



## PUBLIC POLICY IN POLICE ETHICS & SOCIAL COMPLIANCE

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In the year 1972 Metropolitan Police Commissioner of London, Sir Robert Mark commented, “the basic test of a decent police force is that it catches more criminals than it employs and the Met (Metropolitan Police) is failing the test”, this shows that corruption was rampant in London in 1972. It was stated that by 1990 the street level corruption in London vanished and the reasons are not known. Corruption like cold can not be cured. It has to be controlled and tolerated, on the other hand, if not checked it may spread as a flue.

Police corruption is a global phenomena. All the police organizations are striving hard to control the police corruption. The police corruption emanates from the abuse of power / authority. The negative impact of police corruption is the eroding legitimacy of police to govern the community. The negative externality of police corruption is the violation of human rights. In Ghana there are wide spread reports of Human Rights violation, like, neglecting the person, beating of suspects, arrest without warrant and the detention of suspect beyond the constitutional permit limit, etc (TANKABE-2008(b)<sup>1</sup>. In India such type of Human Rights violation does take place due to the police corruption.

There are three dimensions of public experience of police corruption. They are **personal experience of corruption**, **vicarious experience of corruption** and **confidence with police anti-corruption performance**. The personal experience of police corruption, by the public, is through direct transaction with police. The vicarious experience of corruption is through indirect assessment (hearsay), regarding police corruption. The third one is the public, confidence in the anti-corruption performance of police, those are the steps taken by police department to stop corruption. In the West



such anti-corruption activities are done by conducting integrity tests. These integrity tests are of two kinds, one is pre-monitory test and the other one is post-monitory test. In the pre-monitory tests a wallet is dropped near a policeman to check his integrity of returning the wallet to the police station with the money being intact in it. Many times “a decoy will be engaged to allure a police man with a heavy bribe amount to test his integrity”. This kind of test is quite different from vigilance trap cases in India, where the officer is trapped while accepting the demanded money. This is an example of post-monitory tests. To curb corruption, in the West, police organization also stress on (EIIIS) **Early Identification and Intervention System**. In this case intelligence is collected about the behavior of the police officer. Those having negative integrity are identified and are removed either from the service or from the sensitive posts. Secondly, they also carry out series of background verifications before appointing a person into the police service. This aspect even though carried out in India, are done in a routine manner without much seriousness. And there are no tests during police appointment to verify the integrity level of the candidates. After appointment, removal of a rotten apple is quite difficult in India. The bad apple continues as a liability to the organization.

Carefully screening of applicants for police positions, pursuing defective officers aggressively, removing them for their police positions before their behavior percolates throughout the agency (KLOCKRS-1999/208)<sup>2</sup>, is done to stop institutional problems. This is also a step to prevent adverse selection of police officers which is a “Type-II error”. Type-II error is a serious kind of error which can be related to institutional corruption, which is due to poor selection of officers to serious posts. These officers are “too bad for too important” posts. If these principle is followed, it may be lead to “moral hazards” which means bad officers in too important posts, may take advantage of the systemic loopholes and may get further rewarded. This practice may demoralize the other good officers. Systemic corruption may cause good officers to take a back seat and prevent them being in circulation.



It is similar to the phenomenon of bad currency notes being in circulation in the market.

Police corruption can be divided into two types, one is “Pocket of corruption” and the other one is “institutional corruption”. The “pockets of corruption relates to individual pathological issues, whereas, the “institutional corruption” is more pervasive and systemic. The problem of systemic corruption is more acute and serious. There can be two other classifications of corruption, one is “meat eating” corruption and other one is “grass eating” corruption. Meat eating is the one in which police officers aggressively misuse their police power for personal gain, rather than passively accepting offered bribe as the members of “grass eaters do” - (KNPP-1972:4)<sup>3</sup>.

