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ON

"Community Policing As a Factor in Crime  
Prevention and Law Enforcement in Zambia"

by

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## D E D I C A T I O N

This essay is dedicated to my late father Nathan Punza, my mother Janet, my wife and children who gave me encouragement from the beginning and peace of mind during my period of study.

Profound thanks to you all.

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## PREFACE

In a developing country like Zambia, the role of the Police force is becoming more complex. The nation is usually faced with complications of different community or tribal cultures including the varying levels of social, economic and political developments.

The demand for an effective and efficient police force is increasing every time. In order for police officers to discharge their duties they need not only sufficient operational materials and training but effective participation and cooperation by the community.

This essay tries to high light some of the short comings of the police force. It is not meant to be a condemnation of the force as a whole but is written with a view to afford the system a chance to adjust so as not to lag behind criminals. Zambia Police is a peoples force and as such it should not be separated from the people it is supposed to serve.

The essay puts up few recommendations which if taken seriously may narrow the gap between the Police and the community thereby improve efficiency. It is with this hope in mind which necessitated that I write on police operations and general community participation in the prevention of crime in Zambia.

**LEONARD S. PUNZA**

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## CHAPTER ONE

### Community – based Policing

#### Introduction

It is now thirty – years after the country Zambia attained its independence in 1964. Since that time there has been no significant study or proposal for local community policing. The Police have continued to utilize the traditional reactive method of receiving reports and following them up. There has been little input from the community being policed. People in villages and indeed those in urban areas have basically no say in how they perceive law enforcement in their local areas and how they want to be policed.

Crime particularly that of aggravated robbery with use of Fire arms has become a worrying phenomenon. Independence has undoubtedly brought about many radical changes in our political, social and economic spheres, but in general terms little has been done in the area of broad police policies particularly with regard to what system of policing Zambia should adopt.

The nature of police work has always been such that police officers are constrained from proactive observation of private places like homes unless there is reason for them to believe that a serious crime has been committed there. Currently in Zambia people perceive the police as a brutal arm of the government.



The moment a Police man is seen in a village or township it means trouble either someone as to be charged or a loved one is to be taken away. This form of friction should be eradicated by establishing systems which will bring about cordial relations between the citizens and the Police.

It is emphasised that, if the police won't work with the community, the community will not work with the police. If the police do not share their knowledge and information, the community will not talk to the police. If the police do not ask what concerns the community most likely the police will not know what those concerns really are. Police challenge therefore is to broaden the sense of responsibility for community safety. To broaden the sense of 'We' so the community itself feels very much responsible for the state of its own security.

There is generally anxiety over the high rate of crime in Zambia. For instance early in 1982 the then President Kaunda at the opening of the National Assembly said "We now have widows, widowers and orphans, many of them left without any means of livelihood. The crime of armed robbery is a dreadful social disease which must be got rid of from the face of Zambia". '1'

In response to this observation, Legislators passed the Zambia Police amendment act Number 23 of 1985 which provided for the establishment of vigilante groups. '2'

Powers of vigilantes under the Act included carrying out such functions and duties to assist police in maintaining law and order, preventing occurrence of crime, protecting life and property

against assailants and vandals and generally apprehending offenders against the peace and handing them over to the police. The creation of the vigilante scheme was step in the right direction. '3' This is so because community involvement in policing themselves would harmonise the police - public relations so that the two groups could trust each other by working together. It was further observed that the police force being the sole arm of government charged with full time duty to protect life and property was ill equipped and too weak for such a task. Methods designed to bring about good relationships between the Police and public should be encouraged.

Zambia needs a combined Police/community in put, to form an intergral part of a newly created community - based policing philosophy that welcomes comments and in put for tailor-made enforcement policy. The police cannot continue to say we are the experts, we know what we are doing and we are doing our best for you. Now there should be mellow and humble approach, how do you think we should go about it? Can you perhaps tell us your views on how policing tasks should be performed in your area and we will do our best to accommodate you.

It is so far gratifying that the current Inspector General of Police Mr Francis K Njobvu is seriously advocating for the establishment of the community services division. The division will intergrate local communities into the main stream of Zambia Police. It will also be responsible for policy and identify systematic biases that would prevent communities from being fully

intergrated into the Organisation.

The Political Party that formed the government after the Presidential and general elections held in 1991 did not like the continued existence of the vigilante groups, due to inherent friction resulting from general misuse of power and past history of intimidation of political rivals. The government has encouraged the police administration to devise some other systems of combating crime hence community - based policing.

It is important to note that the democracy ushered in as a result of reversion to plural political systems brought about various freedoms which included the lifting of state of emergency. This has however caused a reduction in the powers of search, questioning and detaining of suspects by Police officers prompting crime to escalate. This phenomenon was echoed by President Chiluba on 11th January 1994 at a press conference held at State House. The President expressed some concern with regard to the ever rising crime wave in the country. He stated as follows "..... atrocious crimes are committed in full view of the plice, that senior officers used vehicles for personal errands. This has been the last straw, I am incensed and so is the public. Thieves strike with impunity and chase each other with guns and Policemen are watching, the lives of people are at the mercy of bandits". '4'

It is unfortunate that the President did not try to find out reasons for police failures but rather left it to the new Police Command to reverse the situation.

The onus is now on the Police to alter the community perception that police is a hostile, oppressive partial and unfair institution. The police can do this by showing a clear willingness on their part to change and to ensure a fair treatment in their relationship with members of the diverse communities.

In terms of figures there has been a marked increase in crime from the time Zambia attained its independence in 1964. Records show that Police have only been able to handle half the number of reported crimes each year while the other half have been going scot free. There is therefore a great need to change strategies of dealing with crime.

Below is a random statistical chart showing cases reported to and dealt with by the police over the years. The information is extracted from the Zambia Police Annual reports Government Printer.

(ALL CATEGORIES OF OFFENCES)			
YEAR	CASES REPORTED	CASES DELT WITH	CASES OUTSTANDING
1964	67,733	34,720	33,013
1972	98,195	50,125	48,070
1974	117,010	61,204	55,806
1980	153,343	71,753	81,590
1984	145,411	73,628	71,783
1990	174,132	88,805	85,327
1991	196,837	100,419	90,203
1993	217,606	114,803	103,203

## Methodology of this Research Paper

In this obligatory essay data for the research paper was collected from legal text books and materials, relevant Acts of parliament, Police annual reports, Newspapers which will be supplemented by questionnaires.

Due to shortage of time and nonavailability of funds, the research was confined to areas around Lusaka Province. The questionnaires were served to officers within Lusaka. Opinion of ordinary citizens regards operations of the police in rural areas were sought from villages around Lusaka. I also conducted personal interviews with senior police officers at Police Force Headquarters to establish why militarised police systems were created. I examined equally the operations of the neighbourhood watch associations created under societies Act Cap 105 of the Laws of Zambia. The purpose was to hear what problems they may have and how they are getting along with the Police and the general members of the public.

The Commanding Officer Lusaka Division was asked to explain how the Toll free telephone system has fared so far in terms of reducing crime. The Regional Commander for the Prison Service Lusaka was also asked for his opinion as to why prisoners cannot be used for community services rather than prison terms which do not serve the communities anything at all.

## 1.        **Organisation of the Research Paper**

This paper is divided into four chapters which in my view will examine some of the constraints to good police/public relations and propose community based Policing as an alternative for improving police operations and as an effective way of preventing crime increase.

Chapter One   -   Introduces the problem and outlines the scope of the area of study. Data sources and approach to the research paper is given. Organisation of the research paper into various chapters is also outlined.

