



INNOVATIONS FOR SUCCESSFUL SOCIETIES

RESTORING POLICE SERVICE WITH A COMMUNITY VISION: TANZANIA, 2006 - 2009

SYNOPSIS

In 2006, Saidi Mwema, Tanzania’s newly appointed Inspector General of Police, launched a long-term reform program that sought to address the rising incidence of crime, the negative public perception of the police, and the lack of police personnel and resources. The police service suffered from decades of financial neglect and a poor reputation. Its initial mandate emphasized regime policing, which oriented the police toward maintaining law and order for the protection of the state rather than the protection of the citizenry. On taking office, Mwema took bold steps to set a new tone for the police, including releasing the private telephone numbers of the police hierarchy and initiating investigations into suspected donors to the ruling Revolutionary State Party. He followed these initial reforms with a strategy—delineated by a “team of experts” comprising senior police officers and academics from the University of Dar es Salaam—to address the weaknesses of the police service. Though the reform process remained in its early stages in 2009, some progress was evident, primarily in the improved reputation of the police and more amicable relations between the police and the public. The case offers lessons for police services seeking to overcome poor reputations and community distrust through the adoption of a community-based ethos after decades of state-oriented policing.

Daniel Scher drafted this policy note on the basis of interviews conducted in Dar es Salaam, Tanzania, in August 2009. Jonathan Friedman contributed.

INTRODUCTION

Reflecting in 2009 on the relationship between the police and Tanzanian citizens four years earlier, Assistant Superintendent of Police Ibra Mahumi recalled that people were so dissatisfied that “they questioned why we police should exist.” Tanzanians viewed the police as corrupt, ineffectual and more likely to make a situation worse than to keep the peace. By

contrast, remarking on the improvement in the public perception of the Tanzanian police three years into a reform process, Assistant Commissioner of Police Lucas Kusima said, “[Now] they are coming to us to seek support, which was not the case before.”

Before reforms began in 2006, the police faced problems ranging from insufficient numbers of personnel to an inappropriate legal

framework, from basic equipment issues to the erosion of public support. The Tanzanian police had adopted the model of regime policing from the British colonial administration, which mandated the preservation of law and order for the protection of the state rather than the protection of individuals' liberties. The police served the interests of the ruling Revolutionary State Party from its inception, and officially became an organ of the party in 1975. During decades of neglect, dysfunctional institutional practices grew entrenched.

Previous reform efforts had not effectively addressed weaknesses in the police service. Following the move to multi-party democracy in 1992 and the growing interest in Tanzania from foreign businesses, a Legal Sector Task Force was established in 1993 to make recommendations to improve the capacity of legal institutions through training and reform of relevant legislation. However, the police service was not included on the list of institutions targeted for reform because the World Bank sponsored the task force's activities and declined to assist police. The government accepted the task force's recommendations in 1996 and formed the basis for the Legal Sector Reform Program (LSRP): Medium Term Strategy and Action Plan (2000-2005), which similarly placed little emphasis on police reform. In 2004, recognizing the ineffectiveness of the LSRP, the Ministry of Justice replaced it with a new plan that included priority targets that would apply to policing. Still, little progress occurred in the following years. Targeted changes in the police service between 1995 and 2006, including efforts to decentralize complaints bureaus and increase budget expenditures, were sporadic and lacked enforcement and monitoring mechanisms.

A confluence of factors in 2006 created an opportunity for a long-overdue reform of the police. Rising crime rates, particularly for violent crimes such as armed robbery and hijackings, brought national attention to the

weaknesses of the police service. Omar Mahita, the inspector general of the police, was facing increased pressure to resign following allegations that he was using his position to benefit private business ventures. President Jakaya Kikwete had stressed the importance of peace and security as a pre-condition for economic development during his presidential campaign, which allowed him to take decisive action upon taking office in December 2005.

