



INNOVATIONS FOR SUCCESSFUL SOCIETIES

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SCHER: My name is Daniel Scher. I'm the Associate Director of the Institutions for Fragile States project at Princeton and I'm here in Washington, DC conducting an interview with Rachel Neild at the Open Society Foundation. The date is the 28th of November, 2007. Just before we get started I'd like to just clarify that we've spoken of the informed consent and you've signed a legal release and you have some idea of these processes. Do you have any other questions about that at this time?

NEILD: No.

SCHER: Great, then let's get into the meat of the interview. We'd first like to begin just by talking a bit more about yourself. Would you describe the position that you hold now and what your responsibilities are?

NEILD: *Sure. My current title is Senior Adviser with the Open Society Justice Initiative. I work with one of the five programs which is the National Criminal Justice Reform program. We are focused on policing, which is my remit and a few other issues, prosecutorial accountability and pre-trial detention. We are an operational entity within Open Society Institute. So we are not a grant-making body but we are kind of like an NGO (non-governmental organization) with our own money. We carry out programs directly on the ground trying to introduce new practices and advance a human rights-based justice system. I have been entrusted with most of the work around policing.*

SCHER: Would you mind just briefly telling me how you got into this line of work? What were the previous jobs you held before that led into this?

NEILD: *I think my path is a slightly unusual one in that I worked for a human rights organization for many years, the Washington Office on Latin America. WOLA did not do so much primary documentation in the manner of Amnesty or Human Rights Watch. WOLA specialized in monitoring US foreign policy and the impact that that had on human rights. It was in that context that the institution looked extremely closely at the Salvadoran peace accords. The police reform aspects of that process were very, very important. It was the longest and most detailed piece of the peace accords. At the time, there was very little confidence that the US was going to play a neutral arbiter role in supporting and providing assistance to that process in El Salvador, and so we went in and started to monitor it.*

I did not actually do most of the monitoring in Salvador. A colleague called Geoff Thale did that; but I was working on Haiti policy at the time and the efforts to restore constitutional democracy and President (Jean-Bertrand) Aristide to Haiti. It rapidly became extremely clear that just as it had been in El Salvador, the issue of demilitarization and the creation of some kind of nonpartisan, and preferably professional, police force was also going to be central to the possibility of having a democratic political order, and people's confidence in being able to participate in that in Haiti, as well. So we started monitoring then the police reform in Haiti. WOLA went on to look at it as well in Guatemala and then to do work with civil society groups in Central America after that. I headed that work up as well.

SCHER: Within this kind of police work that you do, would you say that you have any particular speciality? Is there anything that you're particularly interested in or particularly focused on in your work and the work that you've done previously?

NEILD: *Well, coming at this from a human rights perspective, we were obviously very, very focused on accountability issues. I think Chuck Call has done some interesting writing from way back where he talks about one of the problems in policing reforms was that everybody would come in with a sectoral perspective on it and see things through a very particular lens. We, the human rights people came in very much from the point of view of how you make these forces accountable. So one thing we were interested in was structural accountability to civilian authority.*

Another thing we were very interested in was external control mechanisms. I think we came in with an inherent distrust of the police's ability to police themselves in terms of their own conduct and felt that the need for some kind of civilian review was very important. One of the things that then happened very quickly was that we understood that that was inadequate; that they had to work in tandem with powerful internal controls. We started working a great deal on internal disciplinary mechanisms, be they internal affairs bureaus, inspector generals, etc. That was a big issue in Salvador because it was late being put in place and then underwent a series of changes and failed to function very effectively. So in Haiti it was one of the things we pressed hard on, to have solid accountability integrated from the beginning.

So I would say that that's something that I had a particular perspective on. I think one of the interesting things for me though, in terms of working on policing, is how having come in with this fairly specific concern around human rights, that one's understanding of the challenges of police reform evolved quite rapidly in response to the dynamics of reform on the ground.

One of the things that very clearly we saw was that these sort of formal accountability mechanisms did not adequately address the issue of popular trust and building a new relationship between the population and the new police force. When we talk about those kinds of human rights accountability mechanisms, they're very much after the fact. They're what comes in if something goes wrong. But how do you build trust and confidence in the first place so that people are willing to go to the police and feel that the police are in fact there to protect them instead of repress them as in the past?

So we started looking a great deal at community policing and trying to push more sort of locally-based management structures and command structures, so that it wasn't all sort of directed top down, but there was more local responsiveness to articulated needs coming out of the community. So that's one of the things that we went on to work on quite a lot as well.

SCHER: That's excellent. That's something we're particularly interested in and which we'll get to a little bit later. I'd like to, if I may, just kind of dive right into our functional areas, the way that we've got it set up here. One of the things we're particularly interested in is recruitment, basically weeding out the good from the bad. Is this a function that you've ever worked in?

NEILD: Yes.

SCHER: Excellent. Would you perhaps describe some of the main elements of the programs that you've been involved with and the countries that you've worked in about this?

NEILD: *Sure, this was a massive issue in El Salvador back in the beginning obviously, and other people can speak to it in more detail; but there the real concern that we had, was about rollovers of entire units. The Salvadoran process, of course, was based on the 20-20-60, if I'm remembering that right, formula of the percentages coming in from the former combatants on both sides being balanced versus new civilian recruitment. That had been politically negotiated and agreed. It was very much based on a political understanding of what was necessary from both sides of the conflict, but also then from a broader perspective in terms of building a professional civilian force. That's the kind of balance within the police that was necessary to achieve that. I think it has been looked upon as quite creative and actually quite successful on the whole.*

The issue really came up in terms of a couple of units that the United States had helped create—a criminal investigative unit and an anti-narcotics unit. Because the United States had invested a great deal of money in creating and training and equipping these units, they felt that there was an enormous amount of capacity there that should not be lost, and they pressed very hard for rolling them in whole. They were and promptly, well, in due course, got into quite a lot of trouble and demonstrated clearly that they continued to operate under old rubrics and were not integrated into the new culture.

The principle we came out with on that was that we did not feel that per se one should always start from scratch for the entire police force. That was done in Haiti. Frankly, in Haiti I'm not sure that the alternative option was really on the table in any feasible way. Former military and police were allowed to apply to the force in Haiti. I believe there was a 9% cap on the total, but most of them couldn't pass the entrance exam. They just didn't have the skills.

Our feeling at WOLA, our institutional position, was that one should not prohibit members of the former forces from going in, as long as they passed a vetting process to make sure that they are not egregious human rights violators. That vetting aspect obviously is a huge issue in recruitment and a quite difficult one. If they do get through a vetting process, then they should be allowed to apply, but only on the basis of being able to pass the same entrance exams and meet the same qualification criteria as any other person. And in some places that's actually extremely difficult for them to do.

SCHER: Can I ask you to talk a little bit more about that vetting process? Any detail that you can provide about that. You've spoken a bit about exams. What were these exams like, what was contained in them? What other strategies did you use to try to find out whether these people were egregious human rights violators? Was there community input? Were there probationary periods? These kinds of nitty-gritty things.

NEILD: *Sure. I think you'll get more useful stuff on that in other contexts actually. I'm not real familiar with what went on in Salvador on that front. But in Haiti, there was a vetting process created. It was basically run by the US embassy, which interestingly didn't prove as problematic as it probably should have been. I mean, formally speaking it was headed up by a Haitian, a former military guy and some people from the incoming government, but in reality it went through the US embassy.*

The information they used, the only sort of adequately reliable information that went into that system, came out of the OAS/UN Human Rights Mission. To my knowledge, they never had any sort of really systematic outreach to NGOs or

directly in communities. Haiti was very chaotic. The infrastructure was minimal, to be polite. But, that said, it's also a small country and to be honest, probably more could have been done. But it also was not being pressed that hard by the Haitian government. The Haitian government's main concern at that point was with trying to abolish the army. They wanted to constitutionally completely abolish the army on a Costa Rican model, and that was their priority politically; but they were fighting with the United States about it and fighting about the amnesty that had been offered to people.