There is possibility of making police corruption free, can be through mechanism of **social compliance**. If the officers do not indulge into corrupt practice that can happen in four principal mechanism of social compliance, (a) **instrumental /prudential compliance**, (b) **normative compliance**, (c) **situational compliance**, (d) **compliance based on habit or routine**. The instrumental compliance is based on simple rational decision making process through risk analysis. The officers may calculate the risk involved in taking the bribe and then makes a decision on them. If the risk of bribe taking is high, then he may abstain from taking the bribe or if the bribe amount is too small, he may not indulge in bribe taking. In the normative compliance, officer is prevented from bribe taking because of his social background and his socialization into the customs, which stops him from bribe taking. If the value and norms of the society is too strong against corruption, the officer abstains from police corruption. This is also true vice versa, if the bribe taking is considered as “Respectable crime” then the officer may indulge into such type of activities. The situational compliance, relates to the peer pressure. If the peer pressure is positive against police corruption, the officer may not indulge in corrupt practices. On the other hand, if there is institutional corruption, the situation may pressurize him to get involved in police corruption. Therefore, the sub-culture of the police organization may decide

whether the fence sitter will get into corrupt practices or not. The compliance based on habit or routine, is a virtue of the society. In which officer either by habit or routine does not get into corrupt practices. This is the best kind of social compliance. In this case the social capital of the society will improve and the country will be in a self policing mode. The compliance mechanism for the first three works on the conscious level, whereas, the last one (habit formation) works on the subconscious level as shown in the figure 1.

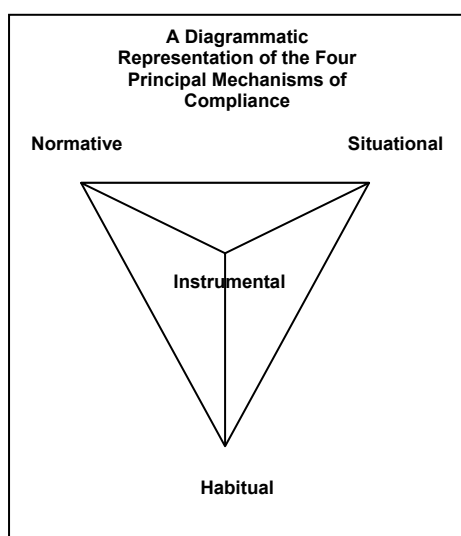


Figure – 1<sup>5</sup>

Now responsibility of the policy makers will be to form such public policies, which will propel the population for social compliance through habit or routine method. The policies in anti-corruption activities, like vigilance trap cases or DA cases, pressurize the officers to comply through prudent compliance mechanism. Prudent compliance has a short term effect and it exists as long as the pressure is there. Secondly, the effect does not go beyond the threshold level. But a continued as prudent compliance may result in Habitual compliance. However, the greatest challenge in Indian police is to ensure compliance by habit formation. Whereas, the normative compliance in the second best, but the normative compliance may be influenced due to rugged materialism. The rugged materialism is described as condition of aggressive pre-occupation with material accumulation without regard to value of probity and propriety (ASSIMENG-1986:249)<sup>4</sup>. In the culture of urbanization and growing economy, the rugged materialism is a great



challenge to the police department. Therefore, public policy which can stop this negative trend and improve the compliance based on habit or routine mechanism is the best for removing corruption in police. Some public policies like introduction of e-ticketing, ATM machine in Banks, e-tendering, RTI Act. dissemination of information through internet are some of the good examples.

Some of the public policy which comes to my mind are the followings.

1. *Declaration of assets in the website* :- All officers & men should declare their assets which should be put on the website, in the public domain, this will put a moral pressure on officer to remain honest and comply through the method of prudent social compliance.
2. *360 degree appraisal by the peer group & subordinates* :- All the persons surrounding the officer both higher, lower and peer group should evaluate the person on the level of his/her integrity. This may induce social compliance through the method of situational compliance.
3. *Public survey to assess the integrity level of the police organization* :- In this process feed back will be taken from the public to assess the degree of integrity in the police organization. If it is done over a period of time, it may show the trend of increasing or decreasing integrity level of the organization.
4. *Imparting training to the officers on asset management and personal financial planning* :- A better personal financial planning may help the officer to manage his/her wealth in a rightful means and may achieve the financial goal in a legitimate means, rather than following corrupt practices. This may help social compliance through habit or routine mechanism.
5. *Automation and Technology based business process management* :- Technology based business process will reduce human discretion and also the 'face to face' human interaction which may reduce corrupt practices in the organization, like FIR through internet, C.C TV monitoring of police activities, real time logging of calls to police etc. are some of the ideas.