As one of his first actions in office, Kikwete appointed Saidi Mwema as inspector general of police after Mahita's retirement. Mwema had served as the head of Interpol's regional bureau in Nairobi, Kenya. With Mwema's international exposure, law degree, and reputation for dynamic leadership, he seemed to be an ideal choice to orchestrate a complicated overhaul of the police. Mwema established a new tone in the police service immediately by investigating suspected corruption among donors to the ruling Revolutionary State Party (the *Chama Cha Mapinduzi*) and publicizing the telephone numbers of all senior police, including himself. Meanwhile, he organized a "team of experts" to develop a long-term reform strategy that delineated three priority reform areas: improving public perception of the police, enhancing police infrastructure and updating the legal framework to reflect the new community-policing mandate.

THE CHALLENGE

When Mwema took over as inspector general, he inherited a police service that had no shortage of challenges. The service's recruitment, training and promotion structures were opaque and erratically implemented. Policies on hiring and promotion were unclear. The system itself consequently held the possibility for substantial abuse.

The legal and regulatory framework governing police actions offered little guidance for the day-to-day work of police officers. The

General Police Orders (GPOs), the specific set of directives and instructions established in 1985 by the Criminal Procedure Act on how particular law-enforcement scenarios should be handled, were outdated and failed to comply with individual rights enshrined in the Bill of Rights adopted by Tanzania in 1984. The two pieces of legislation differed on matters such as due process and treatment of detainees. A commission set up in 1984 to make recommendations on harmonizing Tanzanian law, including the GPOs, with the Bill of Rights was disbanded in 1987 without a single recommendation going into effect. Although the GPOs should have guided officers' actions and ensured the fair and even application of the law, police found them of little use.

The public's pervasive lack of confidence and weak cooperation damaged both morale and operations of the police service. According to a 2005 survey conducted by Afrobarometer, 34% of Tanzanians thought most or all of the police were corrupt. Reformers within the police, including the inspector general, Assistant Commissioner Kusima (who was designated "Chief of Reform") and others, knew that they needed to repair this damaged relationship if they were to improve the effectiveness of police operations.

The police service also suffered from a funding shortage. Between 1993 and 2003, the service received, on average, less than 50% of its financial requirements, burdening it with an outstanding debt during the 2000-01 financial year of more than 20 billion Tanzanian shillings, equal to about US\$30 million. Foreign donor assistance later helped to reduce this debt. Budget shortfalls were common throughout the government during this period, reflecting the country's weak economy. Tanzania was one of the 10 poorest countries in the world in terms of income per capita.

Lack of funds hurt the police service in several ways. Staffing was a significant problem.

While international standards call for one policeman for every 400 to 500 citizens, Tanzania's police had one officer for every 1,400. The service relied on auxiliary police and informal neighborhood watch groups for help, but these groups lacked training and often resorted to vigilantism in pursuing criminals. The lack of funding also produced severe deficiencies in facilities and equipment. Many police stations and posts were dilapidated after years of financial neglect, and much equipment, including cars, communications equipment and weapons, was in poor condition. In addition, the police increasingly encountered criminals who used sophisticated technology and methods of communication. Cyber-crime and organized crime were becoming more prevalent, and these criminals relied on technologies that the police could not match.

FRAMING A RESPONSE

Mwema wasted no time in initiating the reform effort. Soon after taking office in March 2006 as inspector general, he established the team of experts that would solicit ideas for police reforms and develop a coherent strategy. Mwema and other top-level officers gave careful consideration to the makeup of the team. Although the police service would have the greatest representation, Mwema and the others agreed that the team also should include people with broader background. The overall group would have not only a wealth of knowledge but also a variety of viewpoints.

For the police members of the team, Mwema favored diversity, choosing high-ranking officers from the operations and planning divisions, lecturers from the police colleges, regional commanders with extensive experience, veteran investigators, mid-ranking career officers, and younger, lower-ranking constables. In addition, faculty members from the University of Dar es Salaam were enlisted to help in researching and drafting the strategy.

