On 1 August 2014, in performing their patrol service, the police officers Egzon and Miki recognised the person Asan Useinov, who is a known thief of iron and batteries, and they stopped him and took actions pursuant to the law, or their powers. They found some iron items with the person, which could originate from a criminal offence. At that moment, the police officer Miki started to curse, insult, and belittle the suspect.

Role description

A. Police officers

- 1. You are Egzon, a police officer, and while performing regular patrol you see a person, Asan Useinov, known thief of iron and batteries. You stop him and take actions according to the law, or your powers, and find some iron items that could originate from a certain criminal offence. When your colleague starts to insult and belittle him, you warn him to stop with such conduct.
- 2. You are Miki, a police officer, and in performing regular patrol you see a person, Asan Useinov, known thief of iron and batteries. You stop him and take actions according to the law, or your powers, and find some iron items that could originate from a certain criminal offence. At that moment, you start to swear him, insult and belittle him, to express national intolerance and prejudice against the person since he is of Roma origin. Cope with the situation.

Role description

B. Role of the civilian - perpetrator

You are Asan Useinov, Roma, perpetrator of thefts

You will cooperate with the police and when they start belittling you, you remain silent, refer to your rights, negate that it is really like that and ask the police officer to stop humiliating you.

Expected results

- Identify the identity of the person
- Make inspection of the person
- Write official notes
- Use radio connection
- Behave decently
- Comply with the law
- Respect human rights

TEMPLATE FOR SCENARIO 2

Learning assignment: Non-discrimination in the police proceedings

Names: Mome, Miki, Aleksandar Mihajlovski

Context of the scenario

On 1 August 2014 a person Aleksandar Mihajlovski comes to your police station and reports that someone attacked him physically in front of his building, hit him with fists, shouted vulgar words and repeated that he hated gays.

Role description

- A. Police officers
- 1. You are Mome, a police officer on duty in the police station and the person Aleksandar Mihajlovski comes to you and reports that someone attacked him physically in front of his building, hit him with fists, shouted vulgar words and repeated that he hated gays.

Then, you start laughing and shouting at him that he even hit him a little, that nothing happened to him, he could have been worse, you tell him to go home and refuse to take a statement from him.

2. You are Miki, a police officer who witnesses such conduct by the police officer on duty; you express your dissatisfaction and warn him about it. Cope with the situation.

Role description

B. Role of the civilian – perpetrator

You are Aleksandar Mihajlovski and you are physically attacked by a person in front of your building due to your sexual orientation. While hitting you with fists, he tells you than he hates guys, hates to see them walking in his neighbourhood and that they should be punished with death.

Expected results

- Identify the identity of the person
- Write official notes
- Behave decently
- Comply with the law
- Respect human rights

LEARNING ASSIGNMENT: 1.5 COMMUNITY POLICING

Introduction:

Over the previous years, as an independent state, our country has experienced a transformation in all areas, in politics, technology, economy, culture and in the society as a whole. In a similar way, crime has changed - globalisation, change of borders, conflicts, etc. As a result of all this, our police had to change in order to respond to these changes.

It was necessary to make the transition from the previous traditional model of police work into the current one and to implement a new model of police work in which citizens are equal partners, or the model of policing in cooperation with a community, based on the principles of participation, trust, commitment, partnership and cooperation.

Based on all this, the police organisation, as one of the most visible authorities of the state administration, has been focused on reforms in the past 10 years, such as:

- Creation and strengthening of own capacities for facing new forms of crime and issues related to the criminal law;
- Improvement of the efficiency;
- Extension of the role of the police;
- Accountability related to the police work;
- Establishment of cooperative structures with parallel international organisations and institutions;
- Meeting the democratic standards of professionalism and ethics.

One of the strategic commitments regarding the reform is the development of the police as a service of citizens. This commitment will be achieved through introduction of a system of organisation and work, known as community policing, or a system of a joint action of the police and citizens in resolving the security problems in the local community. The priority stressed in this strategic plan is strengthening of the confidence of all communities in the police through development of partnership relations between the citizens and the police, increased confidence of all communities in the police, developed transparent system for public relations and affirmation of community policing as a principle of police work.

The change is inevitable and although difficult, it is necessary for the development and progress both organisationally and personally.

Therefore, we should all address the challenges that lie ahead.

The approach to the police work that accentuates the integrated and coordinated use of both the police and the community resources, a

philosophy that concurrently guides the managing styles and operative strategies, and also an approach that also stresses the establishment of a partnership between the police and the community and approach towards resolving the problems that really correspond to the unique needs of each community.

This is the approach of the policing in cooperation with the community.

Summary

The concept of police work in cooperation with the community is becoming a practice in our communities. Through this learning assignment the police officers will learn the concept of policing in cooperation with the community and will learn how exactly this philosophy and its guiding principles will help in their everyday work, in their everyday relations with the local population and the members of the community where they live, aimed at building relations of mutual trust.

In order to implement this concept, police officers are required to identify more personally with the concept and understand more clearly how to apply this concept successfully in their work.