I think the police reform process just didn't really get as much attention as one might have expected it to from Haitian political authorities. So there weren't some of these battles as pitched as they might have been. So there were a number of people who were disbarred. They were, on the whole, more senior prominent people, to my knowledge. When we went in and interviewed at one point the people running the vetting process, it was just a fiasco. They had no idea what was going on, which was the point at which it became clear that the US embassy was really doing this. But on the other hand, there were no accusations that any of the sort of particularly egregious people out of the military had gone in. There were people who were allowed into the interim police force who later became deeply controversial. Danny Toussaint was one. But it was less because they were accused of having committed human rights violations under the prior regime, than that they were accused of becoming involved in drug trafficking later and becoming very partisan, as well.

SCHER: I'd like to, if I may, just bring it back a little bit. You mentioned in passing almost, that the El Salvador recruitment model and the police force that was produced was considered to be fairly successful. I was wondering if you could talk a little bit more about that. What sort of measures or evaluation tools have you used or would you want to use to evaluate that kind of success?

NEILD: *The success of the recruitment?*

SCHER: Yes, the success of the recruitment strategy and producing a kind of viable civilian police force.

NEILD: *I think this measures on a number of levels. Frankly, Chuck Call or Geoff Thale would both be really good people to talk to about Salvador, because they know far more than I do; but I think one is just a simple political measure, which is whether the composition of that force and the institutional integrity of the force, let's say, is questioned by political activists and becomes an issue in political processes. If that happens, we've got huge problems. It affects everything else, whether it's real or not, if people try to manipulate it, and if there is sufficient basis for questioning it, that it can be politically manipulated, inherently you're in trouble.*

That never happened in Salvador. When I say never happened, I mean not in any serious way. There have always been people on both sides—the FMLN (Frente Farabundo Martí para la Liberación Nacional) is doing this, or the ARENA (Alianza Republicana Nacionalista) people are doing that. But it never became a serious political issue that in any way prevented the fundamental political goals of the peace process from moving ahead. So, on that measure, it was a great success.

I have also repeatedly heard from different people in El Salvador and amongst the international experts who have worked there that they felt that within the

police, the former combatants from the FMLN and from the Salvadoran armed forces worked together better than they did anywhere else in Salvadoran society; and that through the retraining and their deployment, they really developed a relationship based on being police in this new police force, rather than developing any kind of factions or gangs within the police where one political set would gang up on the other.

Now, there were all sorts of problems later, around corruption, around human rights violations, and there were a number of purges of the police where large numbers of people were just fired. And there were always accusations that they were more the FMLN or more the—. To be honest, I just don't know enough about those to know whether there was any truth to that at all. But again, I think in terms of the relative successes or failures of how that organization functioned, the composition of the force was not the cause of those failures, let's say. The cause was never really attributed. So in that sense, those aren't more precise or quantitative measures.

SCHER: No, that's very interesting. You mentioned that this kind of political questioning or giving grounds for political questioning can be a serious obstacle to developing a viable civilian police force. Particularly with regards to recruitment, what other obstacles, or what would be the most serious issues that you would identify to developing this kind of fair strategy for recruiting people into the police?

NEILD: *Sorry, I'm not quite sure I understand the question.*

SCHER: Sorry, maybe I'm not being clear. What would be the most serious obstacles faced in trying to develop an effective recruitment strategy that you can identify?

NEILD: *Well, I think there have been a number of different issues. I mean, there are some very basic procedural issues, which are like: Where do you do the recruiting? How do you announce it? Do people find out about it? Can they get from the countryside to the city? Does it cost a lot of money to apply because you have to get all your paperwork in order or you have to get medical exams?*

In Guatemala they set a height requirement, which more or less made it very difficult for Mayans to get in at all. I'm not sure if that was deliberate—being Guatemala, I wouldn't put it past them; but I think it may have just been an oversight. In Guatemala also, with a large indigenous population, the language factor was a real issue. Some of them didn't speak terribly good Spanish, and in order to have diversity represented in the force they had to make accommodations for that.

In Haiti, they actually got massive response to the call. There were some criticisms, but not a lot, about the cost of the process. They did do recruitment at a number of different centers around the country. The real issue in Haiti was about educational level. The Haitian legal system is run in French, a language that at most about 15% of the population can really work with, in the sense of being literate; and probably less than 15% in terms of functional literacy. But it was felt that the police are part of the legal system; they need to speak French. Frankly, I think that was a judgment call, but it was one that was made by the Haitian government.

That automatically eliminated at least 80% of the Haitian population from applying to the police, which was a real problem. It also meant that almost all your recruits were urban, and then they didn't want to be deployed into rural

areas. And then in very hierarchical societies, as many very poor societies are, people with education do not see themselves as being at the service of people with no education, so there were some tricky dynamics later on around what we used to call the “chief mentality” or “mentalité du chef.”

SCHER: Could you speak a little bit more about that?

NEILD: *Well, there would just be a very disdainful attitude toward peasants. Until the 1987 Constitution, there were two categories of nationals in Haiti, there were citizens and peasants. With this choice about recruitment, all of the recruits were people who came from what historically had been categorized as the citizens, i.e. the people with education, the urban folks, whereas 80-plus percent of the population was what you could call peasants. Haiti has always had this very bifurcated reality where people talk about the Republic of Port-au-Prince, the capital city, and then “moun an deyò,” which is a Creole term meaning, “people on the outside.” So you had the people from the inside forming the police force, but they had to do a lot of policing of the people on the outside, and they just wouldn’t want to talk to them, or they’d be rude to them, or they’d never get out of their car. God forbid they walk on foot patrol amongst the goats and the shit and the sheep and the chaos of these places! So it was tricky.*

There was a lot of talk later about recruiting what they called “rural agents” who would have somewhat lower recruitment standards and not necessarily have exactly the same powers as the police agents. But then that ran into a lot of trouble because a lot of Aristide’s political goal in Haiti—well, as he said, there used to be people sitting on top of the table, the people who rule the country, and everybody else was under the table; and his political goal was to have everyone seated around the table.

I think the idea of having police agents and rural agents was very much seen as then establishing a second class police force for second class citizens. So it was very politically unpalatable. Frankly, I just think there are some of these questions where there really isn’t per se a correct or good answer, but you need to be cognizant that there are going to be outcomes of that that you need to figure out how to address in some form later on in your operational practices.

SCHER: So the rural agents never came to fruition?

NEILD: *Not while I was working in Haiti. I don’t know if they’ve done it since. But you know they had a gang structure in my time. Policing moved on into a sort of vigilante system, as politics broke down.*

SCHER: That’s excellent. That’s something we’ll get to a little bit later, as we’re particularly interested in that, too. Very interesting. Now, if I could move on to the next functional area that we’re interested in—

NEILD: *Oh, I should just say, actually—*

SCHER: Please do.

NEILD: *Another controversy in Haiti about recruitment was, do you give AIDS tests? There was a very high rate of AIDS in Haiti. The US was rather appalled by this and felt that it was a violation of civil rights. The Haitians said, “It costs a lot to train a police officer and we are a poor country, and we can’t afford to have them dying.” And I think, if I remember right, they did test. But the other thing is, they*

learned very quickly—or had they learned in another setting?—in the order of the examinations, they gave the physicals first, and they would give blood pressure exams first. And so many people had startling high blood pressure that they just weren't allowed to go on. That was a huge time saver, because when they started the recruitment process, there was so little employment. Being a police officer at that point paid \$70 a month, a good salary in Haiti. They had thousands of people lining up.

This way, you could just stick a band on their arm and 25% of them were gone before you ran into anything else. I can't explain hypertension in Haiti. Personally, I think it was just the extraordinary stress of living in that country, but it was an effective way of whittling down the numbers that you then had to apply more time-consuming tests on. And then they had some psychological elements and a written element. There was one piece which was quite funny, where they had a set of objects lined up on a table. There was a police hat, there was a gun, there was a truncheon, there was a copy of the Constitution and laws, and what else was there, I can't remember. They were asked to say what is the most important thing for you, and everybody grabbed the gun! Of course. This is Haiti, right? And they were like, "No, no, no, it's the Constitution and the laws, and then it's your badge. Because this is your authority, and that's what gives you your authority."