The final team numbered 33 members, including 27 police officers and six academics.

From the outset, the team focused on producing a reform document that represented a wide range of opinions, and they decided on a strategy based on extensive consultations with people both inside and outside the police. Kusima and others who served on the committee emphasized that this effort was necessary to identify the genuine problems within the service. However, they also reasoned that broad consultations would signal that everyone had a stake in the reform.

During the next two years, the team sought the opinion of thousands of Tanzanians. They held numerous workshops and seminars with people from a broad slice of society, traveling widely around the country. Kusima recalled that they had the “best support that we could expect” from high-level political officials. They were able to meet with President Kikwete, with former presidents, with the permanent secretaries of various ministries, and with influential businessman and public figures, seeking ideas about how to orchestrate the reform process. A questionnaire asked more than 2,500 police officers for their opinions on the major concerns facing the service. In addition, the team spoke with the public at large, and even to prisoners, for thoughts on what was wrong and what was right with the police.

Although researching and collecting opinions and data was time-consuming, those involved felt the process was critical for establishing the legitimacy of the reform process. Professor Semboja Haji, lead consultant from the University of Dar es Salaam, said, “It was extensive and tiring, but necessary. We needed more than passive participation.”

In addition to wide consultation, team members conducted comparative studies of police reform efforts in developed and developing countries. While they focused on

countries in the region that had attempted reform efforts in similar contexts, they were careful also to examine cases of failed police reform in countries such as Indonesia and Nigeria.

Having collected a wide range of opinions, the team organized its findings and began to debate the best approach to reform. These discussions revealed a rift over the structure of the reform effort, as some members were overwhelmed by the volume of challenges facing the police. As Haji put it, “We had no problem with finding problems!” Some team members suggested that the best way to go about the reform process was to focus on a single issue at a time, while others felt that the problems were so tightly linked that it would be impossible to focus on one at a time. The holistic approach won the day, as team members knew that previous attempts at isolated reforms had not worked. The resulting strategy divided the effort into three core clusters, which Mwema presented in 2008.

GETTING DOWN TO WORK

The core clusters defined the three central issues confronting the reform effort. The first was community policing, which included all activities aimed at repairing the relationship between the police and the community and involved a number of programs aimed at restoring public support.

The second cluster involved police professionalism. “As a force, we were losing direction,” Kusima said. “We needed to push the force in a new professional direction.” In Haji’s opinion, the primary aim of this cluster was to improve what he described as “the fragile and scattered” legal and regulatory framework under which the police service operated.

The third and largest cluster, labeled modernization, dealt with improving both the equipment and tools of the police. The cluster included upgrading IT technology as well as

overhauling the police's opaque and unpredictable internal management systems.

Team members considered the three clusters as intersecting sets that would complement each other. Still, each cluster had its own goals, objectives and guidelines for implementation. Each of Mwema's three deputy commissioners managed a cluster and was responsible for establishing implementation committees at the national, regional, and district level. The deputy commissioners were in charge of everything within their own cluster, and instructions and feedback came through existing command structures.

Building a community focus

While the team of experts concluded its research in 2008, Mwema had begun to implement basic reforms immediately upon taking office, trying to improve the reputation of the police and engaging civil society. In April 2006, Mwema released the private phone numbers of the 26 regional officers, including his own. He encouraged the public to call with their problems, and he required the regional officers to keep their phones on 24 hours a day. His aim was to convince the public to seek out the police and to make clear that the police served to protect the citizens rather than the state. "We want the public to be in contact with senior police officers all the time," he told BBC News at the time.