The police officers should also have a proactive approach towards the citizens, which implies continuous communication and acting in the spirit of community policing.

It is important for this concept that the community, the police and the local self-government, as well as other institutions must work constantly and with a plan in the prevention of crime and all other possible dangers for the citizens. The Local Prevention Council may be of great help as a body within which the partnership between the police and the community will be resolved, along with various problems in the field of security.

As a result of this, with efficient training of the police on the topics of community policing, the police officers will be able to understand more clearly the basic philosophy of community policing and to apply it in their communities, in order to build effective partnership of trust between the police and the community. When the police come out of its traditional role and undertake an increased role that is derived from the cooperation with citizens, the entire community is subject to a repeated development and progress.

MAIN POINTS:

- The concept of Community Policing
- Required characteristics of the police officer for prevention
- Contribution of the community

THEMATIC UNITS OF LA:

- Thematic unit 1: The concept of Community Policing
- Thematic unit 2: Required characteristics of the police officer for prevention
- Thematic unit 3: Contribution of the community

Core activit	ty:	Ethical conduct and respect of human rights in police proceedings		
Learning assignment: Community		Community	Policing	
Date:			Performance of the learning assignment - location:	Organisational units in MoIA
Versio	n:	4	Item:	1.5
Competencies		etencies		

×	1. acts in accordance with the defined role and duties of the police
×	2. implements the powers
	3. uses means of coercion
	4. performs various types of controls, checks and
	court orders
×	5. provides assistance
	6. uses material and technical resources
	7. drives vehicle safely with priority (the right of way)
×	8. drafts and writes any type of report
×	9. takes initiative in work
×	10. prioritises
	11. accepts a task from a competent person
×	12. carries out the planned activity
×	13. communicates, coordinates, and analyses
×	14. works in the spirit of democratic processes
×	15. enforces the law and respects the rule of law
×	16. uses communication skills
	17. establishes and builds a close relation with
×	citizens
×	18. recognises and resolves their problems
×	19. knows the social and ethnic structure
×	20. respects diversities
×	21. provides assistance to everyone
×	22. respects cultural and other values
	23. communicates in English
×	24. constantly improves himself
×	25. listens and asks questions
×	26. knows how he can learn
	27. accepts well-intentioned criticism and
×	suggestions
×	28. notes what is negative and removes it

Work	king pattern	
×	a. introduction into events	
×	b. planning with goals and specific assignment	
×	c. monitoring, preventive, and operational work	
×	d. communication with citizens	
e. information, use of material and technical resources, radio communication and other		
×	f. provision of assistance - service of citizens	
×	g. performance of work assignments	
×	h. respect of human rights	
×	i. use of authorisations	
×	j. submission of reports	

		Date: 19 September 2014
Learning ass	Learning assignment: version for learners	
Core activity	Ethical conduct and respect of human rights in police proceedings	Version: 4
Learning assignment	Community Policing	Location: Organisational units in MoIA
		Required time: 6 classes
Description	The concept of community policing is becoming a practice in our communities. With this learning assignment the police officers will learn about the concept of community policing and how exactly this philosophy and its guiding principles will help in their everyday work, in their everyday relations with the local population and the members of the community where they live, aimed at building relations of mutual trust. In order to implement this concept more successfully, police officers are required to identify themselves more personally with the concept and to understand more clearly how to apply this concept successfully in their work. Example of a situation: In one neighbourhood, citizens are complaining about repeating disturbance of the public order by loud music from a café bar located in their vicinity. The population contacted the police and filed complaints on the quality of living in the community. The complaints referred to the noise in the club, the working hours and information about a number of prostitutes working in the club. The citizens claimed that a number of complaints about incidents had been reported to the police, and they did not respond to their telephone calls, nor did they try to give satisfactory explanation about their decision not to respond or undertake measures with regard to the complaints.	

Expected results	At the end of this LA, the police officers will: know: what is in fact the meaning of the term citizens - police close relation how to realise their role in this so-called triangle (police, citizens, local authorities) to respect diversities with citizens to ensure that problems are noticed and observed to be in communication with the citizens and to ensure that when needed, the citizens are able to communicate with him/her to ensure that the approach towards the police work is in accordance with the principles of a democratic system how the work should be done in a multiethnic society how he/she can contribute with his/her conduct in the improvement of the relations between the ethnic minorities and the police that he/she should get acquainted with the structure of the population in the field. be able to: work responsibly and honestly on the establishment of close relation with citizens resolve problems of citizens within the frame of his/ her competencies work in the field and organise meetings with citizens and the local authorities communicate with citizens on a daily basis when he/ she is on duty and get familiar with their problems work in a multi-ethnic environment and address the problems of the citizens prepare the adequate documents.			
Legal framework	Law on Internal Affairs, Art. 5, Art. 10 and Art. 11 Law on Police, Art. 11 Law on Local Self-Government, Art. 78 Rulebook on the Manner of Performing Police Affairs, Art. 11, Art. 66, Art. 93, Art. 94, Art. 95, Art. 96, Art. 99 and Art. 100 Code of Police Ethics, Art. 12 Instructions for Regulation of Methods and Methods of Preventive Work, and Planning and Recording of Preventive Work.			
Questions from LA	1. What are the advantages of the concept of community policing?2. Why is the sectoral way of work important?3. What is the role of the Local Prevention Council?			