They found then very quickly that everybody started pointing to the right thing, having initially been a bit dubious about this. So then they changed the order on the table, and then people didn't know what to point to anymore. They just kept pointing to the same thing that had been in the same place as the Constitution. Basically the people who had been through the exam had gone out and told everyone in line, "second from the left." So after that they started shuffling it. They had the same things, the same questions they just shuffled them around. It was very funny.

SCHER: Who was responsible for developing those sorts of tests?

NEILD: *ICITAP (International Criminal Investigative Training Assistance Program of the US Department of Justice) put the whole thing together. Haiti was very clear and straightforward in the sense that it was the most singularly US owned process in a way, possibly even more than Salvador. Well, maybe one shouldn't say that. Actually, no. Panama, of course—that was the first, that was very US owned.*

SCHER: Was this part of the entrance requirements?

NEILD: Yes.

SCHER: So, if you picked the wrong thing you were ineligible?

NEILD: *I'm not quite sure how they actually graded it, because you did also have to do a psychological exam and you had to do a piece of a written exam and you had to get the background check. So I don't know what the weight was. I think if you were really smart on other things but you chose the truncheon—. Maybe if you chose the gun it would be awkward, but I'm not sure. You'd have to check with one of the ICITAP folks who actually did that. I just remember it as an entertaining anecdote about how small things that go wrong can really create an enormous amount of inconvenience. I don't think it is determinative to the process.*

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- SCHER: Excellent, thank you for sharing that. Anything else on recruitment?
- NEILD: *It was very hard to do background checks.*
- SCHER: Were there any ways around that? Did you develop any methods of dealing with that problem?
- NEILD: *Trying to remember what they did, I think all the new recruits coming in were civilian; so on the whole, the ones getting through were civilians, so frankly, we all kind of let it slide a bit at that point. I mean, you know, the judicial system was corrupt or gone. You had this paramilitary group called FRAPH (Front for the Advancement and Progress of Haiti) running the country for the military. It was like, who would you go to and ask if someone has committed a crime? The voodoo priest? The neighbors? Very hard.*
- SCHER: I assume they didn't try to engage the neighbors or other community leaders.
- NEILD: *I don't know. It would have been too complicated. It just would have been extraordinarily difficult, everything was so fractionalized. Things in Haiti are very much run on local power relationships between individuals, and as a foreigner, it's very hard to know what you're stepping into there. You could easily be lied to either way, and there were no criminal records to speak of.*
- SCHER: Very difficult.
- NEILD: Yes.
- SCHER: I think that's actually quite a good lead in, talking about this truncheon/gun story, into training and a kind of professionalization within the police force. Have you ever been involved in actual training once the recruits have been accepted in the actual training process? Is that something you've done any work on?
- NEILD: *I have not, no. I am somewhat now in a very different kind of context.*
- SCHER: Would you like to talk a bit about that?
- NEILD: *Well, we're doing some training for police officers around the way they do stop and search, and discrimination issues, because what you're talking about is the use of discretion and judgment calls about who is suspicious and why, and then how you actually go about carrying out a stop once you've decided who you try to stop. The big issue for us has been trying to move away from these fine legalistic sort of definitions or lack of definitions, and then move away from stereotypical assumptions about what constitutes suspicion, and to try to force officers to really articulate why they ought to be able to stop someone in a place; and understanding also the impact that the way they interact with a person—if they're polite, if they explain what they're doing versus just saying, "I'm a police officer, give me your ID," (or worse)—affects perceptions of the police.*
- So our issue has been that this really has to be interactive, and preferably it has to be interactive with the kind of members of the community that we're worried about here. You need to bring people in to talk about what it's like to experience that on the other end. This stuff simply isn't absorbed by officers in the traditional kind of didactic pedagogy which is so typical in so many places. And I think that's something that can be quite difficult to do in some poorer, and particularly in*

post-conflict settings, where there's a huge amount of pressure to pump people through an academy process.

On the whole, people in Haiti quite liked the training. I think it was probably a little bit cookie-cutter, but they did bring Haitian lawyers in to develop all of the Haitian legal training and deliver that. I think they do more role-play, and so on.

SCHER: So this role-play, was that one of the things that they liked about the training?

NEILD: *You know, I never sat down and asked in detail, so I couldn't tell you specifically. Frankly, my own sense is that in the history of Haiti, training has consisted of being yelled at, beaten, and marched around the place. So almost anything was going to look great compared to that. I think people liked the seriousness with which it was done. A lot of money was put into the police academy as well, to really make it decent and professional. I think the recruits really felt like they were going to be professional police officers. They were given uniforms and guns and they had a bed to sleep on; and this was looking good. They were probably a bit disillusioned then when they got out and the police station had no roof and no toilet. But I think it was a well-resourced process, though it possibly set up unrealistic expectations, actually. You know, the US put \$11 million into refurbishing the police academy alone in Port-au-Prince. They had to ship in bottled water because the water system had collapsed; I mean that \$11 million was for all of this kind of stuff.*

Then, also, because there was so much pressure to get the new police out fast, they had to bring police over to—I can't remember the name now—a US military base somewhere in the Carolinas, I think it was, because they didn't have enough capacity at the training academy in Port-au-Prince; and that was very controversial. But in the end, because the Haitian government also wanted more of the civilian police out on the roads, they agreed to it. So then they did the stuff like Haitian Constitution law, the stuff they needed Haitian teachers for, in Haiti, and they did more of the physical and some of the other more operational pieces of training, the shooting, and all the stuff like that, in the US.

SCHER: You mentioned earlier about language being a big issue. So what language was the training conducted in?

NEILD: *A lot of it was done by US trainers translated.*

SCHER: Into French?

NEILD: *Yes, into French, it was done in French. Well, in English and French. They brought some Canadian trainers in. The French were incredibly slow getting there and then had lots of fights about what they were going to work on and what the US was going to work on. There were all kinds of turf battles and everybody telling everybody else they'd done it wrong, as usual. But yes, much later, they deliberately recruited Haitian-American police to serve with both with ICITAP and the CIVPOL (International Civilian Police) mission. In the beginning they hadn't thought of lining that up.*

SCHER: Would you happen to know how long the training course was? We've been coming across these different length models.

NEILD: *I used to know that. I know it's in one of my reports.*

SCHER: I'll track that down.

NEILD: *I think it was three months or four months, but maybe it went up to six. People wanted more, but there was such pressure to get them out. Then there was a big issue about field training and should they have field training and could they go back to the academy afterwards. I believe they moved into that model later because that's the ideal one really, to have the academy, a section of field training and then go back to the academy a bit at the end. But field training was very difficult because there really wasn't anyone much to train them. The CIVPOL more or less had to do that.*

SCHER: Do you know if there was any follow up after they'd done their three months? Were they just kind of sent to the police station, or was there any kind of follow up to see if the training was effective, or did they feel they needed more or anything like that?

NEILD: *I think ICITAP was trying to do some feedback. But again, because I was very much an external monitor in this process, I'm not, I mean our sense at that point was that the training was pretty adequate; the problems were when they had to implement it in practice and some of the challenges there. I think the training was, if anything, a little idealistic, and that's a conundrum.*

SCHER: Was the training phased in in different areas? Where was the training located?

NEILD: *It was all at the academy in Port-au-Prince.*

SCHER: So the police officers were brought in there and then sent out?

NEILD: Yes.

SCHER: So it was like a single strategy within one location?

NEILD: Yes.

SCHER: One of the things that we're quite interested in in training is reading and writing and the basic literacy skills. Was there any of that conducted for the Haitian police?

NEILD: *Well, that wasn't an issue because they'd only recruit people who were literate.*

SCHER: I see.

NEILD: *That created this other issue of the class difference. That was an issue in Guatemala, and I believe that in Guatemala they introduced remedial education courses, particularly oriented towards the Mayan applicants because they did try to have quotas and insist that there be adequate representation of the indigenous population. But that wasn't just reading and writing, it was also Spanish.*

SCHER: You mentioned also that the US contributed so much money. Are you aware of any kind of cost-saving initiatives that worked well? Any things that were low cost but high outcome within the training?