Chapter two   -   Outlines the back ground information on the development of Police security system. It discusses the brief history of the Zambia Police Force with particular emphasis on the non-involvement of indogenous Zambians in crime control measures. Also examined are police - public relations during and after the colonial rule. I looked at specific causes of social isolation of the police from the communities. These included separate residential areas for police officers and militarised police systems that include mobile unit, Para - military and flying squad units.

Chapter three   -   Examines the various theories of crime control in the context of community based policing. I looked at the definition and nature of the concept of community policing.

I also assessed the various forms of community policing. These systems are Team Policing, Unit beat system, Neighbourhood Watch Associations and Toll free telephone system. The role of the Police in the process of community Policing as technocrats at grassroot level was equally outlined.

#### **Chapter Four** - Conclusion and Policy recommendations.

A suggestion for a common approach to community policing and implementation. This requires participation by Radio and Print Media, the politicians and citizens themselves by not harbouring criminals. The government to reorganize the entire police force so that there are no over-laps with other security systems such as the office of the President. Drug enforcement commission and the Anti-Corruption Commission. It is also necessary that the community should benefit from those who have wronged society. Prisoners should be engaged in community service work. The public should be encouraged to rehabilitate the released convicts. In this way, the communities will realise that they are part of the law-enforcement and the state.

The purpose of the paper is to raise the necessity for community based policing so that police officers are made part of the public that they serve. This will be a giant step towards reducing the escalating crime wave in the country. The police should formulate effective training programmes suited for the changing nature of crime and cultivate sound public relations and attitudes in order to make work manageable.

As stated by the former British Home Secretary when appointing a Royal Commissioner of inquiry appointed inter alia to review the constitutional position of the Police that "In modern conditions the police cannot carry out their heavy responsibilities without adequate public co-operation and confidence:"  
'5'

#### NOTES

1. Times of Zambia Saturday January 16th 1982.
2. Mwansa K T "A comment on Zambia Police Amendment Act No. 23 of 1985 in Zambia Law Journal Vol 18 1986 at 108.
3. Ibid at 109
4. Times of Zambia Wednesday January 12th 1994.
5. Critchley T A. A History of Police in England and Wales 900 - 1966 - London, Constable and Co 1967) P 264.



## CHAPTER TWO

### The Old Policing System

The Police in a country are the instruments for enforcing the rule of Law; they are the means by which civilised society maintains order, that people may live safely in their homes and go freely about their lawful business. Basically their task is the maintainance of peace and the preservation of law and order. Without this there would be anarchy. '1'

In Zambia the Police Force is created by an Act of parliament cap 133 of the lawas of Zambia. The force is employed in and throughout the republic for preserving the peace, prevention and detection of crime and for the apprehension of offenders against the peace. '2' The Force is modelled along the British system of policing having been the colonising authority before independence.

The concept of a police force as a protective body developed from military organizations used in ancient times as protectors of peace. An example is the Praetorian Guard which was charged with protection of Roman emperors and which in the year 27 B.C. was re-organised as a force, separate from the army by the Roman emperor Augustus. The troops of the Praetorian Guard were the only troops allowed in or near the city of Rome. '3'

The idea of the modern Police force however is credited to Sir Robert Peel, British statesman who as home secretary re-organised the London Metropolitan Police Force in 1829. He recognised that the traditional methods of law enforcement such as the night watch system were not effective in preventing crime. Peel realised that Police could not function effectively until the Criminal Law and other laws which they were to enforce had been made capable of being respected by the public and administered with simplicity and clarity. '4'

In his efforts to establish an effective Police Force Sir Robert Peel is attributed with stating ".....The Police at all times should maintain a relationship with the public that gives reality to the historic tradition that the Police are the public and that the public are the police. The police are the only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interest of community welfare. Besides Peel reminding Police officers that they are part of the public, he stresses two other issues, that Police are charged with protecting the public and that there is an inherent responsibility on the citizens of the community to protect its own well being. '5'

#### 2.1. Concept of Hue and Cry

In England prior to the formation of the metropolitan Police in 1829, the system of old Policing effectively maintained law and order throughout the land. It is the rise of capitalism

which caused the system to break down. Since Anglo-saxon times the enforcement of law and order was the collective responsibility of each town and hamlet. Each township was charged with apprehending and punishing an offender and could be fined for neglecting to carry out its duty.

In Norman times it became the practice for a township to appoint one of its members to be responsible for its collective role and this person gained the name from the French of Constable. The most usual form of apprehending an offender was to raise the "Hue and Cry" in which all the towns people had to take part. Later Watchmen were appointed to aid the constable in apprehending offenders. These were later known as justices of the Peace. '6'

By the end of the 18th century the ruling class in England had perceived crime to be inextricably bound up with poverty, the poverty of the new urban poor and the low wage earning farm workers. The ruling class sought security for their property, home and factories and in their everyday lives. The creation of a stable society could not be guaranteed in the long term however by continually resorting to the army. Once a class begins to organise to agitate to demonstrate you need a force which has all the appearance of independence which cannot be seen to be visibly taking sides in the class struggle, but which is merely there to enforce the law. The British government set about creating such forces in the colonies and protectorates as well. '7'

## 2.2. A short History of Zambia Police Force

The history of policing in Zambia goes back to 1891 when the British South African Company Charter was extended to give the Company power to administer the territory north of Zambezi. Before the arrival of Europeans in Zambia, the local inhabitants observed customary rules, there was no clear division between criminal and civil law. The punishment of the offender and the compensation of the victim were intimately connected. All inhabitants had the duty of maintaining law and order, apart from young children. When punishment was meted out against an offender, this meant that the extended family or village in some cases had to pay it back.<sup>'8'</sup>

The colonial officials who came to the territory north of Zambezi now Zambia wanted to settle permanently. They were accompanied by small bands of military type police. At that time bases were established for a force of Indians consisting of sepoys, sikhs and Indian-mohammedan cavalry which was recruited to keep the peace in areas coming under the administration of the British South Africa Company.

Duties for this cavalry were to combat raids by Arab slave traders. Battles between slave traders and early police forces were numerous since slave trade was quite lucrative. In 1895 Nyasaland separated from the area of the Charter's company activities and the mixed force was withdrawn.

At this time the territory was divided into two areas known as North-Eastern and North-Western Rhodesia. They had separated administrators, each being charged with maintenance of law and order in their area. They proceeded to recruit and form their own peace - keeping forces recruited mainly from the local people in the area where administrative centres were being set up. These were under strict supervision of European officials.

In 1911 North-Western and North-Eastern Rhodesia were amalgamated and the following year the Northern Rhodesia Police was formed. The members of the force were to perform civilian as well as military duties. '9' As time went on these duties became more divided with certain sections performing military duties whilst other sections performed civil duties. However the sections performing civil duties came under the command of the army who seconded an officer to take charge of what had now become known as the Town and District Police.

In 1914 the first world war broke out. Many of the officers were engaged in active war service with the military unit. The war ended in 1918, after the Germans were defeated. After the war there was increased settlement along the railway line later with industrial development on the copperbelt the need for an improved Police service became essential. The nature of the work required officers who could specialise in Police duties and receive necessary training.

In 1932 a separate civil Police force was established. An officer was seconded from a military unit and appointed first Commissioner of Police under Northern Rhodesia Police ordinance. At the time the force comprised of a very small number of officers. The establishment was 7 superior officers, 73 inspectors and 447 other ranks. Police stations were set up along the line of rail only including Mongu and Fort Jameson now Chipata.

In 1937 the Police force was completely over hauled by an officer appointed by the British government. The Force expanded until the second world war broke out. When the war was over, there was an increase in settler community coming into the country. This was caused by consequent economic and social changes brought about by the war. There was a need to increase the police force both in numbers and efficient. Large numbers of expatriates were again recruited into the police force. These had previous police training from Britain or South Africa.