		Date: 19 September 2014	
Learning assig	gnment: version for instructors	Item: 1.5	
Core activity	Ethical conduct and respect of human rights in police proceedings	Version: 4	
Learning assignment	Community Policing	Location: Police integrity and professional conduct of a police officer	
		Required time: 6 classes	

ORIENTATION

Participants will be oriented towards the learning assignment

Talk with police officers to determine their previous knowledge about the subject by asking closed questions. Acquaintance with the term, definition of notions and the basis of the concept of community policing, as well as the acquaintance with the values of the community policing concept.

For that purpose, by answering open questions on the subject, through discussion on their previous knowledge, police officers should create an attitude about what community policing is and with guided summary of their attitudes, define the notion of this concept.

The discussion should further be extended to the characteristics of the traditional model of policing and the characteristics of the community policing.

Afterwards, with the assistance of the instructor, the purpose of this concept should be explained, and the instructor should describe and explain what the advantage of this concept is, whereas police officers should make a distinction between the two models of policing.

Through self-learning, police officers should understand the distinction between the basic terms and expressions.

The police officers should read the learning assignment. They are oriented towards the description and the expected results from the learning assignment on the one side, and on the test for measuring competencies, on the other.

With adequate orientation of the police officer for the learning assignments, he/she will be able to focus on the requested results in the remaining time for the learning assignments.

Planning of the learning activity

This LA will be implemented through 3 activities of 3 thematic units with training in the classroom according to the following schedule:

- Methods
- Time
- Schedule
- individual/ group learning activities
- Activity 1: Thematic unit 1: the concept of Community Policing
- **Duration:** 1 class Location: classroom
- Method of work: self-learning, discussion, group work

Activity 2: Thematic unit 1: Required characteristics of the police officer for prevention

Duration: 1 class Location - classroom

Method of work - discussion, group work

Activity 3: Practical exercises and scenarios - 1 class

Location - classroom

Method of work - practical exercises and scenarios, discussion, feedback and reflection

Activity 4: Thematic unit 3: Contribution of the community

Duration: 1 class Location: classroom

Method of work: self-learning, discussion, mind map

Activity 5: Practical exercises and scenarios - 2 classes

Location: classroom

Method of work: practical exercises and scenarios, discussion,

feedback and reflection Activities of learners:

- What do the listeners do?

- Discuss

- Work in small groups - Results

- Acquire competencies for implementation of the LA

PERFORMANCE

Roles of the instructor directing the learners control of the learning processes

The instructor

- directs
- clarifies
- discusses
- facilitates

- participates in demonstration

- asks and answers questions

- observes the learning process

The instructor should monitor this process from aside to be sure that they move in the right direction.

Evaluation - plenary evaluation with learners - individual evaluation with learners with learners - through participation in discussions - asking questions Individual - participation in discussions - asking and answering questions - through exercises - self-learning

LEARNING RESOURCES AND MATERIALS	
Learning - resources - materials - IT	Law on Internal Affairs Law on Police Rulebook on the Manner of Performing Police Affairs Law on Local Self-Government Instructions for Regulation of Methods and Methods of Preventive Work, and Planning and Recording the Preventive Work Code of Police Ethics Flipchart, markers, white paper, board, computer, projector
PREPARED BY/AUTHORS	Rozalita Dojcinoska, Police Adviser
Who is responsible for the learning assignment?	The task group within the Council of Europe project: Nojko Stojcevski, Senior Adviser Lecturer/Instructor Dragana Kiric-Trpovski, Senior Adviser Aco Kamcev, Senior Adviser Suza Trajkovska, Adviser Instructor Arben Jashari, Adviser Instructor Blagoja Stojanovski, Senior Inspector External members: Slavica Andreevska, Judge of Preliminary Proceedings Jovan Ilievski, Public Prosecutor

MANUAL FOR THE INSTRUCTORS

LA COMMUNITY POLICING

DURATION OF THE LEARNING ASSIGNMENT: 6 CLASSES

Learning resources and materials:

Law on Police

Rulebook on the Manner of Performing Police Affairs

Law on Local Self-Government

Instructions for Regulation of Methods and Manners of Preventive Work, and Planning and Recording the Preventive Work

Code of Police Ethics

Flipchart, markers, white paper, board, computer, projector

Expected results

At the end of this LA, the police officers shall:

know:

- to ensure that the approach towards the police work is in accordance with the principles of a democratic system
- what is in fact the meaning of the term citizens police close relation
- to realise their role in this so-called triangle (police, citizens, local authorities)
- to ensure that diversities with citizens are respected
- to ensure that problems in the field are noticed and observed
- be in communication with citizens and ensure that always when needed, citizens are able to communicate with him
- to ensure that the approach towards the police work is in accordance with the principle of a democratic system
- how work should be done in a multiethnic society
- how he can contribute with his conduct in the improvement of relations between the ethnic minorities and the police
- that he should get familiar with the structure of the population in the field

be able to:

- work responsibly and honestly on the establishment of close relation with citizens
- resolve problems of citizens within the frame of his competencies

- work in the field and organise meetings with citizens and the local authorities
- communicate with citizens on a daily basis when he is on duty and get familiar with their problems
- work in a multiethnic environment and address the problems of citizens
- prepare adequate documents

THEMATIC UNITS OF LA:

- Thematic unit 1: The concept of Community Policing
- Thematic unit 2: Required characteristics of the police officer for prevention
- Thematic unit 3: Contribution of the community

Activity 1: Thematic unit 1: The concept of Community Policing

Duration: 1 class **Location:** classroom

Method of work: group work, discussion, self-learning

Note for the instructor:

At the beginning, divide police officers in four groups and give them the following assignments:

First group: the concept of community policing

Second group: Definition of the concept of cooperation between

citizens and the police

Third group: Basis of the concept of community policing

Fourth group: Values of the concept of community policing

Groups work 10 minutes on preparation and then a representative of each group gives presentation to the team.

Afterwards, through discussion about their previous knowledge, police officers should create an attitude about what community policing is.

Through open questions, the instructor will also introduce the police officers with the basis and the key components of community policing, as well as with its values.

Definition of the concept of cooperation between citizens and the police

There are many definitions, but none of them defines this concept in its entirety. These are some attempts to define it:

The cooperation between the police and citizens is a philosophy and an organisational strategy that promotes a new partnership between the citizens and the police. It is based on the premise that the police and the local population must work together in order to identify, specify priorities and resolve current problems, such as crime, social and physical disturbances in a local community, with a purpose of improving the quality of living in a given area.

Cooperation between the citizens and the police is an attempt for cooperation between the law enforcement officers and the local population, with a purpose of identifying the problems that the citizens are concerned about, as well as a joint work on their resolution.

The concept of cooperation between the police and the citizens has developed from critical examination of what the response of the police towards citizens, the community and the problems with crime, drug abuse and disorders should be like. The philosophy of cooperation between the police and the citizens states that the basic mission of the police is proactive prevention of crime, not only response to calls. Cooperation between the police and the local population completes this mission through maintenance of a visible police presence in the neighbourhood, undertaking of actions for the resolution of problems with crime, depriving from liberty those who violate the law, maintenance of the order and resolving of disputes. At the same time, cooperation between the police and citizens strengthens with the concept of separated duties with regard to the safety and security of the local population. The police and citizens are partners in the creation and maintenance of safe and peaceful neighbourhoods.

Basis of the concept of Community Policing

1. Consultation

In order to reach the objectives of community policing, frequent and various consultations between the police and the public are necessary with regard to local problems, politics, priorities and strategies. This enables the police to identify problems that the members of the community consider important and to start meeting their expectations. The police and the citizens exchange information through formal and informal contacts. These contacts enable the public to get acquainted with their local police service better, while the police officers acquire better knowledge about their local community. Information can be exchanged through informal contacts, patrolling, meetings and surveys.

Citizens expect professional, high quality service, giving attention to the flow of information and feedback. They also expect visible, accessible and careful police, committed to resolving the local community problems in an efficient and effective manner.

2. Adaptation

A standardised approach towards the problems of citizens in different communities and regions where there are different priorities is not the most efficient manner of solving the problems. Citizens and the police must be realistic in understanding that not every problem can be resolved at everyone's satisfaction and that new problems will emerge all the time. However, the police officers should be prepared to adapt themselves and seek various types of possible solutions (reactive, preventive and proactive) and then the efficiency and the effectiveness shall be more than guaranteed.

3. Mobilisation

The public possesses a great deal of information that you can use for preventing and resolving crime in the neighbourhood. Therefore, there is a need for mobilisation of all local resources with the purpose of resolving the problems and promoting safety and security.

4. Responsibility

The community policing requires responsibility of both the police and the public, through mechanisms created in the manner to encourage transparency. Local media play a key role in providing transparency of wide extent that is linked to mutual responsibility. Decentralised police management and the use of resources are a precondition for the existence of a local responsibility.

5. Proactive approach

The concept of community policing changes the focus of the police work from a reactive approach (i.e. waiting for a crime to emerge before undertaking some action) towards a proactive approach (undertaking positive steps before a crime occurs in order to prevent its emergence). This approach is focused on crime prevention, resolving of the problems of the community and finding reasons for the crime and the disturbance of public order.

Key components of the concept of Community Policing

All definitions give rise to two components:

- Partnership between the police and the citizens;
- Resolving of problems identified by the partnership.

This concept accepts the fact that the police are not able to resolve the problems with crime and disturbance of public order by themselves. In order for the police officers to succeed in this, a partnership with other government departments, members of the community, as well as with leaders, business owners, schools, non-governmental organisations (NGOs) and other services should be established. Establishment of partnership is represented by a wide representation of the community, that is, it is very important to define the needs of the community and the priorities of the police work. This also encourages responsibility, transparency and efficiency.

