

Police Reforms: Restructuring and the Police Human Rights Record-A Case Study of
Lusaka and Kafue Police Districts.

By

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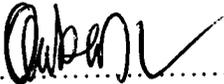
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DECLARATION

I hereby certify that this dissertation represents my own independent investigation. It has not previously been submitted for a degree, diploma or other qualification at this or another University.

Signed:..........

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Approval Certificate

This dissertation of Michael Bwalya Nkaka has been approved as fulfilling the requirements for the award of the degree of Master of Public Administration (MPA) of the University of Zambia.

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Abstract

This study focuses on the structural reforms relating to service delivery and human rights undertaken by the Zambia police force from 1995. From the advent of independence the Zambia Police Service has undergone several administrative and operational changes resulting from the colonial legacy and liberation struggles in Zambia and Neighbouring Countries. The nature of police operations has also reflected the spill over of its militaristic role inherited from the colonial era and First Republic into the Second Republic. In addition, it may be noted that in the Second Republic, the Police Service was characterized by what the Human Rights Commission, chaired by a Lusaka Lawyer Bruce Munyama, reported as many cases of human rights abuses. Between 1991 and 1994, the Zambia Police Service had been marked by a record of human rights violations of political dissidents. The nature of police operations has also reflected the spill over of its militaristic role into the Third Republic as police continued carrying firearms even when carrying out duties which did not require guns. The third observation which may be noted between 1991 and 1994 is what the Human Rights Commission revealed as cases of human rights abuses. The expressed concerns of Government through the Munyama Commission, despite the existence of the gap between rhetoric and practice, the advocacies done by NGOs all provide context for the initiation of the Police Reforms between 1994 and 1995. There were also pressures from the United Nations, Regional Organizations and the country's Multilateral and Bilateral Partners to reform the police force. Zambia, as a member of the United Nations and the African Union, both of which acknowledge the right to life and outlaws torture or cruel, inhuman and degrading treatment, needs a professional human rights orientated police. It is against this background that in 1994, the government started to make moves towards reforming the police whose general objectives were as follows: Reduce the National Crime Rate by 50% within four years, reduce the Human Rights abuses by half within four years, and improve the public image of the Police and Improve police/public cooperation and partnership. The police also resolved that the police changes its name from 'Zambia Police Force' to 'Zambia Police Service' and adopt the 'Community-based Policing' model of law enforcement as part of its image and emphasize its new policing strategy.

The main purpose of this study was to investigate whether these structural reforms led to improved delivery of police services, enhancement of the police human rights record and public image in Lusaka and Kafue following the formulation and implementation of various policies and related programmes by the police. The study employed qualitative, quantitative and content analysis methods of investigation. Purposive sampling was adopted to select key informants concerned with police reform programme (PRP), while systematic random sampling was used to select respondents for whom the police reform programme (PRP) was intended. Secondary data was collected from official documents of the institutions visited while primary data was collected through interviews with key informants and through a survey of the Zambia Police Service Officers at Police Formations based in Lusaka and Kafue, and from members of the general public.

7

The sample size was 250 respondents. Statistical Package for social sciences (SPSS) was used to analyze data collected from the survey in the month of November and December 2006. An assessment of the impact of the police reform policies, programmes and strategies that were implemented over the years indicated that most of the reform objectives were only partially implemented mainly due to non-availability of funding to the police organization for implementing the police reform objectives. In future such type of police reforms need material, financial and technical assistance.

In short, the Zambia Police Service has undergone administrative and operational changes as a result of its colonial legacy, emergence of armed robberies and the effects of the Liberation Struggles in Neighbouring countries. In addition, the introduction of the One Party State and the subsequent re-introduction of a Multiparty Political System in Zambia have equally affected the police administration and operations. The result of these influences led to unsatisfactory service delivery and negative human rights record of the Zambia Police. However, police reforms were introduced in 1995 in an attempt to improve service delivery and police human rights record. Therefore, the main purpose of this study is to investigate whether these structural reforms led to improved delivery of police services, enhancement of the police human rights record and public image in Lusaka and Kafue following the formulation and implementation of various policies and related programmes by the police.

To my Wife Brenda and our children Wezi, Happy, Chanda, Tapiwa and Desire.