As his initial moves gained popularity, Mwema followed up with other measures to build public confidence in the police. In July 2006, he met with the Media Council of Tanzania, an organization of media and professional associations, to begin repairing the relationship between the police and the media. The police service had broad censorship authority that it used to ban 11 newspapers between 1993 and 2000. Tanzania's Broadcasting Commission, set up in 1993, ensured that only government-owned television

and radio stations received the registrations needed to operate. As the relationship became increasingly hostile, private media backed down and censored itself to avoid conflict with the police. Mwema said he told the Media Council representatives that their organizations should investigate corruption in the public sphere, and he assured them that they would not be punished for criticizing the police.

As a further means of closing the gap between the public and the police, the Department of Public Safety and Security, which oversaw the police, in 2006 set up an operation that developed into the Complaints Division. After a ministerial reshuffling in 2008, the police and complaints unit were transferred to the Ministry of Home Affairs but remained operationally independent. The director of the Complaints Division answered directly to the minister of home affairs without a police interlocutor. This unit provided the public with an outlet for their grievances and an opportunity for redress, while providing the police with a rough gauge of their performance. By monitoring the number and type of complaints coming in, the police were able to acquire a snapshot of public sentiment. In addition, the reform technical committees distributed suggestion boxes where members of the public, or the police, could leave anonymous suggestions on how the police could function better. This relatively minor move helped underline the effort to create a new era of policing, in which public opinion genuinely mattered.

Police officers' abuse of authority was a significant concern among the public. The revised LSRP in 2007 helped to narrow the focus of the police service by removing the prosecution of criminals from its obligations and vesting this authority in a newly delegated National Prosecution Service. Similarly, the police were relieved of responsibility for transporting criminals to and from prisons, as

the task was delegated to the Prisons Service. Both moves aimed to reduce the opportunities for abuse within the police service.

Meanwhile, regional police commanders were charged with implementing what reformers called “quick win lines of action”—simple, cost-free activities that worked to build closer relations with the community. Examples included setting up community meetings where members of the public could air their views, or even arranging casual chats between police officers and citizens. The commanders had flexibility to implement ideas, as long as the effort demonstrated the police commitment to serving the public and the reform effort.

To improve the handling of sensitive cases such as the abuse of women and children, special arrangements were made in police stations across the country. Designated officers were trained in handling such cases, and private rooms were provided where victims could make recorded statements. In another reach-out effort, police set up partnerships with the private sector to combat fraud and other white-collar crimes.

Professionalism

The most significant reform effort under the professionalism cluster involved a review of the General Police Orders—guidelines and procedures for handling the day-to-day activities of the police—that formed the regulatory backbone of the service. Examples included proper procedures for arrests, protocol for responding to traffic accidents and procedures for conducting criminal investigations. The point people on this effort were two members of the law faculty at the University of Dar es Salaam. One of them, Sifuni Mchome, had worked with the police on smaller specific tasks such as training of police prosecutors, but his review of the GPOs was his most important assignment for the police.

Mchome said he quickly concluded that the existing general orders were a “dead document.”

The existing GPOs had no real operative principles and no philosophies underpinning the limited guidance they did provide. The GPOs were silent on key procedures such as how to make an arrest, and they were misleading on other issues such as how to conduct a search of premises, Mchome said. Other GPOs were based on ambiguous laws: the Criminal Law Procedure Act directed that detained individuals should be charged or released “without undue delay.” This was replicated in the GPOs, but as Mchome put it, “undue delay” was entirely subjective, “a kind of ‘How soon is soon?’ question.” Because of the difficulty of using the GPOs, the police had all but discarded them. They relied instead on their own ways of doing things.

Mchome knew that he faced a challenge in trying to impose a new system reflecting the constitution and modern democratic policing methods. From the outset, he realized that the task of rewriting the GPOs would be the easy part of the job. The hard part would be winning over the police. Without widespread police buy-in, his work would merely replace one irrelevant document with another. As a result, Mchome set a high priority on consulting with the police and persuading them that the document would make their work easier, not more difficult.