#### The Dowbiggins Report 1936 - 1947

This report stated that Race discrimination and prejudice impeded the development of an authentic civil police force. The Northern Rhodesia Police force lacked the tradition and esprit de corps in it. The force was suffering from an inferiority complex. According to the report the proper course of civil police training was the exclusion of any military role. There is a requirement for good will, faith, flexibility and mutual understanding for the

creation of a disciplined police force. Dowbiggins further remarked that "I have never found any Police force or any Police Station that was meeting its obligation by sitting in Stations and offices and waiting for crime to be reported". '10'

The primary function of the Northern Rhodesia Police was to patrol white residential and commercial areas in order to protect European property and enforce colonial laws enacted by white legislators to safeguard the white community interests. Native authority areas and Mine townships were patrolled by District messengers or security guards as the case may be.

The force was predominantly african, yet these were unable prior to 1950 to rise above the rank of constable or to act on their own initiative and independently of their white supervisors. African police tended to assume attitudes of difference to whites and arrogance to blacks. Africans used their uniforms as an excuse to oppress their own people. These relations are part of the colonial legacy which is still felt today and which accounts for some of the suspicion displayed towards the police.

In 1955 the old training school moved to the present Training School at Lilayi within Lusaka. Police training had improved since the opening of Lilayi training school. Gazetted officers of the rank of assistant superintendent and upwards, took courses of six months duration or less at British Police Colleges. The local training programmes included courses such as Drill and Weapon training, Law and Police duties, First aid, Languages and self defence.

### 2.3. Police Relations with the Public Before and After Independence

Zambia Police unlike the British Police was not a creation of society. The institution was imposed upon the people. The public were not made aware of the benefits they could get or derive from the police. The colonial government made no effort to explain to both the police officers and the public the responsibility of the police. The result of this un-awareness on both sides caused a feeling among the public that the police were there to maintain the status - quo - of the colonial government and not necessarily to enforce law and order. The Police in colonial era was seen as a tool for oppression against Africans a colonial legacy which has been carried over into the present Zambia resulting in the Police being isolated from the public.

From the very beginning the British government had desired to establish a mechanism of governing natives within the existing institutional frame work. In 1924 the British government took over the running of Northern Rhodesia from the British South African Company. They introduced a system of indirect rule which meant the continued use of existing indigenous African institutions principally chiefs to effect colonial rule. As a result of this arrangement people preferred traditional methods of reporting to village headmen where compensation was given to a victim rather than punishment of an offender. '11'



Functions of the Police took a new turn in late 1930 due to depression. Salaries of civil servants and miners were cut. The Northern Rhodesia Legislative Council increased poll tax in May '1935. This sparked off a violent strike by African miners at Luanshya mine. Disturbances and looting followed. Police used Fire arms to disperse rioters. In the after math 6 Africans were shot dead. Several others were injured while 20 were arrested.'12'

In 1940 Police again opened fire to disperse striking miners at Mindolo in Nkana Kitwe in the process 17 Africans were killed and 66 injured. Other encounters between the Police and the public occurred in 1958 in Gwembe area where villagers defied a government order to be evicted from their fertile land without being given alternative good land. As a result of this 8 people were shot dead during the disturbances.'13'

Nationalist movements launched an extensive civil disobedience campaign led by UNIP known as cha-cha-cha in 1961. This was targetted at the Police and occurred especially in the Northern and Luapula provinces of Zambia. Clashes between UNIP and ANC continued to mount, quadrupling between 1961 and 1963, culminating in the large scale shooting of the Lumpa Church followers by the Police and Army in 1964.'14' Law and order became a political issue placinf the police in a difficult position.

In 1962 during the UNIP Annual Conference Kenneth Kaunda called on the people to face the enemy referring to members of Police force even if he was armed with batons or bullets. People responded by burning their identity cards which were issued to Africans. They They blocked roads, destroyed bridges, set ablaze

schools and local courts and cut telephone wires. Police retaliated by arresting more than 2,500 people through out Northern Rhodesia driving villagers into the forest and burnt huts and grain stores left behind by fleeing villagers. The operation left 21 people dead with 30 badly injured and 2,691 arrested for various offences relating to disturbances.<sup>'15'</sup>

Public resentment against the police grew in intensity particularly that most of those arrested belonged to UNIP. In 1964 it was UNIP that became the ruling party and was obliged to employ the same police personnel which was condemned during the independence struggle. This has led to obvious persistence of general mistrust of the police. The Northern Rhodesia Police ordinance was repealed and replaced by the Zambia Police Act of 1965 Cap 133 of the Laws of Zambia. This came into effect on 4th March, 1966. The Act had no changes in form and further empowered the police to carry guns.

In 1972 Zambia was declared a one party state, members of the force were also members of the ruling party UNIP. The Inspector General of Police became a nominated member of parliament and junior minister in Home affairs. In 1988 he became a member of the central committee the highest policy making body in the UNIP government. This arrangement made the Police become politically biased rather than remain neutral.

The Police force has not been intergrated into the population to act as a guardian of society. This has largely been caused by a long period of enforcing colonial oppressive laws followed by three decades of formal commitment to the code of one party state. After the 1991 Presidential and General elections, the country became a multi party state. It is now necessary to establish a police force that will be part of the people and that people will feel they are part of the Police.

#### 2.4. Creation and Operations of the Militerised Police Systems

##### **Mobile Unit Police Force**

After the second world war in 1945, Zambians began agitating for self determination. There were mounting incidents of protests by Nationalist movements against the Federation of Rhodesia and Nyasaland. There were also boycotts of butcheries which discriminated against africans. In 1949, a mobile unit force was created. The unit specialised in combating riots and other anti-social disorders. The apparent regular police force had been transformed into a civil force, there was no longer an effective instrument capable of mercilessly putting down politically motivated insurgents. The nature of training had been devoid of procedures and principles of rational application of force.

The unit continues to attract public resentment because of the brutal manner the officers in this unit deal with disorder. After the attainment of independence, the duties of the unit were reduced to combating social disorder a thing which could properly be handled by the regular or civil police officers.

(b) Para-Military Battalion

In 1965 there was unilateral Declaration of independence, (UDI) in Southern Rhodesia now Zimbabwe, by white settlers led by Ian Smith. During this time there were several military movements fighting to end white military rule in Southern Rhodesia. Zimbabwe African Peoples Union (ZAPU) and Zimbabwe African National Union (ZANU) sought sanctuary in Zambia. The Smith government regarded Zambia a potential threat because it was harbouring what they termed terrorists. They perpetrated acts of sabotage and espionage against the Zambian government in a bid to economically politically and militarily weaken the Zambian government to stop giving support to freedom war.

In 1967, four (4) platoons of para-military Battalion were formed whose function was to provide a striking force in the maintainance of law and order along the Zambian borders and to guard vital projects.

The headquarters had been originally at Bwana Mkubwa in Ndola but moved to Lusaka in 1969. The establishment of the Battalion had been 14 superior police officers, 33 subordinate police officers and 598 other ranks. '16'

This unit was not disbanded after the attainment of independence by Southern Rhodesia in 1982. Neither was the mobile unit broken up. Both have been used to perform the same functions along side the regular police force. Now it has become irrelevant to separate the functions of the three units since all wings of the force use firearms against people whenever there are some disturbances. Notable incidences are the 1986 food riots and the University of Zambia Campus riots of 1990. The latter resulting into wide spread violent riots in the capital city of Lusaka. The three wings used firearms to disperse demonstrators there by shooting more than thirty people three of whom were students. '17'

(c) Flying Squad

This is the Anti-Robbery squad code named Flying-Squad. This was established to curb the ever increasing number of armed robberies in cities and towns. Officers are drawn from all the three departments of the force. They are selected on criterion of their agility and good marksmanship. The squad was equipped with automatic weapons. The purpose was to facilitate a speedy collection and transportation of the specialized squadmen so that they could readily be available to the scene of robbery.