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Table of Contents

Declaration.....	i
Certificate of Approval.....	iii
Abstract.....	iv
Dedication.....	vi
Acknowledgements.....	vii
Table of Contents.....	vii
List of Tables.....	xi
List of Abbreviations and Acronyms.....	xii
CHAPTER ONE.....	1
Introduction.....	1
Statement of the Problem	2
Study Objectives	2
Conceptual/Theoretical Framework	3
Literature Review	4
Methodology.....	11
References	16

CHAPTER TWO	19
Background to the reforms	19
The Zambia Police from 1964 to 1972.....	19
The Police Force under the One Party System.....	25
The Police Force from 1991 to 1995.....	28
Reform Context.....	33
References	38
CHAPTER THREE	40
The Police Reform Strategies on Service Delivery.....	40
Maintenance of Peace and Public Order.....	40
Prevention of Crime and protection of Life and Property.....	44
Detection of Crime and Prosecution of Offenders.....	47
Provision of radio and telephone Communication Services.....	52
Traffic management.....	56
Conclusion.....	58
References	59
CHAPTER FOUR	60
Impact of Police Reforms on the Police Human Rights Record.....	60
Police Public Complaints Authority.....	61
Impartial Application of the Law on Citizens.....	67
Conclusion.....	71
References	72

CHAPTER FIVE.....	73
Community Policing.....	73
Introduction.....	73
Conclusion.....	80
References	81
CHAPTER SIX.....	82
Conclusion.....	82
Bibliography.....	86
Appendices.....	90
Appendix-1.....	90
Appendix-2.....	96

List of Tables and Figures

- Table 1 Police Establishment and Strength at 1964
- Table 2 Accelerated Police Promotions at 1964
- Table 3 Number of Police Officers available for duty
- Table 4 Police Interviewing and Questioning Techniques
- Table 5 Statement Taking Techniques
- Table 6 24 Hour Police Response
- Table 7 Police Response to Phone Calls
- Table 8 Benefit of Police Public Complaints Authority
- Table 9 Respect for Human Rights
- Table 10 Impartial Application of the Law
- Table 11 Use of Force
- Table 12 Property Rights
- Table 13 Neighbourhood Watch Meetings
- Table 14 Ranked Community Service Structure
- Chart 1 Public Rating of the Maintenance of Peace and Public Order
- Chart 2 Police Rating of the Maintenance of Peace and Public Order
- Chart 3 Police Patrol Parties
- Chart 4 Public Rating of Crime Reduction and Investigations
- Chart 5 Police Rating of the Crime Reduction and Investigations
- Chart 6 Retraining in Scientific Investigations
- Chart 7 Computerization of Police Communications
- Chart 8 Traffic Response
- Chart 9 Necessity of Establishing of Police Public Complaints Authority
- Chart 10 Arrests in Zambia as Rated by the Public
- Chart 11 Arrests in Zambia as Rated by Police Officers
- Chart 12 Torture in Zambia
- Chart 13 Community Crime Prevention
- Chart 14 Police Posts

List of Abbreviations and Acronyms

AFRONET The Inter Africa for Human Rights and Education
ACHPR African Charter on People's Rights
CSD Community Services Division
CRC Convention on the Rights of the Child
CAT Convention against Torture or other Cruel, Inhuman or Degrading Treatment or Punishment
CSO Central Statistical Office
CCPA Community Crime Prevention Association
CCC Committee for a Clean Campaign
COMPOL Commissioner of Police
DTS Director of Technical Services
DCID Director of Criminal Investigations Department
DA Director of Administration
DCP Deputy Commissioner of Police
HRC Human Rights Commission
IGP Inspector General of Police
ICCPR International Covenant on Civil and Political Rights
MOHA Ministry of Home Affairs
MP Member of Parliament
PCA Police Complaints Authority
PSH Police Service Headquarters
PRP Police Reform Programme
SADC Southern African Development Conference
SARPCCO Southern African Regional Police Chiefs Co-operation Organization
SDF Staff Development Fellow
SPO Service Prosecutions Officer
SPSS Statistical Package for Social Sciences
UN United Nations
USSR Union of Soviet Socialist Republic
USA United States of America
UNIP United National Independence Party
VSU Victim Support Unit
ZIMT Zambia Independent Monitoring Team
ZPS Zambia Police Service
ZPSDP Zambia Police Strategic Development Plan
ZCEA Zambia Civic Education Association

CHAPTER ONE

Introduction

This chapter focuses on the evaluation of the Police Reforms in service delivery and respect for Human Rights. The Police Reforms were introduced in 1995. This chapter is divided into six parts: the introduction which discusses a brief historical background, a definition of the statement of the problem, study objectives, conceptual/theoretical framework, literature review, and methodology employed in data collection and analysis.