NEILD: *Not that come to mind, but I don't know enough about it.*

SCHER: Fair enough.

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- NEILD: *I can tell you other things, in terms of equipment.*
- SCHER: Please.
- NEILD: *Don't give people cars when they can't drive properly! They crash the cars constantly, and they couldn't maintain them. These guys would have hated to have been made to ride a donkey or a mule but it would have been a damn sight more effective in a lot of the rural areas where they were policing. Or give them a bicycle.*
- SCHER: There were no bicycle patrols?
- NEILD: *No, they all really wanted cars.*
- SCHER: So perhaps a key element of training would be—.
- NEILD: *They were taught to drive, but they weren't very good. They liked to speed. The roads are terrible. God knows they probably hit people, although I didn't hear so much about that. But they would crash them and then they just had no maintenance at all and these cars would all burn out. They wouldn't put oil in them or whatever. There was actually one time we asked where the police were and they said, "They're out on patrol or something." We said, "Where would we find them?" and they said, "In the local square." And they were all sitting there in this car. It was like 90 degrees, and they're sitting there; the car is broken, it doesn't work, it's not going anywhere, but they're not getting out of it, they're sitting in it with the windows down. This is ridiculous. Just because you think you're a class above the rest, well then you've got to be in a car.*
- The other thing about cars has been, of course, all the commanders purloin them for their wives and their personal business. They're not available for anything operational at all. I'm very dubious about cars in some of these environments, myself.*
- SCHER: Sounds like it. Were there any other lessons or that sort of thing that came out of the Haitian training that you're aware of?
- NEILD: *When they initially deployed them, they didn't have adequate resource management systems in place. So radios, guns, stuff went out, didn't come back, and you didn't know who had it. There weren't good sign-up sheets or proper storage facilities or people in charge keeping track of it all, and that was a big problem in the early days.*
- SCHER: Even for the firearms?
- NEILD: *Less so for the firearms because they were assigned to each officer, but I know the radios because they didn't have enough to go around. So they were meant to come back at the end of a shift and go back with the next. That was a disaster. And the radios were very important because a lot of the stations didn't have telephone links with anywhere else.*
- SCHER: Would you mind moving on to another section? One of the issues that we're particularly interested in and which we sort of touched on a little bit when you spoke a bit about El Salvador and Guatemala, is this idea of integrating and amalgamating different types of security forces, either previous rebel movements

with their standing police force or private militias and armed wings, you know, that type of thing. In your work have you ever developed programs or helped, or had some oversight of these programs to merge a variety of police organizations into one unit?

NEILD: *El Salvador would be the main place and frankly, you'd just be better off talking to someone else about that, to be honest.*

SCHER: Fair enough, we can move on to another section. This now gets to something that we're particularly interested in—.

NEILD: *I'm sorry. Well, I was just thinking, maybe it's related there—I think that a very big issue is around the command structure for these forces as well, where there's often a lot more pressure to bring people in who have been associated with the past forces because they're viewed as having experience and capacity. And it is really true that it is extremely difficult to build an effective leadership and management structure for these police forces. The question of experience is a not negligible one. That said, you really have to question the kind of experience they really had. One, because those prior institutions ran in very different ways than you want the new institution to run in; secondly, because of issues around human rights, political affiliation, and general attitude and practice.*

But I think that that's one where there's typically been a lot more pressure to bring people in. It has been very difficult. In Haiti they tried actually to recruit people out of the business sector. That was a disaster. They felt they'd have management experience, but that really didn't work at all well. I do think that that's a particularly sort of tricky area in terms of integration and creating new police forces.

SCHER: That's actually a perfect lead in into the next section, recruiting people from the business sector to handle management issues, because the next section is internal management. You've spoken a bit about disciplinary systems, and basic record keeping skills, promotion system, accounting, all these kinds of systems to keep the police force running effectively. What is your experience with helping police forces to strengthen their internal management?

NEILD: *I've done very little there again as hands on, just because of primarily being an external observer but my sense is that probably, ultimately, at least in the midterm, that these processes are the biggest challenge you face. There is a tendency to create a large number of formal controls, not always with adequate resources to review their implementation. Also formal controls easily turn into a sort of box-checking exercise and do not always necessarily tell you that much about actual quality and service delivery, and particularly don't tell you about how internal processes are running. And then the other thing, which I think is just inherently difficult in terms of assessment of police, is that so many of the measures of the quality of policing that we have are output indicators; they're not impact indicators, and they're very highly manipulable. I mean, anyone can go and arrest lots of people. That's a real challenge that we all need to get much smarter about.*

But in terms of management, in Latin America where I've worked, the Peruvian police actually got free consultancy services, offered pro bono by McKinsey (McKinsey&Company). They went in, and they looked at all of the management processes in a comisaria, in one of the precinct stations in Lima, a major one in a very poor area. They found that the precinct commander spent literally six to

eight hours a day signing pieces of paper in this massive book. I mean, it looked like something that came across with (Christopher) Columbus. It was this enormous leather-bound book, and sort of everything that went in and out of the station had to be recorded and signed, and it was all being shoved down there by hand. The man spent his entire time just shuffling paper to and fro. So they computerized a bunch of things; they just said some of the things simply aren't necessary, that he shouldn't be signing off on these things; and they sort of tightened up the whole system. He said it went down from six to eight hours, to half an hour. It was spectacular the difference it made to his day and his ability to go out and deal with the real business that was going on then by his officers.

I think that, and it relates back to the question of your command and control structure as well, quite often you get people coming into leadership positions who fall into two traps. Either they do not engage enough with what their officers are actually doing on the street and are far too divorced from them and have very little effect. Or, they get much too engaged in operational things and are always running around themselves out in the street and are not back in the police station making sure things are being managed effectively. I'm not quite sure what the answers to those are, I'm really not entirely clear, but there are just huge, huge challenges there.

SCHER: Can I ask you a few more specific questions about these types of processes perhaps that you've been involved with in Haiti or El Salvador or other Latin America countries? Have you ever monitored any attempts to build capacity in the Ministry of Interior or other body charged with managing the police?

NEILD: *Well, that was constant in Haiti, but it was just an absolute disaster at the Minister level because it was sort of all seen in very political terms. It was almost impenetrable. There was a succession of Justice Ministers, like five or six of them in a four, three-year period. So it was almost impossible. But in Haiti the Minister of Justice had two ministers under him, or Secretaries of State. There was the Secretary of State for Public Security who oversaw policing and got 90% of the budget. Then there was the Secretary of State for Justice who sort of dealt with all the rest of the criminal justice system and had no money. So the Secretary of State for policing was a very capable guy—interesting, funny guy actually—who got a tremendous amount of advice and support from the international community. One of the things, as I understand it, he found extremely valuable, was the permanent presence of some police advisers in his office. So they were there the whole time. They were his kind of go-to guys with questions and helping him set up structures and manage things. They then also functioned as a kinds of hands-on practical training mentoring type role to the other managers that were the Haitian managers who would have to take that on. I think that was extremely valuable.*

To be honest I think it was also quite valuable for the donors because though obviously they were locked out from some of the more sensitive political operational discussions going on, they had real insights then into what the issues were for the leadership within the police force and could report back and try to give feedback to the kind of international assistance coming in and saying, actually you know, this area is now pretty consolidated, or this needs attention, or whatever.

SCHER: So these police advisers, where did they come from? Where were they sourced from?

NEILD: *When I was there, they were Americans. I think later the French put some folks in. But they were professional sworn officers, usually with management experience. They were just there to do basically what needed to be done. I don't think they were particularly tasked; I mean, they would be as needs dictated, but I'm not sure that they were, off the bat told, "you do this" or "you do that" and "that's all you do." I think they were there to be a resource for the Chief.*

SCHER: Was this something that the Minister had requested, or was it something that the donor suggested?