In most of their engagements against suspected bandits, the flying squad shortdead rather than apprehend culprits. The case in point is the recent extermination of the two suspects who went into the office of a slain Lawyer late Ngenda. '18' Dealing with suspects in such a manner makes further investigations to establish the truth very difficult. In some cases Police officers have shot dead innocent people. In the case of The People- V - Chiwaya (1982) '19'. The case involved a police constable who was on trial for murder for killing an innocent passenger in a car believing it to be driven by suspected bandits. The High court judge commented of Police officers action as follows "..... this is a case I can liken to a trigger happy police officer because there was no cause to shoot the innocent passenger. Nowadays the commonly known police warning shots are killing shots".

It is in this vein that few people come to assist the police. Those who do are regarded as enemies who collaborate with the police in order to spy upon other members of the community. Such police informers are in many cases ostracised from the community.

(d) Police Camps

These are secluded residential areas for police officer. Entry and staying in these camps is strictly restricted. There is normally a register of visitors maintained at the

office of the Camp Commandant. The period for which a visitor will stay will be indicated and the reasons for which they have come to live in the Camp will be stated. At the end of the stated time the visitor will be told to leave or extend the time of departure in the register.

From the time of the inception of the Police in 1891, it had been the desire of the colonial administration to house officers in cantonments isolated from the general public. The reasoning given for this arrangement is when-ever a disturbance occurs. This supports a reactive system of combating crime which seems not effective. If police have to fight crime before it occurs then they should stay with the would be victims or criminals.

(e) **Relations After Independence**

Police relations with the Public after independence can be divided into three periods namely:-

1964 - 1972 known as the first Republic

1972 - 1991 known as the second Republic

1991 - 1994 known as the third Republic

The period from 1964 to 1972 was one of honey moon. Every one was celebrating the newly acquired independence. The new UNIP government that had suffered much under the colonial police wanted a force that had not only an African but a Zambian out look.

The government embarked on a Zambianization programme, as a result of this all white police officers left the country. There was therefore mass recruitment and promotion to fill up positions left vacant by the fleeing whites. The basic requirement for one to be a Commissioned officer in the police force was done away with. This was a minimum of Form 5 or Grade 12 Certificate. This time any police officer could climb the promotion ladder from constable to inspector General of police provided he or she was in good terms with the particular officer recommending such promotion, sometimes instructions to promote came from the political authority. This system brought about mediocrity because education and efficiency was no longer a criterion for promotion. The public in general continued to look at the Zambian Police with suspicion. The nature of their training did not change, so that they continued with their arrogant and harsh treatment of the public. The Police administration did nothing to get closer to the people or at least attract the people to get closer to them. They remained remotely isolated as before.

The period from 1972 to 1991 is the most controversial one. In 1973 Zambia became a one party state. The country adopted a new Constitution known as Zambia Act No. 1 of 1973 which repealed the Zambia independence order 1964. This brought into force the one party constitution. The only opposition party African National Congress was dissolved after the Choma declaration. The functions of the Police included



carrying out statutory duties of law enforcement as well as any other instruction from the political authority. As time went by the Police became more of an instrument of suppression of opposition than maintenance of law and order. Several people were detained during this period. For example, in the first ten year period between 15th March 1971 and 21st September 1981 about 901 detention and restriction orders had been issued. '20'

The Police had continued with their under hand methods of obtaining evidence from suspects and witnesses. The case in point is Mulwanda - V - The People (1976) '21' where 87 witnesses were detained for the purpose of coercing them to give information and were released as soon as they had done so. The supreme court stigmatised the police action and held that even if it could be said that the offence being investigated was one which impinged on the security of the state, detention of witnesses purely for purposes of coercing them into giving information concerning an offence is a flagrant misuse of the powers given by the legislation.

During the same period the intelligence department was strengthened. It was able to permeate the whole fabric of the communities. The officers could gather and report any information or opinion opposed to the government in power. The members of the public had become so scared that they could not discuss any issues concerning their own welfare for fear of being misquoted. There were acute food shortages and

as a result, political discontent grew. General and politically motivated crime increased. For example, in 1980 was the experience of the notorious strangler who murdered young ladies from the western province. It was not until 29 ladies were murdered that a man named Sipalo was arrested in connection with the offences. Somehow due to negligence by the police officers, the man escaped and committed suicide by throwing himself down from the third floor of the Lusaka Central Police Station.<sup>'22'</sup> The public were denied the right to know the reasons for these murders. The reign of terror and poor handling of cases by the police and the intelligence wing contributed to the widening gap between law enforcement agencies and the public.

The period from 1991 to 1994 is one of dramatic change. During the Presidential and General elections, the people of Zambia unanimously voted for a return to a multiparty political system. The people had great expectations. They needed their lost freedom after a century of colonial rule and one party dictatorship.

Historically the police have for a long time trampled on the rights of the people. The police should now swallow their pride and tell the public that they need to work together. The public should also tell the police what they need to be done for them. Currently, the civic education campaign team which is a non-governmental organisation went round police stations assisting officers in dealing with matters which are

domestic in nature. Further the police administration has established a community services department which will look into the creation of community based consultative centres so that communities can participate actively in the war against crime. This is a step in the right direction.

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### CHAPTER THREE

#### Citizens and Police United in the fight against Crime

Black's Law dictionary defines crime to be an act, default or conduct which threatens the existence of the community, the commission of which by law renders the person responsible liable to punishment by death, imprisonment or fine in special proceedings, normally instituted by officers of the state.<sup>'1'</sup> It follows from this definition that combating crime is the responsibility of citizens together with Law enforcement officers.

The current wide spread concern with violent crime particularly in large towns calls for a reassessment of the kinds of resources and support that the police need to respond more adequately to the demands made upon them by the Zambian society.<sup>'2'</sup> The police administration in Zambia do admit that the traditional method of fighting crime by suppression is no longer effective because police act after the criminal has committed the offence and is kilometres away when they begin to react. According to this theory the function of the police has been to subdue and end by use of force the criminal activity in the country. This called for the establishment of various armed wings of the police force such as the Para-military Anti-terrorism unit, Zebra unit, Protective unit, Mobile Unit and Flying squad unit. All these were created specifically to

combat crime with the use of lethal weapons,

The police administration have realised the ineffectiveness of suppression strategy and are in the process of abolishing some of the militarised wings, such as Zebra, and Anti terrorism units. The police force is now focusing their efforts to crime prevention methods. What this means is that the police and the public would take advance measures to counteract threatening criminal developments. This calls for an immediate change of the nature of police operations particularly with the crime rate which is on the increase and the fact that the state is experiencing increased costs in spite of strict budgetary restraints.

The members of the public are increasingly becoming aware of their individual rights and this crime threat. They at the same time hope to live in an environment which is as safe and as devoid of crime as possible. In order to achieve this objective the citizens and the police must unite to fight crime. The police need every one's co-operation and there is an urgent need for a common front made up of alert and co-operative citizens, prevention oriented policemen and responsible politicians

concerned about the crime trend and its control over their community. An important resource which is readily available in this fight is the people. This has much potential but has been ignored for too long.

In Zambia the initial stage towards involving members of the public in the fight against crime started in 1974 by the establishment of Public Relations Office. This was created specifically to act as a link between the public and the Police. Its objectives are as follows:-

- (i) To inform and educate the public on the duties and responsibilities of the force and its members.
- (ii ) To facilitate and lay a procedure of educational programmes both for members of the Force and the public at large.
- (iii) To work out systems of educating the general public with emphasis being placed on schools and colleges.
- (iv) To peruse all complaints against the force and to offer suitable replies.