The attainment of political independence for African countries meant the realization of rapid political, social and economic development. The new governments were therefore expected to provide reality to these anticipated 'fruits' of independence to its citizenry. In Zambia, the government had taken decisive measures by formulating policies with the ultimate objectives of achieving socio-economic development. Despite these efforts, many areas of national socio-economic development have not been adequately addressed to meet the expectations of the people, thereby having a severe impact on the general wellbeing of communities. One such area that has lagged behind in national development has been the provision of adequate and quality security to the growing population in the country. The problem of policing is more pronounced in urban areas where the need for new measures and police stations has been rising in proportion to urbanization and population growth. According to D. Pasteur (1979:4), before 1964, the rate of urbanization in Zambia, then Northern Rhodesia, was moderate partly due to the restrictions on entry into towns imposed by the colonial government. This was so because the colonial government's original concept of the urban worker was that of a single man with his real home in the village, who was only temporarily living in town. After independence, the combined effects of the lifting of restrictions on permanent urban settlement by rural migrants and the high copper sales from late 1960s and the early 1970s, led to exceptionally rapid population growth in most urban areas and Lusaka in particular. As a result, the population of Lusaka has increased from 266,245 in 1969 to 1,138,460 in 2000 (CSO: 1995, CSO: 2003). This situation has put pressure on the government to provide adequate and quality policing to the growing population. The government's response to the increasing demand for policing involved the formulation and

implementation of various policing strategies. In line with the government's policy of providing improved social welfare and educational services in the post-independence Zambia, surveys were carried out in 1964 to identify developmental policy areas that included policing development. Policing development programmes were also reflected in the First, Second, Third and Fourth National Development plans. Policing programmes were also reflected in the 1991 to 1995 National Budgets. In 1995, the first comprehensive Police Reform Programme was officially launched. This is the document that currently provides guidelines on policing development in Zambia.

Statement of the Problem

In 1995 the Zambia Police Force introduced a police reform programme aimed at casting aside the police force's military and political outlooks and transform the police into a public institution accountable to the law and the community it serves, therefore transforming it from a 'force' to a 'service'. However, twelve years after the reforms were introduced, the police force's military and political outlooks appear to have been carried forward into the reform period, resulting into poor service delivery and negative human rights record of the police force. In addition, the public perception of the police force has also remained negative.

Study Objectives

General Objective

The central objective is to examine the factors that might explain why the objectives of the police reform programme were not achieved.

Specific Objectives

In order to achieve the above main objective, we need;

- 1). To identify and examine the Policing trends from 1964 to 2004.
- 2). To examine the Strategies and Programmes of the Police Reforms.
- 3). To examine the impact of these reforms on police performance and human rights record of the police force
- 4). Identify the specific obstacles faced by the reform programme.

Conceptual/Theoretical Framework

There are different theoretical perspectives that attempt to explain the development of the police, which may be used to explain the nature of the Zambia Police Service. These theoretical perspectives are drawn from three competing explanatory accounts of the development of policing in the United Kingdom. These are the Liberal Perspective, the Conflict Perspective, and the Compromise Perspective. The conventional liberal perspective traces the development of policing as a natural and essentially local response to the growing disorders of the pre industrial age. Police powers are indicated as primarily consensual and accepted curb freedom of individual members of the community. From this perspective it is argued that social order in pre industrial Britain was maintained by the developing system of parish constables. The liberal perspective states that in the 19th century, the subordination of the police to elected representatives in the Boroughs was part of the common understanding. Thus, the police obtained the legitimacy of their power from locally elected representatives, loosely referred to as representatives of the community rather than of the central government.

On the other hand the Conflict Perspective argues that the development of British Policing was state directed. From this perspective the police are seen as a means of maintaining the dominance of a ruling class against the interests and opposition of the various sections of the working class who constitute the majority of the population. The Conflict Perspective proposes that popular acceptance of and trust in the police has been far from complete. It is argued that the development of the police has been regularly punctuated by instances of conflict against the established order including disturbances, public unrest and rioting. P. Scranton (1985) argues that the commonly held assumptions that the police have a well-established history of policing by consent are a myth. Miller R.W. (1977) projects an image of Victorian England less divided by conflict, but argues that the police tradition cannot be explained as the result of a consensual society. The London police were born and matured in a period of often-intense social conflict. From this perspective it is argued that the development of local democratic accountability is merely a token gesture in obtaining the legitimacy and acceptability of the local community.