The concept of community policing leaves the style of incidental police work and transits towards a problem-oriented approach. The reactive approach of the traditional police work has influence over the problem symptoms only temporary. The proactive way of resolving problems, their identification and fundamental resolving lessens the problems and symptoms on a long-term basis. The proactive approach discloses that the police are not the only one that are responsible for resolving the problems that concern the local population.

Joint identification and analysis of the current and potential reasons for the crime and disorders in the community support this approach. Joint responsibility for resolving problems shows that there is a partnership.

Values of the concept of Community Policing

1. Commitment

The police and the community must be committed to identification and resolving of problems. There must be a joint responsibility in making decisions, as well as a constant commitment and consistency in the implementation. Citizens will expect results and will be disappointed if they are not delivered. Therefore, a visible commitment of police officers is of crucial importance in implementation of the concept.

2. Confidence

In performing their everyday activities, it is much easier to build mutual relations of support. This concept will not succeed without confidence. The establishment of cooperation between the citizens and the police is not always easy and will not happen immediately. The community should be listened to and its concerns should be respected. When confidence is built, the community will be more prepared to keep its security.

3. Orientation towards the needs of citizens

Orientation towards the provision of services to citizens means simply that the community is seen as a user and the police as a provider of services. The positive interaction and personal servicing surpass some of the most frequent complains that the citizens have against the police (the police treat people as numbers, do not respect human rights, and alike). As police officers who will use the police powers in given situations, with a purpose of maintaining the rule of law, you must exert your efforts whenever possible to engage in a positive interaction. You should behave with the citizens in a friendly, open and individual manner, in order to acquire their trust.

4. Interest of the community

In the implementation of this concept, it is very important to make relations with the community and decrease the problems with crime and public disorder. Working in groups with citizens on projects in the community, as well as working with individuals on strengthening the security in the community, is a guarantee for success.

5. Recognition of special needs

Community policing places a special emphasis on vulnerable groups, like young people, women, minorities and elderly people who are faced with a greater possibility to become the victims of crime. Measures must be undertaken to decrease their fear from the probability that they may

become possible victims. The police officer is responsible to shift that fear in the direction that those who are vulnerable undertake reasonable preventive measures. For example, implementation of sports events, recreational activities, educational lectures in the field of traffic, etc.

6. Cost-effectiveness

Given that this is a concept of a comprehensive philosophy, the police resources should be used because:

- participation of the community in the prevention of crime increases the available resources;
- resolution of problems instead of repeating the reactions of the same problem, allows more efficient use of combined resources of the police and the community;
- giving responses based on the needs and priorities is the basic part of community policing;
- resources are used in accordance with the priorities of the community.

7. Wide approach of the police work

This concept requires the police officers to have extensive knowledge, to be police officers who are accountable and capable of addressing a wide scope of activities. The role of the police officer is extended more than only to enforce the law – he/she prevents crime, promotes public order, resolves conflicts, strengthens the relations between the police and the community and performs other duties.

Activity 2: Thematic unit 2: Required characteristics of the police officer for prevention

Duration: 1 class **Location:** classroom

Method of work: discussion, group work

Note for the instructor:

Divide police officers into 3 (three) groups and give each group an assignment to elaborate certain subject, such as:

- 1. Required characteristics of the police officer for prevention
- 2. Proactive way of thinking
- 3. Important principles of community policing

The groups work for 10 minutes on preparation and then a representative of each group gives presentation of what has been done.

At the end of each presentation, the instructor should draw a conclusion and write it down on the flipchart.

Required characteristics of the police officer for prevention

The preventive work of the police has two objectives: on the one hand, it is supposed to anticipate the problems in the local community and to act preventively, which does not mean in any way that the repressive powers of the police cannot and should not be used, and on the other hand, the police officer for prevention must be available to citizens at any time, making efforts to meet their expectations. In order to meet this objective, police officers, especially those who influence the preventive work directly, should know their environment perfectly and should be known among the citizens who live or stay in that area. Certainly, one of the basic elements of the preventive work of the police is patrolling on a beat, because it is the direct way of connecting the police with the citizens. In this way, the police officer shall create a climate of trust and respect of citizens in the police.

The police officer for prevention is skilful; he/she adapts to any situation and influences the decrease of "tension" in everyday life. He/she is most responsible for maintenance of the order, he/she is well acquainted with the concerns that citizens have, knows how to approach citizens, how to listen to them, calm them, get information, intervene, resolve problems, offer advice and impart accurate information.

By accepting this profession, the police officer must create a climate of trust and respect and must be sure in himself/herself and in his/her own capabilities. The police officer for prevention is a guarantor of the security and the laws in the sector and with his/her behaviour he/she must be a role model of a good and exemplary citizen. He puts the ethics of the police work into the service of citizens who respect his work.

Every police officer must have professional knowledge, but in addition, the police officer for prevention must possess the following characteristics:

- Professionalism
- Respect
- Self-initiative
- Communication and kindness.