NEILD: *I don't know quite how it came about. I think it was proposed. There was a period in Haiti that worked quite well before things really started to fall apart. It didn't last long, it was just two or three years and then things started to fall apart. But where some things I think were done quite well, one was under the SRSG (Special Representative of the Secretary-General), there were regular donor meetings—I think they were even bi-weekly—where he would bring everybody to the table, because there were a lot of different actors going on. So the UNDP (United Nations Development Program) as well as ICITAP and CIVPOL and MICIVIH (Mission Civile Internationale en Haiti) would all be there; and working with the Haitian leadership there was a strategic plan for the police drawn up. It was a five-year plan, but it was revisited at different points along the way. (Pierre) Denizé, the Chief of Police, was very involved in using that as almost as a sort of negotiating strategy, because there was a point at which the police reform was really going quite well and the donors all felt pretty good about it, so they all wanted to take credit for it. Denizé said that he'd go into these meetings and he'd say, "Well, this is great. I just have this real problem right now. I don't have enough radios in my cars, and we just need to be able operationally to track stuff, especially in Port-au-Prince. If I could get 30 radios...." And he'd know that the donors would fall over each other to provide the radios. So he would kind of go in and pick this out of the strategic plan, and everybody would rush to the table and try to help make it work. Those were good days. It's a shame they didn't last longer.*

But I think that document was extremely important because it gave everyone a road map. It did create processes, timelines, deliverables that you could measure your progress against. But there was, at least at that point, some realm of flexibility that people were willing to respond to Denizé when he said, "Actually, I'm feeling fairly OK about this, but this other thing is a real problem." A lot of that is personality driven of course, management driven, but it did work. It did work fairly well for some period.

SCHER: To get down a little bit to the street level policing, are you aware of any kind of incentives, performance incentives that were provided to this new Haitian police force to try to keep them on track?

NEILD: *No, I don't think they got anything. I mean, to be honest, having a salaried job was a pretty big deal in Haiti. Payment of a salary was a huge issue; they were always behind, and that caused no end of irritation. In retrospect, there should have been more explicit criteria, probably, about the career path, and priority placed on service in certain sectors, because the nature of the class division in the police force was such that these fairly well-educated officers hated being in the countryside. They all wanted to continue with their law studies and saw this either as a way of getting out of the police and becoming a lawyer and making more money or moving up. So they all wanted to be near urban centers where they could study in their off hours. They would spend ridiculous amounts of time*

simply pestering their superiors or people in Port-au-Prince to try to get redeployed. That was a big waste of time, frankly, for everybody. I think if the career path had said, "Every officer, in order to move up to the next level, needs to have the following service in the following types of communities," possibly that might have helped. I think financial incentives would have been extremely difficult. The country was already wrestling with the question of how exactly they were going to pay these fairly generous salaries.

SCHER: I guess at the other end of the spectrum, there's the disciplinary system. That's something you mentioned that you are quite interested in. How did that work in Haiti? What options were considered and put in place?

NEILD: *I think the experience very much came out of the Salvador experience where, as I mentioned, the Internal Affairs bureau wasn't really created until 18 months after the police had been set up. So quite rapidly there had been a number of human rights abuses and problems, and they just had not been adequately dealt with. So in Haiti they created the Inspector General's office. It was there right from the beginning. They made sure to put, and he turned out to be very good, a lawyer who seemed to have very good credentials into that position, and staffed him up. He also got international advisers who were there and supporting him; and he got quite good resources. He said he didn't have nearly enough, but in relative terms he had some investigative teams, and he had at least some vehicles that enabled him to go out and investigate, and he did so. Any of the more serious incidents of abuse that came up, and there were shootings and later on there were some quite serious incidents of killings in police stations, they would be primarily probably brought to his attention by MICIVIH. I mean, at that time you also still had the human rights mission in the country, so they actually had people on the ground throughout the country and provided really exceptionally good monitoring. But Eucher Joseph, the Inspector General, did then go out; and the inspectorate was structured in such a way that it reported not only to the police chief but directly to the Minister of Justice and to the Superior Council on the National Police, which had some external representatives on it. So the system was structured so that the police chief couldn't simply sit on his recommendations and hide them from other people. One of the other things that in fact I advocated for very strongly was that it wasn't enough to just be doing the right thing; you had to be seen to be doing the right thing. The impact on public trust of having human rights violations by this new police force was potentially massive, just enormously damaging to the credibility of the new force. People had to be aware that steps were being taken to address them, and that they would not enjoy impunity, and that the Inspector General should put out a regular report on his activities for public consumption.*

They agreed to that rather quickly actually; before I even wrote my report with that recommendation in it, which was gratifying. They decided on a monthly report which I would have advised against—much too much work to do monthly and not necessary. I would have said six months, every six months at most, maybe even annually.

The problem then was with actually taking these guys to court. That's where impunity set in. So they were being disciplined internally by the police, but for the very serious, the criminal offenses, the killings and torturing and so on, the judicial system was incapable of handling it. So there was still a real problem of these guys being seen as enjoying impunity. They were actually just sitting around in police cells a lot of the time. So they weren't totally without consequences, but they did not face trial as they should have.

SCHER: Just on that subject, were there any particular steps that were taken in the training or otherwise to reduce this kind of brutality that you're talking about?

NEILD: *Yes. One of the things that came up very quickly after the police were deployed was that there were some demonstrations, and the police officers handled them extremely poorly and shot into the crowd. The response to that was to create, in Port-au-Prince, a special crowd control unit and to pull officers out of the provincial units to get extra special training in crowd control. Then they equipped them with shields and riot protective gear, and told them you can only shoot in the air and other things like that. That was very effective. Very quickly you saw that type of killing drop off. I can't remember if it totally came to an end, but we didn't see repeated incidents like that where people just shot into the crowd—not until later, when they wanted to shoot into the crowd. So that was quite effective.*

I never went in at that time and looked at their use of force training. I know they had use of force training. They had the human dignity course. They had human rights training. So there was a lot of that training. How much they got some of the different tactics around the use of force continuum—people say you shouldn't do the continuum, you should do the—. I can't remember the term right now, but basically it's about how to get away from using force. There's the verbal jiu-jitsu stuff, and then there's how you better integrate officer protection techniques so that people don't feel threatened and more likely to use force and so on. I'm not sure which of those methodologies were involved in the training, but there were significant aspects around use of force in the training.

One of the things that was apparent there, and is something that I think is fairly frequently seen in a number of settings, is that quite a number of shooting incidents were off duty and not necessarily in the course of the officer's duties, but were in personal fights. I mean there was one really stupid shooting on a bus about whether to open a window or not. This policewoman, I can't remember if she wanted to open it or didn't, but she shot the other person she was arguing with.

Then there was another slightly alarming thing where a number of police officers were attacked and shot while going to work because they would wear their uniforms on the bus. It was not entirely clear to me why they were targeting them, but that's very problematic. I mean obviously if police officers feel in danger themselves, they're far more likely to use lethal force in return.

SCHER: Just a couple more questions in this section, and then maybe we'll take a break. One of the things we're interested in is this idea of creating traffic stops to collect private tolls, I suppose you'd call it, from civilians, and that sort of general petty corruption. Did you try to deal with this in anyway? Did you encounter this in Haiti or El Salvador?

NEILD: *You know, it took a little while to resurge. It didn't immediately come up, but yes. Then there was your usual rent-seeking activity went on. The place where I've dealt most directly with corruption myself was actually in Peru. I actually just finished writing a handbook for USAID (United States Agency for International Development) on corruption, so I'll put a plug in for that, and you can hopefully find it.*

SCHER: Excellent, I will take a look at that.