The third perspective is the Compromise Perspective that considers the police to have far more autonomy and power than either the liberal or conflict perspectives recognize. This perspective asserts that, the police always realized they had potential power over the state. It

could not easily do without their service of controlling the classes in society. Consequently, the state's attempts to reform the police into a reliable force against its domestic enemies could only be bought at a price demanded by the police. They wanted autonomy. Indeed, the concept of police autonomy is embedded in the unwritten British Constitution and was given judicial approval by Lord Denning in 1968 when he stated that “ neither politicians nor pressure groups nor anyone else may tell the police what decisions to take or what methods to employ, whether to enforce the law or not in a particular case”. The exercise of police judgment has to be as independent as the exercise of professional judgment by a doctor or a lawyer. If it is not, the way is open to manipulation and abuse of the law whether for political or private ends. From this perspective, the development of the police has been constantly founded on a series of compromises and struggles between the state and the police service. It is argued that the introduction of local accountability is the outcome of the struggles for local government over which both the police and the state have had to compromise.

The three theoretical perspectives outlined above underpin contemporary debates about the control and accountability of the police. These debates focus on an analysis of the role of policing vis-à-vis police autonomy and discretion, state control and local democratic accountability. Many commentators argue for a need to find a balance between the professional interests of the police and the democratic concerns of the community. In this study the theoretical framework adopted is the Liberal Perspective, where Police powers are shown as primarily consensual and as an accepted curb on the freedom of individual members of the community. We have adopted the Liberal Perspective in this study primarily because Zambia is a developing Liberal Democracy, that is to say a Multiparty Political System. This theory has been adopted because it is relevant to the objectives of this study due to the fact that Police Reforms were initiated in 1995 after Zambia reverted back to a Multiparty Political System in 1991 from the One Party Political System that was introduced in 1972.

Literature Review

Literature on Police Reforms in Zambia has been rather scant. The Zambia Police Annual Reports of 1964 to 1972 have largely identified the shortage of qualified manpower and effects of the Liberation struggles in Neighbouring countries, and the emergence of armed robberies involving the use of firearms in the late 1960s and early 1970s, as having affected police

administration and operations. These reports have also documented the Lumpa uprising and how the Police used firearms to control the situation at the time. The use of firearms to control the Lumpa uprising was a militaristic approach by the Zambia Police Force to crime control. Authors such as M. Wright and the Parliamentary Debates of the Third National Assembly on the Penal Code (Amendment) Bill No. 2 of 1974 have also identified the emergence of armed robberies in the late early 1970s. In the Second Republic, the introduction of the One Party Constitution affected the administration and operations of the Police Force due to the fact the United National Independence Party (UNIP) became the supreme institution in the land. The party supremacy principle meant that all police officers were required to sit for political education examinations and the Inspector General of Police was appointed to sit on the UNIP Central Committee. The one party constitution was followed by the Zambia Police (Amendment) Act of 1985 that introduced the Vigilante Policing Scheme where the Police were required to operate in conjunction with UNIP party cadre volunteers. The one party constitution and the Zambia Police (Amendment) Act of 1985 were pieces of legislation and were not academic works. However, these documents led to the consequent loss of police autonomy and police ethics because the police became politicized and officers were required to carry UNIP membership cards. There were also Zambia Police Force Annual reports that were published reporting on the routine administration and operations of the Force. The Munyama Report of the Human Rights Commission of Inquiry of 1995 was another document that largely identified human rights violations and police abuse of power in the second republic. The report further made recommendations on how the service delivery and human rights record of the police may be improved. All these pieces of legislation, annual reports and the Munyama reports were not serious academic works. With the introduction of Liberal democracy in the Third Republic, Kaweche Kaunda and Tiyaonse C.Kabwe's book entitled Torture and Death of an Honourable MP in Zambia, published in 1994 and the Munyama Report of the Human Rights Commission of Inquiry of 1995 largely identified the effects of a freer political atmosphere created by the introduction of a Multiparty Political System and the continued arrests and detentions of political opponents as a major source of influence on police behaviour and operations. The Munyama Report of the Human Rights Commission of Inquiry of 1995 went even further to recommend what type of reforms the police required to introduce in order

to improve provision of quality service to the citizenry. These works were not academic literature and paid little attention to the evaluation of police reforms.