The police officer for prevention must also be:

- A person with positive energy
- A person with attitude who manifests that he/she serves the citizens
- He/she should be curious and outgoing
- Clever, analytical, neat and responsible
- A pleasant person with exemplary appearance
- Tolerant to frustrations

The police officer for prevention should contact all citizens, independent of their social status, origin, culture and lifestyles. He/she should also cooperate with other representatives from various institutions, mainly with social and educational institutions.

These police officers must feel assured and self-confident in the communication with citizens, because if they do not possess these properties there is a danger that the people they communicate with refuse to talk to them.

The citizens will ask police officers different questions that may be out of the scope of their work, but even then, they should be guided by the idea that they are the service of citizens. In such situations, the police officer should make an attempt to find the right answer cooperating with other partners and institutions. A pleasant appearance, neatness, kindness and good manners are very important in the communication with citizens.

The first sign of respect of others is your own appearance. The aforementioned characteristics that the police officers for prevention should possess must be a standard for other police officers as well.

Proactive way of thinking

- The police officer for prevention is capable of anticipating the development of a certain situation, maintaining contact with the citizens, guiding analytical groups and managing projects;
- The police officer for prevention possesses a sense for development of cooperation;
- The police officer for prevention is open to the problems of the local community.

The traditional way of working implies acting step by step. It is similar to extinguishing fire: fire is extinguished and then the following step is taken.

Solving of problems through preventive work requires detecting certain phenomena, i.e. a set of individual phenomena that are somehow connected among each other or repeated.

In order to shed light to a situation, we must have an overview of the whole situation. This means that we must collect all relevant information and interpret it correctly.

In addition to the aforementioned personal and social characteristics, the police officer must know what data is available to him/her in the police stations in order to be able to emphasise certain situations. He/she should be able to interpret this data and link it to the data from other offices and institutions.

After that, the police officer for prevention will be able to engage himself/herself in the process of resolving the problem.

Important principles of Community Policing

The sectoral method of work implies direct physical presence and constant work in an area. It will help police officers to get closer to the citizens and become aware of their needs. The sectoral method of work is the basis for building trust of the citizens in the police. In this way, citizens may be additionally informed about the role of the police in a democratic society.

The quality of the service is directly linked to the quality of interaction. This interaction occurs through personal contacts between the police, citizens and the local authorities – a triangle.

Direct contacts are those daily, routine situations when the police officer comes into contact with citizens, with the purpose of addressing a problem. These contacts include persons who are suspects, victims, witnesses, concerned citizens or concerned citizens' groups. Direct contacts also include official or formal interaction, mutual relation with other police officers – individuals, police officers or services, other governmental institutions, departments, sectors or individuals on any level.

Indirect contacts exist when there is no relation between the people and the police, but people are concerned about a police procedure for resolving a specific problem. Indirect contacts may include the business communities (where, for example, a series of thefts occurred), interest groups (for example, a group of women concerned about cases of sexual assaults on women in the community), cultural groups (for example, occurrence of discrimination at the workplace).

Direct and indirect contacts with people obviously influence the quality of the relationship between them (police and people). Police officers must constantly renew the working relations with the local population in order to achieve assurances that the services provide partnership and the established partnership helps in achieving security of the home and the surroundings. By promoting confidence and trust among citizens, who live and work in the local neighbourhood, the access is provided to information that is required for protection and resolving of problems connected to the crime or internal social problems. By getting to know the local population, the police officer promotes efficiency and effectiveness.

The proactive approach of citizens implies continuous communication with police officers. Because of that police officers must be present, active and noticeable in the field. However, in addition to the police officers for prevention, all other police officers must act in the spirit of community policing.

The police officers for prevention must know the organisation and the manner of work of other police officers. They should consult their colleagues constantly asking for assistance in cases of resolving various problems, which they encounter in their everyday work.

The police officer for prevention collects information necessary for the police work and submits it to his superior officers. Although the police need information in order to combat and prevent crime, as well as to identify and detect the perpetrators of misdemeanours and criminal offences, this should be made in such a way that the citizens would not gain an impression that community policing is actually collecting information. In such a case the trust of the citizens will be lost.

With proper introduction of the role of the police in the community, the citizens will understand their social role. Every police officer should understand the importance of this concept and contribute to its implementation and further development.

Activity 3: Practical exercises and scenarios

Duration: 1 class

Location: classroom within the operational unit

Method of work: practical exercises and scenarios, discussion.

feedback and reflection

Note for the instructor:

Working with the police officers, address the examples given below and make discussion, feedback, and reflection

Example 1

Citizens in your patrolling community area have problems with illegal sellers of agricultural produce in front of their buildings. They are writing a petition to the authorities and want to protest. Using your well established position in the community, the contacts and meetings you have had with the citizens in that neighbourhood, you undertake measures towards preventing the condition and getting your superiors familiar with the problem, while contributing to calming down the tension and resolving the problem through meetings.