With the creation of Police Public Relations Unit all matters concerning police activities other than confirmation of incidents are now handled by the unit. This serves as a link between what the police do and peoples expectations in terms of communication break through. The public is free to discuss any matter or suggest any method that would help in the fight against crime. However, since the unit is not decentralised its function in the outlying stations are being performed by officers commanding those divisions.



### 3.1. Theories of Crime Control

In order to appreciate the subject of community policing, it is imperative that we examine the theories of crime prevention or control. It is through a careful understanding of this area that programmes which are intended for fighting crime can succeed. This is possible by identifying the mode of operation of the would be criminal, and selecting the best means of curtailing the commission or completion of the intended crime.

Crime preventive measures are all technical, informative and educational methods aimed at preventing criminal acts. These are effected in a way that allows an evaluation of the extent to which the aim is achieved.

The following are some of the crime prevention measures:

- (a) Direct Control. This comprises of the establishment of special police units for prevention of residential burglaries by among other means increased patrolling and information to the public.
- (b) Victimological risk analysis. This deals with crime prevention based on analysis of the risks of becoming a victim of crime.

Bosvensson in his report entitled '**Crime Prevention**' states that the development of crime is essentially the result of the behaviour of individual offenders who have come to the conclusion that the anticipated advantages outweigh the possible disadvantages. It is incumbent upon the citizens, the police and entire justice system to make the disadvantages as great as possible.<sup>'3'</sup>

Crime prevention is therefore aimed at reducing, the criminal opportunity and can be applied to each and every offence which is found in the statutes of the country. The idea behind crime prevention is to identify some problems in communities, recognizing them and taking action before the fact, thereby reducing the crime opportunity. Further that crime prevention should not be restricted to theft and violence offences but rather be applied to all avenues of community life in which people are involved.

### 3.2. Presupposition of Crime

In order for crime to exist there must be the following:

- (a) Potential Perpetrator. This is a motivated criminal who must have an opportunity to commit a crime. This includes persons who may wish to take the law into their own hands.

The specific control measures against such individuals include improved detection, apprehension conviction, rehabilitation and generally better methods of guidance to prevent deviant behaviour.

- (b) Suitable Victim - This refers to suitable targets such as persons or objects which are not adequately protected or guarded.

Preventive control measures include educating would be victims on elementary safety precautions.

Further motivating them to report crimes and to provide police with adequate information for their repressive tasks.

- (c) Situation - This refers to technical methods such as architectural designs of buildings. Control measure, in this area would require designs which are less inducive to criminal behaviour techno-preventive hard ware such as alarms, locks and bolts.

### 3.3. Incentives For Crime

There are also various factors that encourage would be criminals to commit a crime. These include the following:

- (a) Attractiveness Factor. This is the extent to which someone or something clearly represents an attractive target for potential offenders. Attractiveness is determined by possession of valuable property such as antiques, jewellery or any other expensive equipment. It is further proven that certain sexual characteristics such as moving at night with short or transparent

dresses for women raises the risk of them being victims of any sexual offence.'4'

- (b) Exposure Factor - This is the extent to which an offender is given an opportunity to commit an offence when he comes in contact with an attractive target, particularly as regards to the favourable time and chance offered. There are of course differences between various offences and risk - taking behaviour plays a major role in ascertaining the type of criminal being dealt with.

There are basically two aspects of exposure factors.

- (i) Technical Aspects:- Are failure to lock up houses or cars adequately carrying a purse on top of shopping bags or carrying large amounts of money in crowded places.
- (ii) Social Aspects:- Are the degree to which there is absence of protection. People are less inclined to rush to each others assistance when in problems. So in effect people offer each other less protection in modern times than may have been the case in the past.
- (c) Proximity Factor. This has some geographic as well as social aspects. This essentially refers to spending time or living within the vicinity of potential offenders.

- (i) Geographic Proximity - It is a common known fact that potential offenders generally prefer to operate close to home because of the cost factor and their special knowledge of the life in the area. Offenders try to keep the distance between the home and scene of crime to a minimum. Young offenders operate closer to home than older ones. There are however some exceptions to the general rule. For example pick pockets tend to hang around anonymous crowds, in busy shopping centres, while professionals concentrate on quiet deserted residential areas.
- (ii) Social proximity. This is determined by the number of contacts one makes with potential offenders resulting from a particular way of life. The risk of becoming a victim varies according to the type of offence. Life style is less influential on the offences of burglary and theft.

Apart from the three factors stated above which account for the risk of being a victim of crime, there may be other motives for an offender to commit a crime.

The obvious ones being:-

- The rising unemployment
- The ever rising prices of goods
- The taking or peddling in nartotics and other illicit drugs.

- Psychological reasons such as boredom, showing off, sexual adventure or mental disturbance.

Alderson argues that all these crime control theories cannot be utilised without the total co-operation and participation of various communities, Police officers and politicians alike.<sup>'5'</sup> This brings us to the concept of community policing as being a factor in the process of crime prevention.

### 3.4. Definition and Nature of Community Based Policing

#### (a) Historical Background

The concept of community Policing emerged in the 1970s and is closely associated with John Alderson, who is considered to be a leading exponent of community policing theory. During the period 1960 as a result of misgivings in the old policing system Alderson then Chief Constable of Devon and Cornwall Constabulary introduced Unit beat policing system. This involved putting police officers to work their own beats 8 hours in a specified area. Secondly, he envisaged the involvement of representatives from other agencies such as social workers, Education, Youth Community Care, Probation, Health, Planning and Housing as a concerted attempt to utilise the entire range of community resources.<sup>'6'</sup>

Community policing being a new strategy in the art of policing requires that the relationship between the police officers and the community with regard to law enforcement

as well as crime control is properly co-ordinated. In this vein the implementation of the community policing model entails closer co-operation between the Police and the public which would bring about improved relationships between the two. This situation would in turn ensure police efficiency in their operations.

(b) **Definition and Nature of:**

There is a difficulty in arriving at a precise definition of community policing. However, there are two basic factors which are common to most community based policing schemes. Firstly, there is an emphasis on the importance of having officers on the beat in order to establish and maintain closer contact with the community.

Secondly, that the police are not able to function effectively without the support of the community. This led to Alderson's belief that police must learn to tap the expertise of the agencies and the public voluntarily working within the communities.<sup>17</sup>

Alderson's definition of the concept of community policing involves four major elements.

- (i) That the community should be properly defined.
- (ii) That there should be a proper allocation of resources to the community in terms of police presence and accessibility.

- (iii) That there should be consultation among representatives of different interest groups.
- (iv) That there should be inter-agency co-operation among other agencies that are concerned with the fight against crime.

Generally, community policing is said to be a process where by responsibility for the prevention and control of crime is shared between the police and the public. This is based on the realisation that in isolation, police cannot overcome crime. '8

(c) **Implementation**

The implementation of community policing model focuses on the prevention of crime through inter-agency and community neighbourhood participation and co-operation. Community policing represents a return to traditional methods of policing which embodied the notions of policing with the approval and co-operation of the public. In ancient times the communities were able to prevent crime, identify the criminal when ever an offence occurred and did effectively deal with such offending persons. For example it was common in Zambia for a person attacked by criminals to simply shout 'KABWALALA' meaning 'Thief' and within a short time the public would assist to apprehend the criminal.

It is surprising during recent times that a person can be robbed or clothes torn in cases of women while the public just watch. It is therefore necessary that certain traditional crime



preventive measures be resuscitated and improved upon.

This can easily be done by the re-introduction of crime fund in Police stations where by citizens who help apprehend criminals are paid at least a small amount of money as appreciation.