NEILD: *The Peruvians' corruption was the biggest issue for them after the (Alberto Ken'ya) Fujimori periods. It was both the grass-feeders, the police officers on duty extracting bribes and on the whole relatively minor stuff, and the more serious criminal corruption, when they're involved with crime gangs or covering up or whatever, and taking kickbacks or actively participating in that; and that again is often the on-duty officers. But the most serious corruption was actually the, what I would call administrative corruption, which was senior officers just stealing the pension system and stealing the housing benefit and stealing the medicines. Any funding that came in that was remotely discretionary, which was basically almost anything other than salaries, got stolen. The operational capacity of the police, as you can imagine, was significantly damaged by this. Now, they had a number of different approaches to this. Gasoline of course is a huge one, and that's one of the most widespread that has a real hierarchy where everybody is involved from the police on the street who just siphon out of the car and then turn the odometer forward; they had these little machines in Peru to turn the odometer forward. So you take your car out, you park it, you turn the odometer and then you siphon the gasoline and wander around for a bit and then you go home. They all did that. But then, everybody steals the gasoline, from the top guys all the way down the system. That's why it was one of the hardest bits of corruption to address, because there were so many beneficiaries from that.*

They tried to bring in credit card things to get the gas out of the pumps so you could actually track it, and that ran into such a maelstrom of protest, they couldn't do it. But they created a special IAB (Internal Affairs Bureau) right under the Minister, the civilian minister, because the Inspector General in Peru reported to the Chief of Police who then reported to the Minister and was pretty dysfunctional. Also they felt that control of corruption in the force was something that should be addressed higher than the police chief. They had some help from the FBI (Federal Bureau of Investigation) and actually OSI (Open Society Institute) who, in the interest of disclosure, gave quite a lot of money for that; and they created mixed teams of specialized civilians and serving police officers who went out and did joint investigations.

They got (civilian) accountants who could actually chase these money trails and other—I can't remember the exact specializations—but basically looking at the problems that had been identified, they recruited people with the skills necessary to investigate those; and they went in and they cleaned up the pension system, and they outsourced recruitment to a university for a while. They created a public bid process for major tenders and contracted with civil society organizations to be official reviewers of the tender process for new uniforms.

I think the housing process, the police were actually building housing themselves at that point. Every officer pays a total of 6% from his pay check every month. I may have these slightly wrong here, but the idea is the same, half of which went for the medical benefits, or maybe that was another 6%—but some of which went to the housing fund. None of them ever got diddly-squat from the housing fund because the police are out there building houses which meant of course that a) you gave the contract to your cousin; and then b) you got a massive kick-back, and all of three houses were built a month or whatever for a police force of 90,000. So they changed that around. I can't remember if they outsourced it but they turned it into a mortgage system instead with guaranteed loans, which is much more rational.

The medical system they also wanted to outsource, but I think that ran into trouble. But then on the petty corruption, a) you had to make sure that officers

were getting their salaries regularly, and some of them weren't. So you had to make sure that they were actually being paid; and b) through the cost savings achieved in some of these other measures, they increased the salaries for the rank and file. There was a huge salary disproportion between the amount that the leadership earn and the amount that the rank and file earn. So they brought those up by I think about 20%. They managed to do that.

Then I think there was a very clear message that corruption was being addressed at all levels in the force. I think it is very unfair in some sort of basic sense to be coming down on your patrol officers for taking 50 cents when you know that the chief has just ripped off \$4 million. It's just not right somehow. They actually did sting operations. It wasn't quite entrapment, but they sent out hidden camera teams with a judge to places where basically they knew there were rich pickings in terms of traffic bribes, and they made sure to film people from all different social strata trying to bribe the police.

So it was quite interesting. On the one hand they were checking into the police officers and they had an anonymous denunciation system about people who were taking bribes. But, on the other hand, they were saying, "This is not just a police problem, this is a social problem. We live in a culture where as soon as the police stop you, you first say, "Senor, cómo arreglamos eso?" or "How do we sort this out, Officer?" (wink, wink, nod, nod). So, you just pass your license over with a bill in it. So the hidden camera system was actually sort of saying to citizens—and it was accompanied by big PR operation, which got a huge amount of attention because it was so startling in Peru, which said—don't corrupt the police, this is your fault too. So they got wealthy ladies, poor ladies, the Indian types, white types. They got everybody because everybody does it. They put these on TV and then took them to court. It was great.

SCHER: Was it effective at all?

NEILD: *How do you measure that? It had massive public impact. I think it had a big impact in the force. The interesting thing, of course, in these kinds of reform processes is the lower ranks and then the middle ranks who are most supportive, because the senior ranks are the ones who are benefiting from the status quo who have worked their way up into the top of any pyramid and kick-back system. So they don't want to see a change. Whereas the other guys have a great deal more to benefit from professionalization. And one other thing, in Peru the officers are on 24-hour shifts of duty and they're fed by the police station, they get a meal on duty. Now most of them were getting equivalent to pig slop because the sergeant was just pocketing the rancho, that's what it is called. One of the things they did is they went out and they made sure that they were buying decent, human-quality food for these guys and actually feeding them. That makes a huge difference to an officer on duty when he's going around. So things like that did happen, and certainly the sense of support. There was no repeat survey; they did some surveying at the beginning of the process. It wasn't repeated later so there's no quantitative data about that. But the public support—there was some public surveying—just increased tremendously.*

Now crime reporting didn't increase, and I think these are two measures that have to be taken in tandem. You can look through polling at how people feel in terms of trust and confidence, but the real ultimate measure of trust and confidence is whether they go to the police when they need them. If you do the proper victimization approach, and you have both the trust measures, the victimization measures and the reporting measures, looking at the way in which

those change over time, are really important toward gauging whether there is a genuine change in practice as well as a change in attitude.

SCHER: That's actually an excellent point to stop at, and something I'd like to follow up in our next conversation. Let's take a break now.

SCHER: This is the second part of the interview with Rachel Neild at the Open Society Institute in Washington, DC. on the 28th of November 2007. I'd like to move into another functional area, that of enhancing external accountability and effectiveness. Often we find that police are very responsive to their own management needs but perhaps not so responsive to the needs of political leaders or to the community itself. So we're interested in efforts to improve the capacity to collect and analyze information and distribute it to the public, like the type of reports you were talking about earlier, basically to help the police improve their responsiveness to government and community wishes. Do you have any experience with the creation of these types of institutions?

NEILD: *Yes, some. It's been a hard slog, I think, to really develop effective external accountability. I'll just back up briefly by saying that external accountability, by those of us who come at this out of the human rights community, has typically tended to mean civilian review, which is a very narrow form of accountability for conduct and for abuse specifically. But the creation of civilian review mechanisms has been something that has been much emphasized in a number of contexts, which is becoming quite widespread and which, I would say today, overall has been a disappointment in terms of its results. Not that people don't think it is not necessary, but there is a much more nuanced understanding that external accountability for abuse has to work in tandem with internal discipline and just supervisory and management structures. So that's one thing.*

I think though that that was a really excessively narrow focus in our development and something that we realized quite rapidly and came to see that, on the one hand, you need more effective oversight by the political bodies, and there the challenge is how to get effective oversight and policy management while avoiding politicization of actual police operations. I think that is something where policing, actually across the world and even in quite developed and well-resourced settings, continues to struggle. It is one place where I think that the budget mechanism in particular is something that needs to be more closely scrutinized and used as a vehicle to get information out and to hold police accountable for service delivery, for resource use, and for corruption amongst other things. Typically budgets are set nationally. They're often set not by region or station, but by functional area which, frankly, doesn't actually reflect how policing happens in practice. Often there is very little congressional control or oversight afterwards for how that money is spent.

In Guatemala for example, the line item that a budget was allocated to, once that was approved by Congress, the police could simply shift money out of one line item into another with no notification to Congress at all, meaning that the entire exercise by the Congress was more or less meaningless. There were a number of initiatives. There was one in Guatemala that the leadership struck down. There are the germs of this in Indonesia going on at the moment to undertake needs assessment, exercises at the local level, in local police stations and to then establish budgets around those and management structures around those and try to hold the police hierarchy to those structures of spending, which would assure that resources did, in fact, trickle down through the institution and actually get out in terms of service delivery to local populations.

That's something that in so many settings just completely fails to happen. Everybody is siphoning off different bits of different budgets along the way. Or, the commanders, even if they're not actually pocketing it, they get more vehicles or a fancy forensics lab or they set priorities that have very little to do with on-the-ground problems, particularly in the more remote areas from centers of political power and large populations. So I think that that is an area of accountability where we could all use a bit more sophistication and a bit more scrutiny. It's not easy to do and parliamentarians tend not to want to do it, so that's tricky because they often like passing laws looking tough on crime and just giving the police more power and trying to give them more resources and saying, "Look what I did." But that's a really inadequate understanding of policy making. Of course, it is one that the police love because anything the police run into they have two answers to any problem: 1) we need more resources; and 2) we need more legal powers. That doesn't often address the real nature of the problems.