Example 2

Two families in your patrolling community area in a rural environment have a mutual problem because one of the families has taken an eloped daughter, so the families are at odds and mutual problems and physical conflict often occur. Using your well established position in the community, the contacts and meetings you have had with the citizens and relatives of the two families, you learn about the problem and frequent problematic situations and about possible escalation of the problem because one family threatened to hurt - kill a member of the other family. You undertake measures towards preventing the situation to escalate and resolving the long-year dispute between the families and get your superior familiar with the problem.

Activity 4: Thematic unit 3: Contribution of the community

Duration: 1 class **Location:** classroom

Method of work: self-learning, discussion, mind map

Note for the instructor:

The instructor starts the class with open questions and directs discussion with the police officers to perception of the forms of cooperation of the police, the local self-government and the local community. Then, subsequently to the derived perception, the lecturer leads the police officers towards the types of cooperation. The instructor can initiate mind mapping or apply it by himself/herself.

At the end of the thematic unit, police officers should know, recognise, understand and contribute to developing cooperation of the police, the local community and the self-government.

Contribution of the community

The essence of the concept of police work in cooperation with the community is in creation of cooperative and productive relations between the police and community. The community, the police and the local self-government, as well as other institutions must work together constantly and with a plan for prevention of crime and all other possible dangers for the citizens. The Local Prevention Council (Law on Police and Law on Local Self-Government) may be of great help as a body within which the partnership between the police and the community will be resolved, along with various problems in the field of security.

A few countries in the world have successfully applied a similar method. Still, every country should adjust this concept to its own culture.

Local Prevention Council (LPC)

The Local Prevention Council is a local body assigned with coordination, which works on behalf of the state work policy. The leader of the Council is the Mayor, and all Ministries should cooperate within it through their representatives on a local level. The experience from previous years has shown that the successful implementation of this concept requires commitment on a state level and implementation on a local level.

Council members

- The Mayor presides over the Local Prevention Council, and the Commander of the police station on the local level is his deputy
- Representatives of Ministries: Ministries of Education, Justice, Transport, and all other whose presence is required and necessary
- The Chairman of the Municipality Council and some of its members
- Members of Parliament if they live in the municipality where the Council operates
- Representatives of religious communities
- Local media
- Non-governmental organisations that work on certain issues that are needed by the Council
- Citizens from Advisory groups of citizens

Role of the Local Prevention Council

- Coordination of locally involved persons
- Diagnosis of the affairs that arise concern in relation to security
- Definition of policy of work and development of strategy for resolution of local problems
- Starting joint work/action plans supported by partners with specific solutions.

Assignments that the Council will implement

- Collect complaints, appeals and applications by the population
- Exchange of information with all members who have access to some confidential information
- Analysis of influence of the denoted problems
- Setting diagnosis upon identification of problems and their location
- Estimating the needs and defining the policy of work
- Strategy building
- Preparing a joint action plan, each member has their own role
- Assessment of results upon a certain time period
- If necessary, adaptation of the action plan
- Estimate of final results.

If the priority of assignments is focused on security and safety in combating crime and improving the life of citizens, the Council must extend its role for planning prevention and contingent situations in case of disasters such as flood, earthquake, landslide, fire, or industrial accidents with serious consequences and contamination, etc.

Local security agreement

Experience in the past years has shown that after some time, interest in implementing such a project slowly decreases. Participants forget their obligations and justify their conduct with the fact that they have more important work to do.

To avoid such problems, local actors should make agreement to committing to work with a Local Security Agreement. This document will officially involve the members of LPC and the administration. Obligations and duties are prescribed in this document. Furthermore, signing of the Local Security Agreement, except their psychological effect on the involved persons, will hopefully lead to their official involvement and dedication.

Citizen Advisory Groups

Definition for Citizen Advisory Groups (CAG)

- Togetherness of the police and citizens, which will enable citizens to ask question that concern them and presence of a qualified representative who will give them the answer to those questions;
- CAG is a form of cooperation that enables citizens and police to work together towards seeking solutions. Based on the open lines of communications, trust is developed and improved and positive relations are established;
- The advisory groups of citizens consist of citizens of one municipality or village and they meet regularly with police officers from the local police station in order to discuss issues of mutual concern, offer their views and seek solutions for the local problems together.

From all those definitions, one joint link is derived. The proactive approach discloses that the police themselves are not the only ones that are responsible for resolving the problems that concern the local population. This is a **joint approach** to resolving problems in the domain of quality of living, which concern the local population. Togetherness is based on mutual feeling of responsibility in relation to any problem, and such joint responsibility for resolution of problems shows that there is a partnership. The main goals in this context are **partnerships** that are developed through the existence and belief in the philosophy of cooperation between the police and the community.

Discussion topics

The Citizen Advisory Group concept was first introduced in the country at the Working conference on police work in cooperation with the community, organised in May 2002 by the OSCE Police Development Unit. That was one of the final recommendations, a formal forum to gather citizens, police and municipal structures at one place, where they will be able to discuss issues of public security and other issues of common interest. A number of such CAGs have been established so far and they work successfully on gathering members of the community and police with a view of resolving local problems.