Crime reduction is the ultimate aim of community Policing and the pre-requisite for achieving this must be to put Police - Public relations on a sound footing so as to create a climate in which co-operation may readily take place. The achievement of public - police co-operation being paramount, it is necessary that a large part of Police effort must be targeted to garnering that co-operation. According to Alderson, the foundation for a successful implementation of this style of policing lies in the recognition of the fact that there are three levels of proactive policing namely, Primary, Secondary and Tertiary levels.<sup>'9'</sup>

(i) Primary level involves agency co-operation at both central and local levels, thus facilitating greater coordination between professional agencies and the community. To this end Alderson suggests that at central level there should be established a department of community affairs jointly sponsored by Five Ministries which are directly or indirectly concerned with law and order. These are Home Affairs, Education, Health, Environment and Social Welfare. At local level similar methods of co-operation are envisaged with the setting up of District Community Councils along side Neighbourhood Community - Police

councils in Urban areas.

On membership, Alderson suggests that  $\frac{1}{3}$  should be nominated by the Police authority,  $\frac{1}{3}$  by the Township council and another  $\frac{1}{3}$  by the voluntary organisations. There should be regular liaison in order that the community play a major role in determining the way it is to be policed.

(ii) Secondary level - is concerned with identifying community policing objectives as they affect the work of the Uniformed officer, with the community whose functions are considered in two fold. First he is regarded a professional who operating on foot will work amongst the community encouraging them in the fight against crime. Second function is an individual whose presence should act as a deterrent against crime. In this respect uniformed police officers perform a positive role such that they should be elevated in status to that of a Specialist with lower ranks.

(iii) Tertiary Category is reserved for those specialised tasks helping to supplement the work of the area constable. Services which fall under this grouping involve those relating to criminal investigation department (C.I.D.) Traffic and Intelligence Units. The maintainance of a high rate of detection is necessary to augment the uniformed officer. In addition to these specialised tasks the wider penal measures including probation and prison terms should be improved to serve to encourage the crime prevention fraternity.

(d) **Training**

Since the emphasis of community policing is placed on the beat constable, the training of community constable is therefore crucial. It is envisaged that officers who should be picked for this kind of work should be capable of self control and supervision. They should be reliable, intelligent, and articulate since they would be required to address the public about the crime situation in their community. The officers should show an aptitude for investigation of minor crimes as well as initiative for crime prevention schemes in their areas. It is essential to draw up a job description which has to be known by the divisional commander who would be expected to recommend officers for training in community policing work. Trainers have also to be trained by holding trainers conferences through which they have to understand the different types of communities and how to respond to the interests of each particular community.

3.5. **Forms of Community Policing**

It is important to state that communities differ in their structure and composition. The differences may range from geographical areas, to groups of people sharing common interest such as that of religion or tribe. Some may be middle class neighbourhoods while others are poverty stricken areas. An invaluable ingredient of community policing would therefore be the identification of a community, type or form of community policing that would be necessary for that particular area.

- (a) Team Policing. This is usually employed in areas where there are more acts of violence. Under this Scheme, the car patrol system and investigative duties combine under a unified command perhaps that of a Sergeant with flexible assignments to deal with crime problems in a defined sector. The car patrol has to work 24 hours a day and needs about 5 officers to work it. The unit has its own detectives and collator of intelligence. The system relies heavily on the initiative of the person in charge of the team. It also requires a large number of officers and is rather expensive in terms of motor vehicles and fuel.
- (b) Unit Beat System - This is an extention of the idea of police officers living on their beat, and being responsible for its management on long term basis in both rural and urban areas. Here a man or two men would be posted to an area preferably one in which he lived for an extended period. His duty would consist of patrolling his beat on foot, cycle or light weight motor cycle for 8 hours that he was on duty and another officer would take over. There would be in addition a police cover provided by car or motor cycle covering several neighbourhood beats. This method of policing capitalises on close contact that the resident constable could maintain with his people in his area and the extent to which he could be held accountable for the policing of the area. This scheme can operate properly in communities where people are co-operative and understand the role of a civil police officer. The system equally requires

a large number of manpower. This can be supplemented by the involvement of police reservists and special constables who are volunteers from the community.

(c) **Neighbourhood Watch Associations**

Currently in Zambia these schemes are registered under Societies Act Chapter 105 of the Laws of Zambia. The concept of Neighbourhood Watch programs was born in the 1970s with eminent writers like Patrick Murphy, Director of the Police Foundation in America, stating that civilian participation in Law - enforcement and crime - prevention efforts provides the numerous "extra eyes and ears" needed to deter crime.<sup>'10'</sup>

He said the key to civilian participation focuses on two main concerns:

- (i) Citizens responding to their own fear of crime, plus a sense of collective safety.
- (ii) Citizen perceptions that their police are, in general trustworthy, honest and serving their particular interests.

Neighbourhood Watch in Zambia entails persons living near one another coming together forming a group which undertakes activities intended to prevent and detect crime whenever it occurs in their areas. They are usually accompanied by uniformed police officers during their patrols of their respective locations.

It is being advocated by the police force command that these Neighbourhood Watch Associations come under the Police Act Cap. 133 of the Laws of Zambia so that there is uniformity in dealing with various crime issues.

(d) **Toll Free Telephone System**

In an effort to solicit support from the community at large in the fight against crime, the government in line with Police command recommendations approved the installation of toll free telephone system at police Force Headquarters and Lusaka Central Police Station. This was commissioned on 1st March 1994 by the then Vice President Mr Levy Mwanawasa. '11'

The purpose of the phone is that members of the public are free and at no cost to ring the police informing them of any criminal activity without disclosing ones identity. This would enable the police officers respond quickly and save the caller the unnecessary questions usually asked by police officers when receiving reports.

Upon the interview made with the officer in charge Fraud department at Lusaka Central Police Station. He stated that the telephone system was under utilised, further that the idea of not disclosing the identity of the person reporting is causing problems to police officers dealing with emergency calls. At the time of interview, the officer in charge complained that two of his officers were being investigated for the offence of

malicious damage to property. This was as a result of a gate which was damaged by the officers upon receipt of an anonymous call that there were various stolen motor vehicles in that particular yard. This proved negative so that the owner of the premises had to take legal action. Such occurrences apart from putting the officers under the risk of criminal prosecution also lowers the morale of officers. The officer in charge suggested that callers should at least disclose their identity if what they are reporting is trustworthy and that such identity be treated with strict confidentiality. The anonymous calls have created more problems than they were intended to redress.

### 3.6. The Police Role As Technocrats in the Process of Community Policing

Due to a long period of enforcing oppressive laws, nature and function of Law enforcement tend to give the police an appearance of being outside the very community they serve. As a result police are vulnerable to misunderstanding, criticism, isolation fear and doubt. In order to counteract this vulnerability they have to make considerable efforts as professionals to close the gap between themselves and the community of which they are an integral part. This effort is labelled Police - community relations which is essential to the success of the police mission.

The concept of community is difficult to define in the light of the alienated living conditions in which neighbour is not known to neighbour particularly in urban centres. Because of their expertise and knowledge Police must for their part become involved in community planning to wage a better fight against crime. Of course such involvement by the Police means participation in management. The town planning department should consider the lay out of Townships which could have a bearing on the movement of people likely to require more policing.

In the context of municipal planning and development, vigorous measures aimed at ridding the cities and other areas of scrapped vehicles, abandoned boreholes or barricaded houses should be put in place. The police should especially bear in mind the need to co-operate closely with school officials to control problems of vandalism, juvenile delinquency, presence of undesirables such as drug pushers or sexual deviates. This orientation aimed at educating and encouraging the citizens to prevent crime could be pushed further by amending legislation to bring about stricter fire arm controls to reduce incidences of violent crimes in the country.