Following the introduction of Police Reforms in 1995, literature on police reforms appeared in form of the Police Reforms Policy Document of 1994, Zambia Police Strategic Plan of 1995 to 2000, and the Zambia Police Research and Planning Unit document on Policing Changes in the Zambia Police of 1997. These documents outline the Zambia Police Mission Statement and the Police Reform objectives. Further the Munyama Report of the Human Rights Commission of Inquiry of 1995, the Inter-African Network for Human Rights and Development annual reports, the Human Rights Watch Report of December 1996, Volume 8, Number 4, and the USA Human Rights Practices Report of 1995 have largely identified the violation of human rights by the Police and recommended how the situation may be improved. This literature mentioned above which has been written on Police Reforms has not been written as an evaluation of Police Reforms, which is the focus of this study.

Authors such as David Mulford and Robert I. Rotberg have written about ethnicity in Zambia and others such as William Tordoff have also written about Administration and Politics in Zambia. Even others such as Richard Hall, James Scarrit, and Robert Molteno, Scot Ian, Dressing L. Dennis and Young A. Ralph have also written about the political, economic, administrative and ethnic issues in Zambia. In a sense these scholars' works are of a peripheral nature to the development of the Zambia Police Service because of their context and therefore of little value to this study.

Other Authors such as Namiseb, T. Namibia, in N. Mwanajiti, P. Mhlanga, M. Sifunsiso, Y. Nachali-Kambikambi, M. Muuba, and M. Mwananyanda (eds), "Police Brutality in Southern Africa – A Human Rights Perspective", have written about human rights violations by the various Police Forces in the Southern African region and have pointed out the need for these Police Forces to reform in order to enhance respect for human rights by the Police. Further Amnesty International has also published a report entitled, 'Policing to Protect Human Rights', a survey of police practice in countries of the Southern African Development community from 1997 to 2002, and this report focuses on Police violations of human rights in the Southern African Development Community. The nearest article which discusses security issues is the one written by B.J. Phiri on Civil Control of the Military since Independence: Implications for Democracy, Published in African Security Review Volume 10 Number 4, of

2001, which talks about the importance of civil control of the defense forces in Zambia, however, he restricts himself to discussing about the Zambia Army, Zambia Air Force and the Zambia National Service and does not mention the Zambia Police Force.

Other documents, pieces of legislation and reports published on the Zambia Police Force include the 1965 Police (Amendment) Act, the 1985 Police (Amendment Act), the 1999 Police (Amendment Act), the Police Annual Reports of 1964 to 2005, and the Strategic Plan for the Ministry of Home Affairs of 2003-2007. All these documents, pieces of legislation, and reports have ignored or paid little attention to the factors that have affected the Zambia Police Reform Programme, the effect of which has been that Police Reforms as a tool of improving the Zambia Police Service' service delivery and enhancement of its human rights record has been ill-discussed. For example, scholars such G.H.M Haantobolo has written about the role of the Zambian Legislature in the transformation of the Zambian Defense Forces 1964-2000. Others like Lee M Habasonda have written about Civil-Military relations and Defense transformation in Southern Africa and on the Military-Civil Society and Democracy in Zambia: Prospects for the Future (2002). But all these writers have ignored the Zambia Police Reforms, much as their works are helpful in understanding the matters of security and police, there are however not serious academic works. The most serious work on police in Zambia is the book by F.X. Musonda. In his book on the History and Reformation of Zambia Police Service of 2000, Musonda devotes thirty three pages to the Zambia Police Service Reformation; however, his book has focused on the origins of policing in England, the advent of policing in Zambia, the Northern Rhodesia Police Force, the creation of the Para-Military Police and the Flying Squad as well as the Politicization of the Police and the introduction of the Zambia Police Reforms. Musonda's book is the nearest book to this study, nevertheless, it was not a scholarly work and concentrates on the history and leadership changes experienced by the Police and has not evaluated the factors which have affected the implementation of the Zambia Police Reforms since 1995. Apparently no notable work has been written on the Police Reforms in Zambia and there are no writings on the Zambia Police Service that spell out the factors that could have led to the failure of implementing Police Reforms in Zambia. What this, therefore, implies is that no satisfactory work has been written on the nature of factors hampering police reforms in the Third Republic. In the subsequent chapters of this study, an attempt will be made to outline the nature of factors hampering police reforms in Zambia.