The most frequent topics discussed at CAG meetings are the following:

- Traffic safety: Safety on the road, repair and maintenance of the road, snow cleaning in order to ensure basic movement of the traffic, speed driving, compliance with the traffic rules, lack of signs on the road, etc.
- **Crime:** dealers of drugs and drug users, break into weekend houses, illegal possession of weapons, local criminals, etc.
- Public peace and order: Loud music, garbage disposal on prohibited places, working hours of restaurants and catering facilities, shooting from firearms during celebrations, etc.
- Assistance and support to victims and vulnerable groups: regulating citizenship, procedures for the issuance of travel documents, ID cards, etc.

Advice for successful CAG

Clear goal of the group

Members of a CAG will best cooperate if each of them understands the joint goals clearly. They should be explained that it is unrealistically for them to solve the most serious issues in the area of security, such as organised crime or terrorism. Police officers should point out that their domain of work includes identification and resolution of realistic local problems, above all of utility service nature (defective street lighting, decreasing violence among young people, eliminating wild dumps, etc.). Resolution of some problems should be approached realistically, while respecting the circumstances that make their resolution difficult, but in no way should the members of a CAG give up on the stated goal, i.e. the final resolution of a problem.

• Principle of volunteerism

One of the leading principles in the establishment of CAGs should be the principle of volunteerism. This means that future partner relations should be established with citizens who are aware that security is one of the basic presumptions for the total life quality, for which they want to give contribution on a volunteering basis in order to improve the security of the environment where they live. Furthermore, the following is of great importance. Members of CAGs should have authority in the community in which they live. They should not be citizens with criminal records, suspicious past and without moral norms and rules. Successful work of CAGs depends to a large extent on the quality of selection of CAG members.

Clear communication

Members of CAG should feel that they can speak openly. The other persons in the surroundings should leave room for sincere exchange of ideas and opinions without fear of confronting and revenge.

• Team work

The actions of members of the team should overlap with those actions that will increase the value of the team. Actions such as: initiating discussions, requesting clarification of misunderstanding and maintaining the focus of discussion are the most important aspects of team work.

Defined procedures for issuance of a decision

CAG often face problems when decisions are issued without clearly set procedures. Without any difference whether the group will function through majority of votes, consensus or another manner, it is necessary for all the members to clearly understand and apply the procedures for the issuance of a decision.

Setting of fundamental rules

Every CAG should set the fundamental rules of acceptable conduct of the members of the group and for the behaviours that would not be tolerated, such as: coming late, unnecessary interruption of a discussion, etc. The whole group should agree with the rules, and afterwards it may continue with the work.

• Balanced participation

Every member should participate and be included in the CAG work. In effective teams, all members take participation in the discussion in line with their level of competence. Not one individual or a pair from the team should control the course of the communication.

• Application of a scientific approach

Members of the CAG should make decisions based on relevant data, not based on assumptions. CAG that use the scientific approach seek for measurable data, whereby the logic and the reasoning replace speculations. Deeper analysis of the problems and searching for their roots enable the team to examine the problems in more details.

Activity 5: Practical exercises and scenarios

Duration: 2 classes **Location:** classroom

Method of work: practical exercises and scenarios, discussion,

feedback and reflection

Note for the instructor:

Elaborate examples given in the attachment with the police officers, and make discussion, feedback and reflection.

On the second class, the instructor induces the participants to discuss examples from the practice that are given by the participants on the training (stray dogs, fast driving through a settlement, public disorder, utility problems, etc.).

Example 1:

Police officers should establish who they would include in the building of partnership in their community and to explain when and why:

Possible answers:

- Non-governmental organisations
- Schools
- The Mayor
- Local self-government
- Media
- Social protection service
- Business sector

Example 2:

Company X in your community did not make a road in the neighbourhood in spite of having the obligation. The citizens are planning a protest in front of the company's building at noon, three days from now. The protest is planned to be carried out in a way as to block the traffic. It is announced as a peaceful protest. How would you address this situation? How could you prevent escalation of the situation that may lead to public disorder? Use confidence building measures in order to be sure that the protest will be held peacefully.

Possible answers:

- Talk to the members of the community that is going to the protest
- Organise a meeting with the protest organiser (identify the leaders)
- Involve the local community authorities
- Involve the local self-government
- Provide risk coverage with police resources
- Other answers

SUMMARY

The police and the community have the same need, safe and peaceful living environment. Preventive activities of the police are completely in the interest of achieving that purpose. The Law on Police gives the basis for building the concept of confidence, building of a democratic police, which will follow the standards of the European police services.

Important contribution for this is obtained by the sectoral method of working, which is a basis for the building of confidence of citizens in the police. In this way, citizens may be additionally informed about the role of the police in a democratic society. A truly strong police is the police that draw its strength from the community.

QUESTIONS:

- 1. What are the advantages of the Community Policing concept?
- 2. Explain the significance of the sectoral method of working.
- 3. Explain the role of the Local Council for Prevention.

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