In simplicity the following principles are representative of the role of police in a contemporary society.



- (i) The most important responsibility of the police is preservation of human life, maintenance of social order which is conditioned by protecting individual rights and ensuring social justice. '12'
- (ii) The police must work with and for citizens as much as they serve the government. Police must strive to assist citizens in these developing communities so that they are livable places. Citizens do not have to be afraid of being abused, attacked, placed in jeopardy of injury or denied fair treatment.
- (iii) Police methods must stress co-operation with citizens based upon trust rather than fear. They must emphasize prevention of crime rather than suppression. Police should be more concerned about obtaining voluntary rather than forced compliance with laws.
- (iv) Law enforcement is an important function of the police, however, physical arrest is only one strategy that is used to enforce laws. The state law requires police to 'enforce' the penal code but it does not specifically direct police to arrest every person who violates the law. Therefore police officers can legitimately exercise discretion to foster co-operation.
- (v) The existence of authority of the police depend largely on public approval of police actions, attitudes and in general on the police ability to secure and maintain

public respect. Only when such community - police  
partnership exist can both parties deal efficiently and  
constructively with issues concerning the community.'13'

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## CHAPTER FOUR

### CONCLUSION

The approach adopted in this research paper has attempted to bring out aspects showing the existing gap between the police and the public. The paper has tried to prescribe measures intended to narrow this gap by discussing the various methods that would improve relations between the communities and the police. Theories of crime prevention are also examined in order to enable persons involved in the fight against crime find suitable means of preventing occurrences of crime. In conclusion, the paper puts across suggestions for a common approach to community policing and implementation, how the government can re-organise the police force and how the community can possibly participate in the rehabilitation of released convicts.

The concept of community policing depends heavily on long term assignment of police officers to specific beats within a defined locality. There should be a dedicated community constable scheme which should be able to service neighbourhood watch and other crime preventive schemes.

It is with this aspect in mind that, I prepared a questionnaire to ascertain the extent to which serving police officers can support these crime preventive measures. The exercise was carried out at Lilayi Training School to a squad of 21 officers who were undergoing a re-training programme. The questionnaire is attached to this paper as an appendix.

According to the information obtained from the questionnaire, there is evidence that Zambia has a good number of police stations, but that they do not offer satisfactory services to the people. The officers unanimously accepted the idea of working and staying within the community. They suggested in their contributions that community participation in crime preventive measures should be used to strengthen the existing methods of detection, apprehension and rehabilitation of offenders. In this way advantages for committing crimes would be drastically reduced.

#### 4.1. Suggestions Towards A Common Approach

Community policing is a new form of policing as such it must be carefully introduced. The government and Police administration should not take changes faster than the organisation can support them or before all consequences are fully understood. It is until Zambia has a police force that commands confidence and support of the vast majority of the people, crime will continue to be difficult if not impossible to control.

There is therefore great importance on building confidence and trust of communities in their local police in order to move towards a common approach to policing by consent. The following values and attributes underpin democratic policing systems.

- The police should provide services to the people and not force. What this means is that officers should be legalistic and flexible in their operations by not

resorting to extreme methods of aggressiveness and frequent use of illegal tactics. The case to illustrate this situation is Chimba V Attorney General (1972)<sup>'1'</sup> where each of the plaintiffs was removed from a lawful place of detention and taken in a closed van to an unknown place where for periods varying between seven and ten days they were each held in very small empty, completely dark and dirty cells with an earth latrine on the floor. Their clothing and blankets were taken away. They were half-starved, and given little or no water to drink and none to wash with. They were each interrogated in a dark office on a number of occasions, under three bright lights, threatened with death, or mutilation and slapped, punched and kicked. They were photographed naked and subjected to electric shocks. The plaintiffs at one time held ministerial or other high office in the government but later broke away from the ruling party UNIP to join an opposition party. The interrogation was designated principally to ascertain the source of the new party's funds.

The police should be fair in their dealings with the public in the sense that whilst their role is to act as a buffer in insulating and protecting the existing political and social structure by subduing other antagonistic movements, they should not be seen to be discriminatory. All complaints should be treated as unique, even trivial ones should be thoroughly handled.

- Much of police work is that of social work, therefore, officers should take a positive role in assisting people to solve their problems. Further that the exercise of discretion ought to be based on sensitivity to community values and needs. Arrest of a suspect should be done only when other techniques would be ineffective or the offence is one of a serious nature.

Section 24 (1) (a) of Police Act Cap 133 provides that "Any police officer may ..... use any firearms which have been issued to him against any person in lawful custody charged with or convicted of a felony when such person is escaping or attempting to escape". The problem here is that the Act does not define lawful custody as such police officers cannot determine exactly at what stage during the long process of establishing who the offender is, arrest and formal incarceration, the suspect could be in lawful custody. This situation seems to be making it lawful for officers to shoot suspects immediately after a tip-off from the members of the public.

The Law regarding use of deadly weapons should be simple, so that it is understood easily. For example, the Baltimore Police department in United States of America is guided by a definite fire arms policy which has been in effect for more than twenty years.<sup>'2'</sup> Guide lines state in part as follows:-

No member of the force shall use fire arms in the discharge of his duty except:-



- In self-defence, or to defend another person unlawfully, attacked, from death or serious injury.
- To effect the arrest, or to prevent the escape when other means are insufficient, of a person convicted of a felony of a dangerous type or of a person who has committed a felony of the dangerous type in the presence of the officer.

It is also important that legislation which is discriminatory be repealed or some of its provisions amended. This is with reference to the public order Act cap 104. Section 5 (6) a of cap 104 provides that the President, Vice President, any

Minister or junior Minister, the Attorney-General, the Speaker or Deputy Speaker of the National Assembly shall not be required to apply for a permit to hold assemblies. This causes problems to regulating officers who may have given authority to hold an assembly in a particular area and yet a minister who does not need a permit may require to hold his meeting at the same venue. The earlier permit has to be cancelled. This on the face of it is unfair. It is suggested that the requirement for a permit should apply to everyone. The amended provision should also take account of situations where there would be a conflict by different parties, regards time and venue. In such cases, priority should be given to the first applicant.

Section 12 (1) of the same Act empowers a minister when ever he is of opinion that there are sufficient reasons for the prevention of serious public disorder prohibiting the holding

of all public meetings for a period not exceeding three months provided such is published in the Gazette. The Act makes it possible for the political party in power to use the police force to suppress opinion of the opposition by denying them permits to hold meetings.

Other non legislative suggestions include support of crime victims and witnesses. This can be done by paying allowances to them after they have given evidence in court. Further that they should be transported safely back to their places of residence and visited from time to time by the police so as to offer a visible re-assurance that they are being cared for.

- There must also be regular contact and discussions with the police and the following categories of people:- community crime preventive committees, politicians, and academics at Universities who may be involved in research in respect of new methods of policing the country.
- The introduction of an independent complaints investigative body under civilian control to over see complaints against police is an essential factor of the desire to enhance public confidence in the police thereby extending the principle of openness to third party scrutiny.
- It is equally important that legislation be enacted that would take into account the operations of crime preventive associations so that they are accorded certain privileges and provided for some adequate compensation in case of injury during the execution of their duties

under the Act. In the same vein, the Act should cater for any other member of the public who may be a victim of abuse of power by crime prevention agents, so that they have a cause of action in compensatory claims against the government as is the case with police officers.