For each relevant section of the GPOs, such as disaster management or crowd control, Mchome held a workshop with representatives from the relevant police units. He went to the workshops with clear proposals that included critical aspects of the revisions, while allowing input from the police to shape some of the less critical aspects. Mchome estimated that roughly 80% of the revisions were set before the consultations while 20% were subject to further revisions. With this strategy, he was able to put forward his key principles while providing enough flexibility that the police felt part of the process. By emphasizing that the current GPOs were unusable and that a new standardized

approach could actually aid police work, Mchome was able to win support. In addition to revamping existing procedures, he was also able to include new GPOs related to cyber-crime and terrorism. The revised general orders represented a significant step in the move toward a more efficient and effective police service.

By 2009 the new GPOs were widely disseminated within the police and largely observed, thanks largely to Mchome's consultative efforts. Both the Reform Program Medium Term Strategy paper released in 2009 and the LSRP Progress Report noted reductions in the prevalence of illegal detentions and physical abuse of detainees. Mchome said that the dissemination of common standards of treatment was partially responsible for the decline in such occurrences. Because all police officers knew what was acceptable and what was not, Mchome said, it took a "brave man to blatantly contravene the GPOs."

Improvement was clear from the type of grievances received by the Complaints Division. Mchome said he saw a shift from procedural complaints, such as arbitrary application of rules and unwarranted detention, to complaints about individual officers, such as cases of bribery or inaction. Still, the Medium Term Strategy paper recognized that the Complaints Division, which received external complaints about the police, and the Police Force and Prison Service Commission, which oversaw human resources operations, remained under-resourced and mismanaged. The paper endorsed the reform of these monitoring groups in the future.

Modernizing

The modernization cluster comprised four sub-clusters: human resource management, infrastructure, equipment and information, and communication technology.

Several programs were developed to improve human resource management. Benson

Bana, a University of Dar es Salaam professor who specialized in public management, provided advice. Bana noted that prior to the reforms, no one in the police service could provide accurate numbers on how many and in what capacity people were employed by the police. Indeed, most human resource practices were administered in what Kusima called a "haphazard" way.

All police personnel records were computerized in conjunction with a broader government program of consolidating public service records. With better records, the police service was able to introduce standardized requirements for recruitment and promotion. Promotion had been a particular problem because the lack of such requirements left open the possibility that decisions could be arbitrary rather than based on merit. Kusima said that clear promotion guidelines resulted in a significant improvement to police morale. When disgruntled officers complained to their supervisors about being passed over for promotion, their supervisors were able to refer to clear standards and identify areas for improvement.

On-the-job training also had been neglected. The training department was part of the operations division, which focused its efforts on investigations and anti-crime campaigns and lacked the additional resources and personnel to deal well with training. Consequently there were few opportunities for on-the-job development, and critical skills often went untaught. On-the-job career development took on new meaning when the training unit was shifted from the operations division to the human resources department.

The police service emphasized new programs, such as human-rights training. Police trainers asked Rosemary Jairo, director of public education for the Commission on Human Rights and Good Governance, the government agency that served as the focal point for

promotion of human rights, to conduct a special training session for senior staff from police stations across the country. Using actual cases from newspapers to make the training relevant, Jairo personally conducted the first of a series of workshops. Jairo said police staffers welcomed her efforts because of the new ethos inspired by Mwema. The police also worked closely with the Legal and Human Rights Center, a high-profile Tanzanian nongovernmental organization. After years of lobbying by the center, the police included a human-rights segment in the training curriculum for new recruits. The police also asked the center to do intensive human-rights training for senior cadres.

Because women were poorly represented on the police service, an affirmative-action policy was introduced. Bana also noted another personnel challenge. As a result of the HIV/AIDS epidemic, the police service was being “robbed of valuable assets,” he said. To address this problem, the police introduced workplace education and advocacy programs on how to deal with HIV/AIDS.