The Literature on Policing in other countries by writers such as B. Chapman (1970), and indicates that, continental European states developed highly centralized, comprehensive systems of administration, incorporating public order functions, from about the 17th century. C. Emesly (1983) writes that in France a centralized, militaristic police existed even earlier with a separate police for Paris established in the 17th Century. R.B. Forsdick (1969) account of continental police at the beginning of the 20th Century is the first of many attempts to identify Key characteristics of the police systems of continental Europe. Other Authors who have written on the continental European police systems include R.I. Mawby, (1990) who argue that continental police systems may be characterized as structurally more centralised and militaristic, functionally putting more emphasis on political and administrative tasks and in terms of legitimacy, being more closely tied to government and less accountable to either public or law. According to R.I. Mawby, (1992) there are marked variations between countries, for example the Dutch system is not excessively centralized. K.E. Akermo, (1986) writes that the Swedish police were amalgamated into a National body in 1965 and efforts were taken to ensure the continuance of local accountability structures. He says that the French, Italian and Spanish police may traditionally be identified fully with the European continental-policing model.

According J.J. Tobias (1977) the other police system that has been consistently recognized in the literature is the colonial model. Tobias writes that the colonial model corresponds to the continental model. This model is basically administrative with a legal structure of European states that was based on earlier Roman institutions, where the Romans were themselves colonists. The colonial police may be characterized as, structurally more centralized and militaristic, for example armed and living as units in Barracks or police camps. Secondly, functionally giving more priority to public order tasks, but also having a number of administrative responsibilities, and deriving their legitimacy from their colonial master rather than the indigenous population. R.H. Ward (1984) and D. Fogel (1994) have written on the policing model that existed in USSR and other Former Eastern Bloc Countries. According to D. Fogel this policing system was characterized by a centralized, militaristic police, subordinate to an equally centralized secret police, with political connections and no public accountability, whose functions are wide, incorporating public order concerns and administrative responsibilities. These observations also come out in the works of L.I. Shelley

(1990) and R.I. Mawby (1992). R.H. Ward (1984) and D. Fogel (1994) have also written on the policing systems in Japan and China. Ward in particular indicates that Japanese police include notable features such as welfare responsibilities, and the structure of the police, with police firmly located within their communities. The Japanese police operate within a culture that has been moulded by Confucianism, Buddhism and Taoism where duty and obligation are central and rights subordinated. The Chinese model on the other hand has been shaped by both socialist principles and Asian culture, and Hong Kong similarly may evidence features of Asian and colonial influence. According to W.T. Austin, (1987) Singapore is another example of a police system that appears to combine a community orientation despite it being centralized. Clearly all that can be attempted here is a broad sweep of the literature on policing in other parts of the world. From the forgoing literature review of policing in other countries, despite the lessons learned, it could be observed that the focus of the writers on the various policing arrangements is peripheral to the focus of this study and little attention has been paid to Police Reforms in Zambia.

Some literatures on Police reforms in Africa are of some help in understanding the dynamics of police reforms in Zambia. According to Janine Rauch, in a Paper presented at the South African Institute for International Affairs conference in 2000, at the time of Nelson Mandela's release from prison in 1990, there were eleven police forces in South Africa, each constituted under its own piece of legislation, operating within its own jurisdiction. The largest of these was the South African Police (SAP) with approximately 112 000 members, the other ten were the homeland police forces. The most significant group were the police agencies of the four independent homelands - Transkei, Bophutatswana, Venda, Ciskei - which operated with less interference from the SAP than those in the self-governing homelands of KwaZulu, Lebowa, QwaQwa, KwaNdebele, KaNgwane and Gazankulu. In total, there were over 140 000 police personnel in South Africa. The homeland police forces had been created during the 1970s and 1980s, with the core members being drafted from the SAP. By the early 1990s, (all) the police in South Africa had acquired a reputation for brutality, corruption and ineptitude. Police organisations were militarised, hierarchical, and ill equipped to deal with crime. The main police force in South Africa, the SAP, had, during 1991, embarked on an internal reform initiative - a response both to the changing political environment signalled by the release of Mandela and the unbanning of the liberation movements in 1990, and to pressure of changing

crime trends and international scrutiny. The SAP's 1991 Strategic Plan highlighted five areas of change: depoliticisation of the police force, increased community accountability, more visible policing, establishment of improved and effective management practices, reform of the police training system (including some racial integration), and restructuring of the police force