- It is further suggested that courts in Zambia in conjunction with the prisons department re-introduce extra-mural penal employment. Section 135 of the Prisons Act cap 134 provides that:

(1) Where in any declared area a male prisoner is:-

(a) sentenced to imprisonment for a period not exceeding three months; or

(b) committed to imprisonment for non-payment of any fine, compensation cost or other sum adjudged to be paid under any written law; committing that person may with his consent, order that he shall perform public work, in accordance with this part outside a prison for the duration of such imprisonment.

This form of punishment can greatly de-congest prisons and offer valuable services in the form of repairing roads and doing any other work that would be of benefit to society as a whole. It is this form of services that can ensure a more coordinated understanding because the wrong doer will actually offer services to the community he has offended.

It is cardinal therefore that in order to ensure a more enduring approach to community based policing, a system of formal consultation can be established which convinces everyone that continuous improvement is possible. What this means is that there is need to eliminate wasted efforts, improve targetting or focus of police projects and activities and provide a service required.

#### 4.2. Re-organization of the Police Force

Currently in Zambia, maintenance of order and law enforcement is carried out by various units, departments and commissions. These are - Paramilitary Battalion Mobile Unit, Protective Unit, Drug Enforcement Commission, Anti Corruption Commission, Office of the President and the Regular Police Force. There are obvious overlaps in the operations of these institutions. For example - the primary purpose of Mobile Unit is to provide a reserve force to assist in dealing with the out breaks of crime beyond the capacity of normal detachment strength, where as the functions of Paramilitary Battalion are to provide a force to assist in the maintainance of law and order along the borders of the Republic and to guard vital installations.<sup>'3'</sup> These objects as can be seen are within the main function of the Police force which is preservation of peace, protection of life and property and detection of offenders when ever crime has been committed.

The other institutions such as the office of the President, Drug enforcement and Anti-Corruption Commissions were created to deal with particular situations like political offences,

drug abuse and corruption. This appears to be a disorganised way of combating crime. There is supposed to be a corporate approach to the fight against crime so that all agencies for law enforcement be united under one umbrella targeting all their efforts and resources to eliminating this social evil.

There is a great need for the police force in Zambia to be re-organised so that there is created a well planned and executed police service. This should comprise of specific specialist departments which would be capable of dealing with all situations. This is necessary in the sense that within a locality or community all aspects of crime must be dealt with, thus, Drug abuse checked, corruption controlled and crime generally reduced.

#### 4.3. Rehabilitation

In Zambia there is no Act of parliament particularly created to deal with issues concerning the rehabilitation of released convicts. Once a prisoner has been released he is looked at like any other ordinary citizen. The police however, call these ex-convicts recidivists. According to police operations these persons would continue to be monitored under a system known as pre-emptive policing. This system involves two assumptions. Firstly that those convicted of a crime are likely to commit another criminal act and secondly that the police have to keep themselves informed about those people who are likely to commit certain crimes, even though they have as yet committed no criminal offence.<sup>'4'</sup>

The role of the community with respect to released convicts is to offer useful assistance to these persons so that they can regain their fullest potential and play a constructive role in society. In this way the community will be helping in the rehabilitation of the ex-convict so that he does not get back to committing offences. The formation of community organizations whose concern would be the improvement of family life, promoting good citizenship and meeting the needs of youth and adults through developing adequate facilities and services can be an added incentive toward strengthening the process of policing the communities. '5'

It is important that the Zambian parliament enacts law that would take account of the rehabilitation of ex-convicts. The Act can provide certain incentives for released prisoners who have reformed and become responsible citizens. One such benefit can be the cancellation of previous convictions from the criminal record after ten or more years of good behaviour. This process can bring about re-union of the police, community and the ex-convict.

The idea of community policing does not envisage that every citizen should patrol streets, this is to the contrary. What the system requires is that whilst some police officers wait for complaints in inquiry offices of the various police stations others should be able to patrol cities, towns, compounds and villages with the consent of the communities. The citizens are only required to offer positive attitude

towards their own police force so that officers can easily get any information they may need. Community participation may also be of vital importance in volunteer services and inter-agency involvement such as the community organisations created for the prevention of crime. Community policing does not also envisage the eradication of crime but is simply an important factor towards reducing and preventing occurrences of crime.

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## QUESTIONNAIRE

I am an undergraduate student currently studying for a Bachelor of Laws degree at the University of Zambia. I am required to compile an original piece of research for my obligatory essay whose subject is on Community Policing in Zambia.

This questionnaire is designed to assist me gather information as to whether such a scheme is feasible in Zambia. The paper is being distributed to a random sample of people who include police officers and ordinary citizens both in urban and rural areas of Zambia.

Your answer will be treated in strict confidence and used for the survey only. Please answer all the questions that are relevant to you. Most of them can be answered by ticking the letter along side the answer that applies to you.

- Q1. Sex: Males (M or F) Age: 30 No. of years
- Q.2 Marital status: Married (single, married, divorced)  
.....
- Q3. Occupation: Police Officers ..... Type of work.
- Q4. Area of Residence: Training School - Lilayi  
.....
- Q5. How long have you lived in this area: Course duration.....
- Q6. Is there a Police Station near your area: 19-Yes ..... 2 - No

Q7. How often do you see police officers in your area?

- (a) Daily - 5
- (b) Only when there is an incident - 14
- (c) Rarely seen - 2

Q8. If your answer to question 7 is b or c. Have you any reasons as to why the police are rarely seen in your area. - No transport.

Q9. If Police Officers patrol your area how to they do this?

- (a) Foot patrol - 11
- (b) Motorized patrol - 9
- (c) Static guard - 1

Q10. Are you satisfied with Police patrols in your area?

- (a) Satisfied - 3
- (b) Not satisfied - 15
- (c) Very dissatisfied - 3

Q11. If you are not satisfied with the Police patrols, what do you think Police should do to correct the situation?

- (a). Increase Police foot patrol - 5
- (b) Increase motorised patrols - 4
- (c) Increase both - 12

Q12. Are there any programmes you are aware of which are initiated by the Police in your area aimed at seeking the support and co-operation of the public in their work.

- (a) Yes - 14
- (b) No - 7
- (c) Dont't know - Nil

- Q13. If your answer to question 12 is Yes what are these programmes:- Neighbourhood Watch and Special Constable Programmes.
- Q14. Do you think programmes such as Neighbourhood Watch Schemes, Free telephone call system and special constabulary system could alone reduce crime.
- (a) I think so - 5
- (b) I don't think so - 4
- (c) I think something more can be done - 12
- Q15. Do you like the idea of the public helping the police with their work of preventing and combating crime.
- (a) Yes - 21
- (b) No - Nil
- (c) Not sure - Nil
- Q16. How long have you served the police force?
- (a) Below ten years - 21
- (b) Below 20 years - Nil
- (c) Above 20 years - Nil
- Q17. Do you like the idea of working with the community?
- (a) Yes - 21
- (b) No - Nil
- (c) Not sure - Nil

Q18. Do you think people in your area like the idea of having a Police Officer around most of their time.

(a) Yes	-	19
(b) No	-	2
(c) Not sure	-	Nil

Q19. Do you like the idea of working/your home area some time during your service.

(a) Yes	-	9
(b) No	-	11
(c) Not sure	-	1

Q20. Would you favour the idea that Police Officers should work and live with the community so that they understand each other and be able to identify criminals easily.

(a) Yes	-	21
(b) No	-	Nil
(c) Not sure	-	Nil

Q21. Do you have any comments, or suggestions you would wish to communicate to interviewer as to how crime can be prevented in Zambia. You can in close such details on separate sheet of paper.

Suggestions included:-

1. Improvement of salaries and Conditions of Service for Police Officers.
2. Improvement of training generally.
3. Improvement of community - Police relations
4. Participation by the citizens directly or indirectly in the fight against crime.
5. Participation by other agencies like the Civic Education and other non-governmental organisations.

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