6. *Improved Internal Affairs management and better oversight on police behavior* :- Poor oversight on police behavior is an organizational fault line. Poor oversight may lead to higher level of corruption in the organization. Therefore, petitions and complaints against police officer and police behavior should not be treated as garbage. Strict internal affair management and oversight may induce improvement through prudent compliance.
7. *Early identification and intervention systems* :- This will help to remove rotten apple from the system and prevent degradation of work culture in the organization. Improved work culture in the system will help officers to go for situational compliance.
8. *Encouraging and protecting the whistle blowers* :- The whistle blowers, act as early warning system in the organization. Their action should be appreciated and they should be protected. The organization should try to get leverage out of the whistle blowers complaints or fact finding. Protecting the whistle blowers will also reinforce the mission of the organization to eradicate corrupt practices from the system. This will again improve instrumental compliance by the officers in the organization.
9. *Transparent recruitment and promotion processes* :- Transparent policy in recruitment and promotion will stop adverse selection. It may help right people getting the due reward and promotion. In this process work culture of the system will improve. This will help officers to follow prudent compliance mechanism.
10. *Accountability at all levels* :- Non-accountability breeds contempt. Fixing accountability may reduce corrupt practices in the system. This may improve social compliance through prudent method.
11. *Humane working conditions* :- Bad work condition may frustrate people and they may compensate their frustration by following illegal means to make money. Therefore, better salaries, facilities, weekly off and such other things may be adopted to improve the working environment in the organization. This

may induce people to comply for better practice through situational compliance.

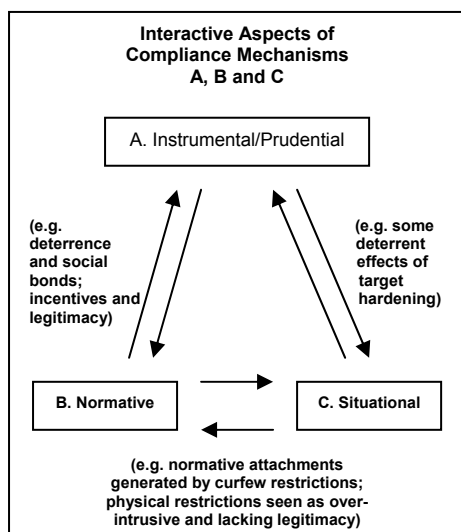


Figure – 2<sup>5</sup>

Multi pronged approach should be adopted to make officers to comply with legitimate practices in the organization as discussed above. Compliance through instrumental and prudent method is possible through policies by inducing fear in the minds of officers. When such policies are followed over a long period of time, it may help in habit formation to follow legitimate practices. Further, improving the work culture of the organization may help officer to follow proper practices through situational compliance. When there is an environment of better people and better work culture all around, this may prevent them from following corrupt practices. The interactive aspect of compliance mechanism is shown in the figure 2. The final goal is to make a habit formation to follow right practices as a matter of virtues. Policy makers have to find out innovative ways of policy making to turn around the work culture of an organization. It may so happen, that some innovative policies may act as a game changer and may reform the whole system. All police leaders should try to find out that fine policy which may act as a tipping point. Finally, one should never loose the hope, as because there is light at the end of every tunnel.



### **Bibliography**

1. TANKABE,J-(2008b), 'Police Effectiveness and Police Trustworthiness in Ghana : An Empirical Appraisal', Criminology & Criminal Justice, 8: 185-202.
2. KLOCKARS, C.B (1999), 'Some Really Cheap Ways of Measuring What Really Matters' in R.H. Langworthy, eds., Measuring What matters: Proceedings from the Policing Research Institute Meetings. Washington, DC: National Institute of Justice.
3. KNAPP, W. (1972), Report of the Commission to Investigate Allegations of Police Corruption and the City's Anti-Corruption Procedures. New York, NY: George Braziller.
4. ASSIMENG, M. (1986), Social Structure of Ghana, Accra: Ghana Universities Press.
5. Anthony Bottoms, Lecture notes of Police Executive Programme, Cambridge University, January 2011

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