In terms of accountability more at the community level and community policing, this is something that is incredibly difficult to put in practice in non-Anglo-Saxon systems. I think it is a philosophical concept of policing that comes so strongly out of the (Sir Robert) Peel conception and tradition and also has only really been implemented in that way in this kind of common law— well frankly, mostly in the English-speaking world. And I think even in continental Europe, if you look at the continental system of policing, it is not based on an idea so much of service to the population, but rather it is an arm of the state, and the nature of the state's relationship with the population is much more one around order maintenance and control and much less where the state tends to be the one setting the priorities. OK, it may do it at a more localized level with municipal or whatever, not quite as centrally as in some of the developing countries.

But I've been working in Europe recently, and quite often the French police will go, "Oh, you Anglos, that is your way of policing, we don't do it like that here." In some ways it made me realize how much I come out of this very Anglo-Saxon concept of policing and should not, in fact, take that as a given paradigm for good policing across the world. That said, I still think, although it is difficult to institute, there's a fundamental issue, which is that victims of crime are individuals living in specific places, at specific times, and it's their problems which are the ones that take up most of the time and business of the police. Those are much better dealt with coming out of an understanding of that local reality, and you have to figure out a way to structure communication to deal with that.

Now, you can do town meetings. You can have police go into market places. The local realities are going to dictate how you do that. I think often it is really helpful to have police officers go into schools and talk to school children because they do go back and inform the family about things. You might get a slightly funny filter now and then of what kids thought they understood, but also, I think that's something police in the lower countries have just never done. It presents them in a very different and slightly unusual environment, and one that if they're there and safe and there to protect children, then that's good.

Another thing I think, in a lot of particularly rural settings where the police don't have presence and can't really have presence necessarily in every little village is to go to places where there are gatherings, be it a festival, be it a regular market, whatever. There are many kinds of gatherings where people come together, and those are essential places to make sure that you get officers out and about. You can have a formal conversation with the crowd if you want, but the more

important thing is that they be in a situation where they can talk to people and where they hear from people. One of the challenges in these dynamics is that the police officers, particularly if you get the commanders, they talk to people, they're not used to being talked to. In fact, they react really badly when people say, "You didn't do this," or "We have a crime problem here and you haven't responded." It's quite challenging to establish some of those community police dialogues because they tend to start off as adversarial in nature.

We did, the Justice Initiative did, a local crime prevention project in Peru, which was based on the implementation of a new law which called for the creation of multi-sectorial local committees, including mandated civil society participation and a series of town hall meetings or public meetings. At the first public meeting that we helped sponsor, the colonel who was there gave this little very gung-ho talk about all the things the police had done and how great they were. Then there was a Q&A time, whereupon everybody in the audience—and it was nearly 200 people—were extremely vociferous about how a) he was wrong and the police had not done a good job; and b) a series of extremely specific complaints about drug houses and muggings and all sorts of things. He got incredibly defensive and it was really not a very productive or useful conversation. It got into some to-and-fro's around the drug house where he said, "Actually, we sent police out to this three times in a row but we haven't found things; and you people aren't giving us adequate information." There was a lot of finger-pointing, which didn't have anyone leaving the meeting feeling too great.

We learned from that. We went into the next meeting we were doing, and we had a precursor session with the police. Before we just talked to them about crime prevention, about different approaches and theories, and some of the kinds of strategies; in this one we talked to them about that, but we also spent quite a lot of time talking to them about the dynamics of the conversation and of the dialog. We said, Look, people need to desahogar (it is the word in Spanish, sort of let out all of their feelings about this). You know, the victimization rates are high, it makes people feel bad, and they need to express those bad feelings. Try not to take it too personally. Focus on the problem and what you can do about it together.

You can be honest about your resource limitations, but try not to make it seem like you can't do anything either. In a private setting—there was a good commander there as well, I have to say, which made it easier—they really took that on board, and the process of the meeting afterward was just so much better. We said recognize that person's experience, and then they will be more willing to recognize yours. It was actually terrific. What was interesting is we got past the desahogar stage much quicker and onto the problem-solving stage. So it was much, much more productive. I think there are a number of simple lessons like this about how you go about things that aren't too difficult to implement, but they're often forgotten in the larger structure.

SCHER: Would you care to expand on that, list kind of other simple lessons for this type of community consultation forums and that sort of thing?

NEILD: *Well, I think just preparing people for the nature of that dialog is a really important one, and sort of saying to people look, we're coming out of a situation where there has not been trust, so what do you do to build trust? And I think you can come up with a recipe of the different modes in which you can build community relations. One is having the police at meetings of local authorities, be it council meetings, mayors, things like that, there to answer questions.*

If there are particularly serious crime incidents or patterns of crime, creating an opportunity—it doesn't have to be a meeting in the town—the tough thing with those kinds of meetings is getting participation. Sometimes people will want to turn up, especially if it is about a specific crime, but often in the more structured and on-going meetings for feedback, actually people don't want to go to meetings, so they won't turn up. You can do radio shows. You can do call-ins. It's about having more public information out there. It's about opening up institutions that have been incredibly closed. But in that process of opening up, you also have to get past the adversarial, hostile, victim/oppressor relationship that predominated before and start moving into a new one. I think there are just little things like being prepared to recognize wrongs. A lot of police are not prepared to do that. They need to be willing to be a bit more honest, while not losing their authority at the same time.

SCHER: Do you have any experience of how this operated in Haiti?

NEILD: *Haiti was really tricky because, well, for one, I talked about this "mentalité du chef," the chief boss mentality, before because of the sort of class, as it were, and that made it really, really difficult, frankly. The other thing that was tricky, not to pin it all on the police, was that people's expectations of what policing ought to look like were based on the profoundly authoritarian and repressive model. Basically they thought that if you were a criminal, you ought to be beaten up. If you were a child rapist, you probably ought to be shot on the spot; and you did not deserve due process.*

I remember talking to a priest in Gonaïves. I said, "How's it going?" The police had been deployed there about two to three months beforehand, the new police. He said, "Oh well, I would say we've had a number of stages here. At first when the police first arrived, the people actually went out and decorated the streets and welcomed them with a parade and stuff. Everybody was really, really happy to see them here. Then there was a kind of lull, and then there were a number of incidents—I can't remember what the specific crimes were—but there were a number of crimes, and the police arrested people; and the public were really not happy, because they didn't see anything happening at that point, because they'd just arrested them, they put them in the police detention cell and that was it." Now, from the public point of view, they may have pressed charges. They may have been waiting for the local assizes, the criminal courts, to sit in that area, which was a problem because it wasn't happening. But it wasn't visible to the public. For them, this was impunity.

So then he said, "What happened was that people started throwing rocks at the police because they thought they were weak—they're weak, they have no power, they have no authority." Then there was an incident—again, I can't remember exactly the nature of the crime—but a number of youths had done something or other, and the police took them into custody and beat them very severely in custody, which was pretty much the traditional Haitian way of doing things and everybody was happy. That was quite right, that's what they're meant to do; they were bad guys, they deserved to be beaten. And there were worse incidents than that. There was one in the north where a guy—I believe he had raped and murdered a very young woman— and the people had actually detained this guy because there was no local police station. They had actually called the police, called the new police, and the new police had arrived. They didn't have a vehicle, so they took the guy and put him in the back of a tap-tap, these open pick-up trucks which are the local buses. They were starting to go to market with him, to

take him off, at which point the crowd was just following the tap-tap. The police were really freaking out. The crowd was getting more and more violent because I think they expected the police to do something on the spot. Then they actually surrounded the tap-tap. It all ground to a halt. They started pulling everybody off. The police shot in the air to try to disperse them but couldn't, and they lynched the guy on the spot.

So it's a two-way street where relationships and expectations have to change. But I think it goes to the nature of dialog, and that this isn't just about making people trust the police, it's also about making people understand the nature of the law and rights and responsibilities.