Meanwhile, eight residential barracks were constructed to address the concerns of lower-ranking officers who had been living in sub-standard police housing. Additional buildings were acquired to house senior officers, as well as a new facility for a police staff college, and plans were finalized to rehabilitate staff houses and build new housing in Bahi District in Dodoma and in Dar es Salaam. All told, accommodation was provided for an additional 256 police officers. The police also acquired new equipment. According to one reform-program report, equipment purchased with assistance from the LSRP included 17 video cameras, telecommunications equipment, metal detectors, drug detectors, dogs that could locate explosives and drugs, 20 fingerprint kits, 50 motorcycles and new uniforms. The Tanzanian government provided the funding for these equipment

purchases as part of its funding for the overall reform program. International donors contributed small grants to the effort.

OVERCOMING OBSTACLES

Although the reform program enjoyed high-level political backing, widespread public support and no political opposition, police officers themselves constituted a key obstacle. Instead of opposing particular aspects of the reforms, they showed a general resistance to changing the way they did their jobs. The recalcitrance of individual officers was not surprising, given that they were being asked to adopt a standardized and relatively restrictive approach rather than to use their own procedures. Those involved in the reform process tried to head off such resistance through consultation and compromise to secure buy-in rather than a top-down system of reform enforcement.

Another adjustment involved amending the cluster system to speed reforms that affected more than one cluster. The team recognized that the strict division of labor between the community policing, modernization and professionalism clusters discouraged cooperation. Although the reforms were intertwined, the clusters used to implement the reforms were isolated and independent. In 2009, the cluster system was restructured to include seven “key results areas,” which broadly mirrored the original clusters and sub-clusters but allowed for the responsibility for implementation to be spread across different units. In this way, an individual policing unit could work to implement a number of programs at a particular time without being restricted to working within a single cluster.

ASSESSING RESULTS

Although the reform program was still in its early days at the time of this study, the effort had made significant headway in addressing the

key challenges facing the police service. Assistant Commissioner of Police Lucas Kusima identified the improving relationship with the public as the program's biggest success to that point. On an anecdotal level, Kusima and other police officials maintained that they were seeing an increase in public cooperation with investigations, and an increased willingness to assist the police.

The "team of experts" also made headway in addressing challenges within the police service. Human resources policies had been clarified, records were computerized, and recruitment and promotion policies were made more transparent. Training procedures were modified and updated, and initiatives were put into place to deal with the difficult personnel issues of gender imbalance and HIV/AIDS. Changes to the general orders helped produce a fairer, more disciplined service, while infrastructure and equipment were upgraded.

Funding remained a key problem in 2009, as the reform program received limited financial support from the government. The Medium Term Strategy plan called for an additional 988 billion Tanzanian shillings (US\$760 million) between 2009-10 and 2013-14, representing 4% of the government's annual budget for each year from 2009 to 2014. For comparison, the Tanzanian government spends, on average, around 1.3% of its budget annually on defense. Nearly all of the proposed amount would be

spent on upgrading infrastructure and equipment, which the Medium Term Strategy paper pointed out would be necessary regardless of other components of the reform program.

REFLECTIONS

Although the reform program received consistent high-level political support, in 2009 the extent of future support was unclear, especially regarding major budgetary appropriations. For the reform program to continue, the police service might have to scale back its program of infrastructure upgrades. Police reformers hoped that their large infrastructure-funding request did not overshadow an otherwise reasonable reform plan.

When asked about other future challenges, many interviewees cited deep concern that political support might be withdrawn. Although there were no indications that this was imminent, the concern perhaps was a testament to the importance of the backing the reformers had received. As reformers such as Inspector General Saidi Mwema, Assistant Commissioner of Police Lucas Kusima and Professor Semboja Haji of the University of Dar es Salaam forged ahead with the effort, they kept a watchful eye on the political situation, with an understanding that political winds could shift quickly. As Kusima said, "Simply put, without political support, you cannot move."

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