



## **Workshop on Democratic Policing: Police Powers and Oversight Mechanisms**

### **Workshop Procedures:**

Distinguished Colleagues,

In order to make the roundtable a successful event with fruitful discussions and valuable conclusions, the SPMU has prepared a list of subjects of discussion for the delegations of the participating States.

This will allow the roundtable to focus more precisely on specific aspects of democratic policing and to better compare the information provided by the delegations at the working sessions.

In the plenary sessions, keynote speakers will provide lectures on the three subjects of the roundtable:

- 1) Arrest, Detention and Custody;
- 2) The Use of Force in Public Order Management;
- 3) Oversight mechanisms.

In the working sessions, following the plenary sessions, the delegations of the participating States will be provided with the opportunity to present the **state of action/status of implementation** of the aspects of democratic policing, mentioned in the plenary sessions, in their respective countries.

For each subject, each delegation will have 15 minutes to present their information. In order to make the presentations and following discussions most fruitful, it is recommended that the delegations focus on a common set of issues to elaborate on.

Please find on the following pages the list of subjects. We hope they are useful in the preparation of your presentations.

We thank you very much in advance for considering this approach.

### **Arrest, Detention and Custody**

In this session we would like to discuss the procedures of arrest and detention, your police officers follow, starting with the first moment of arrest. In this context we would like to learn about the legislative foundations and regulations in place, and how they are implemented in each phase of the process of arrest and detention.

Presentations and discussions may focus on the arrest, on hand-over mechanisms and formalities to observe; how the respect of human dignity and integrity is ensured, what are the control instruments to prevent abuse or misuse of force, and what types of mechanisms are in place to control and investigate if some complaints are filed.

The following specific issues may be discussed in the presentations:

- The legal basis to arrest a person/Reasons for arresting a person;
- Agencies with authority to arrest;
- Specific rights of persons in the context of arrest and detention;
- Specific obligations of police officers in the context of arrest and detention;
- System of custody records for detainees/ Type of information including in these records;
- Regulations regarding the conditions of police and detention cells;
- Regulations with regards to the occupancy of the cells (number of people; criminals and other offender; men and women, adults and children);
- Procedures for conducting interviews;
- Timeframes covering the period between arrest and arraignment;
- Inspection of prison cells and detention facilities by oversight bodies.

The inclusion of illustrative examples would be useful to describe how the police reacted in some difficult case.

### **The Use of Force in Public Order Management**

In this session we would like to discuss the practices of your police services in managing gatherings of people. In this context we would like to learn about the legislative foundations and regulations in place, and how they are implemented in each phase of the process of public order management.

Presentations and discussions may focus on regulations with regards to lawful and unlawful public assemblies; the tactics and techniques used by the police to disperse violent and non-violent unlawful assemblies; procedures to guarantee the balanced use of force; training of policemen to control public gathering, including the use of force and non-violent tactics (negotiation and mediation); command and reporting structures; systems of keeping records of the police actions; and mechanisms to investigate and sanction cases of police misconduct.

The following specific issues may be discussed in the presentations:

- Laws that define the lawful and unlawful gathering of people;
- Regulations describing the nature and extent of police powers in managing public order;
- Availability of police units specialized in managing violent and non-violent public gatherings;
- The principle of the proportionate use of force;

- Provision of a variety of weaponry and protective equipment for use in different circumstances depending on the level or threat of violence confronted;
- Curriculum aspects of public order management training;
- Use of video recordings of public order management operations as evidence in follow-on investigations;
- Examples of public order management operations, resulting in casualties among the police and the public;
- Development of public order management reform strategies.

The inclusion of illustrative examples would be useful to describe how the police reacted in some difficult case.

### **Oversight Mechanisms**

In this session we would like to discuss the mechanisms of police oversight, which are focusing on police misconduct;

Presentations and discussions may focus on legislative foundations and regulations with regards to the structure, authority and tasks of internal and external oversight structures and on the challenges in implementing the regulations into daily practice;

In the second part of the working session, presentations may focus on different strategies and instruments to measure police efficiency and effectiveness, including the role of the public in this endeavour.

The following specific issues may be discussed in the presentations:

- Legislative foundations for the establishment of internal and external oversight mechanism;
- Examples of external oversight mechanisms that do exist or are intended to be introduced; their structure, authority and tasks;
- Examples of external oversight mechanisms that do exist or are intended to be introduced; their structure, authority and tasks;
- Examples of collaboration/complementation of internal and external oversight mechanisms; Added values of each of the mechanisms;
- Measures for informing the public about their rights to file complaints, the mechanisms to file complaints; the publication of the results of investigations;
- Statistics on police misconduct and respective investigations and sanctions.

The inclusion of illustrative examples would be useful to describe how the police reacted in some difficult case.