SCHER: Were there any efforts to try and educate the people about this is how a civilian police force would operate?

NEILD: *Not nearly enough, no.*

SCHER: Do you know the reasons for that?

NEILD: *It hadn't been planned. There weren't resources. Everybody was so overwhelmed trying to pump out 5,000 police officers in a year and a half to two years. You know, you just run into resource limitations. It was one of the things that was quite clearly identified by a lot of people as a mistake, that they should have done a lot more—*

SCHER: Community outreach?

NEILD: *Campaigns—PR campaigns and educational campaigns about this is who your police are and how they should behave and what your duties towards them are. There was an effort supported by MICIVIH in the north in Cap-Haïtien to do a community policing project that went a fair ways, but then there was a change in—I think it was CIVPOL leadership—and it fell apart. The other thing is that in Haiti, when the Canadians headed the CIVPOL unit, they were very keen on community policing—obviously, it is their modus operandi and the RCMP (Royal Canadian Mounted Police) had gone through this big community policing reform in Canada some years before—and they were doing more. Then when the US stopped heading the mission, the military mission, and the Canadians took on the military mission, the French took on CIVPOL, and they didn't do community policing. So a lot of things changed.*

SCHER: If it is all right, I'd like to just bring it back a little bit. You spoke a little bit about oversight agencies and the importance of this kind of budgetary monitoring. Could you speak to any specific country, case studies? You mentioned Guatemala, is there anywhere else that you're familiar with these kinds of actual oversight bodies?

NEILD: *In terms of the budget, that of course is Parliament's responsibility. Guatemala was one country where ICITAP tried to do a local level budgeting exercise. We did this brief analysis, working with local NGOs, looking at the budget process and found that people, well really most parliamentarians had some interest in querying the budget and some interest in addressing what was going on with policing, but they didn't really have the skills or knowledge set to interrogate the different line items that they were being presented with. Then, when one looked a little more closely at the process after the budget was approved, it turned out that the process was not quite as relevant as it might have been anyway because*

there was this fiscal fungibility, basically, that funds could be transferred around at the will of the senior commanders anyway.

I mean, frankly, in terms of budget, as a tool for oversight it is limited in most settings by the fact that fixed costs tend to be incredibly high. The fixed costs, mostly salary, but some of the infrastructure stuff too, are typically over 90% of the budget of the police. So the amount of discretion that they have in terms of using that budget to change operational approaches, or do more assessments, or a range of other things one might want to undertake, is very limited.

SCHER: Another thing I wanted to pick up on a little bit was you mentioned, I think it was in Haiti, that there was an anonymous line where you could complain about police officers or was that El Salvador?

NEILD: *Peru. I think El Salvador did one too, but it was for the public to complain against the police.*

SCHER: That's actually something I would like to learn more about, this idea of collecting complaints, either from within the police or from without the police. Do you know of any mechanisms that were established in any of the countries that you're familiar with?

NEILD: *Anonymous tip lines are very common. They're always extremely unpopular with police officers, who fear that they'll be victimized, and they are sometimes. You do also get a lot of rubbish coming through them. I've looked at some of the stuff that was sent to the IG's e-mail inbox in Peru. There are people out there with far too much time on their hands and far too little common sense, and they write a lot of e-mails. So one of the issues I think there is the filtering system. There's one thing to have this, but who is going through these sometimes mountains of information and deciding which bits are actually serious and what kind of resources have you got in terms of following up on them. From what I saw in the IG's office in Peru, my sense was that that was close to useless in practical terms for his work, actually. But I would hate to generalize across all anonymous tip lines on that basis. I think you may get some very serious complaints coming through those. You may also, if you've got proper resources going through and analyzing, see patterns of practice emerging, and hot spots or particular police stations that seem to be a problem. There are all sorts of things that could guide investigations.*

Peru did an extremely interesting thing in their reform process. It was a very smart process. The other process that I like and for similar reasons, is Sierra Leone. Both of them surveyed the police themselves. So they got a tremendous amount of information from within the institution. In Peru they also did external town hall meetings so they got a lot of public information too, and they did some victimization surveying. But within the police, they surveyed and then held meetings with the lower ranks separately to the higher ranks—you know, they're separately recruited and they're on separate training tracks and promotion tracks and so on—it's very much a two-tiered system. And they got an enormous amount of information out of the rank and file.

Most of the information that they got about the systematic corruption came out of those meetings because the rank and file would say, "We don't get our meals. We're meant to get free medication but we have to pay for it. We don't get xyz because the commanders are stealing it all." Or, "This is how the system works." There were a huge number of complaints about working conditions and about

corruption and how it affected the beat officers, the patrol officers. A lot of that fed then into the priorities for reform and some of the structural reforms they undertook and the creation of the IAB's office.

What they also did, coming out of that, was they created a police ombudsman's office as it were, because they felt there were so many problems and so much abuse within the police institution itself, and the police had no recourse. The only place they can go in a hierarchical organization is to their superior who may be involved in the problem or directly responsible for it and certainly may well have difficulty even if he does take the complaint seriously, taking it up within the system. So they created this ombudsman's office that police could go to. A lot of it was with denial of benefits, sexual harassment, different things. But quite a lot of information about corruption and other practices came through that system, as well. It was headed by a civilian, deeply resented by the police management and by the Inspector General's office who saw it as usurping some of his powers—but much appreciated by the rank and file. They dealt with things like, there was no insurance for officers wounded in the course of duty; their families were left living on nothing, and things like that. They dealt with lots of things like that.

I think for external complaints, there were a number of structures around human rights, ombudsman's offices, civilian review boards. The thing that I think is where it relates back to community policing and so on, is around service delivery. Although these incidents of abuse or corruption are very serious problems, ultimately one of the bottom-line problems that is inadequately addressed is the fact that the police don't help people and people don't go to them for help, because they see it as a bureaucratic process that is completely useless, takes up all your time and is like a form of secondary victimization a lot of the time. So how to enable people to talk about the kind of service delivery that they want and make those processes more efficient for communities is something that we need to get smarter about doing. I think local elective authorities need to be playing a role there, as well. So you need to look at ways to have the local authorities—not in charge of police; I think that can be quite dangerous actually, because they'll politicize them and use them for their own political ends—but at least be able to require that the police come and respond to the communities and so on. Clearly the way the police perform has a big impact on people's perception of the quality of the local, elected representative. So they're not unrelated.

SCHER: Well, I'm keeping an eye on the clock here, and I was wondering if you'd mind if I just wrapped up with two quite general questions. If you had to write a handbook for people to build civilian police forces—we've spoken about a few things here—but what are the kind of topics that you would consider to be the real key issues that you'd want to include in this handbook for person X going on to country X.

NEILD: *Oh, there are so many handbooks out there. I think they all cover the grounds fairly well.*

SCHER: But for you personally—?

NEILD: *Just the usual steps, the recruitment, the training. I mean, I think there's a fair amount of consensus about the basic building blocks, the structural issues, about the organization and who it accounts to and how. All of the recruitment and training issues, there's a set of issues around management. There's a set of issues around resource allocation and service delivery and treatment of their own people. Those are pretty well dealt with. To me the biggest problem in these processes is that they are dominated by external actors, who fail to hand*

knowledge on in a systematic way through the process to local actors, who in their evaluations and analyses are more preoccupied with their own successes and failures in delivering aid than they are with the impact that it ultimately had on the ground. That's not being accountable to the people who are meant to be benefiting from this. Ultimately, this is about how the populations in these countries are able to go about their ordinary lives without being repressed and with some degree of protection from crime and violence.

So if there were anything in handbooks that I would like to change, it's the way in which stakeholder consultation and stakeholder capacity-building can be prioritized much more highly. Now, there are efficiency costs to that, and unfortunately, the logic of a lot of assistance is to try to maximize efficiencies in terms of delivery. But I think if we tried to do more assessment around this in terms of impact and sustainability, we would be well served by agreeing to a bit more inefficiency in the delivery process.

SCHER: Excellent. I think that's a very good note to end on, and I'd just like to thank you again.