According to the United States Agency for International Development, the transition from military rule in 1999 marked the first real efforts or opportunity to undertake reform of the Nigerian Police Force. Initial measures undertaken to realize this were a massive recruitment drive to increase the force strength, the promotion of senior police officers and members of the rank and file, the provision of training and development facilities and improvements in the salary and welfare package for officers. In 2000 a development plan for the police force was produced and with significant support from the United States and British governments. This included the drafting of a mission and values statement for the Nigerian Police Force and the identification of six organizational goals and strategies to achieve them. Covering a diverse range of issues the stated goals included the implementation of community policing, the creation partnerships with civil society, and improvement in internal and external communications of the force, the provision of adequate resources, improvements in leadership, and the reduction of fear and violent crime in communities. The Nigerian Police Force is governed by a colonial law, which has seen no comprehensive review since its initial promulgation in 1943. The 2004 initiative to review the Police Act is timely and will provide a legal framework for the ongoing reform initiatives outlined above.

According to Mamadou G. F. and Stéphane J. security is an essential condition for sustainable development and an important concern for developing countries, particularly those emerging from conflicts. In the Democratic Republic of Congo, the United Nations has received a limited mandate in support of the Congolese National Police. The adoption on 16 December 2002 of a global accord on the creation of a transitional government, following five years of civil wars, has put security sector reform at the centre of this process. Police Reform, including the creation of an integrated police force, may be key to the success of this agreement. The Congolese National Police (formerly "Force Publique") was created by the Belgian colonial administration. After the 1960 independence, the Congolese Government created new defence and security forces consisting of the police, the gendarmerie and a national army under the technical assistance of Belgium. Nevertheless, the Government of

Kinshasa has issued a Decree-Law – 002/2002 dated 26 January 2002 – for the Congolese National Police for the whole country. After several years of instability, due mainly to governmental changes and the civil war, the Congolese National Police is in dire need of a thorough reform that necessitates material, financial and/or technical assistance.

Literature indicates that scholarly works on the Police Service in Zambia are rather scant. Specifically none of the works have focused on Police Reforms. Their main focus is on shortage of qualified manpower and effects of the Liberation struggles in Neighbouring countries, and the emergence of armed robberies involving the use of firearms. In addition, it focused on the militaristic nature of the police service, violation of human rights and abuse of office.

Further lessons learned from the literature on other countries indicate that continental European states and the USSR developed highly centralized, comprehensive systems of administration that incorporated public order functions. The literature has largely shown that continental police systems may generally be characterized as structurally more centralised and militaristic, functionally putting more emphasis on political and administrative tasks and in terms of legitimacy, being more closely tied to government and less accountable to the public. On the other hand countries such as Singapore combine a community orientation with central control. It may be noted that centralization and militarism is a common feature of the continental European and the USSR policing systems.

In addition, lessons learned from literature on Police Reforms in African countries indicate the Police Forces in these countries were a creation of the Colonial Governments; they were militaristic in nature, incorporating public order functions and lack public accountability. Further, African Police Forces undertaking Police Reforms have largely remained unsuccessful because of lack of financial, material and technical assistance.

Study Significance/Rationale

Given the need to reform the police force that has been attempted it is important to gain some insights into factors, which inhibit or make it difficult to address the problem of policing in Lusaka City and Kafue Town. In this regard, the findings of this study could provide critical information, which may be used in adjusting existing or developing other approaches and strategies that may enhance police reform programmes' success now or in the future. And

realizing that little work has been done in this area, this study intends to contribute to the existing knowledge on the Zambia Police Service. It will attempt to reveal gaps that exist in police performance with the hope of recommending better ways of conducting police operations in order to improve performance, efficiency, and a reduction of reported human rights abuses in order to enhance a positive Police Public image. It is hoped that the study will motivate other scholars to build upon this with the aim of further improving police performance.

Methodology

This study employed qualitative, quantitative and content analysis approaches. An analysis was done to examine the factors that might explain why the objectives of the police reform programme were not achieved. The policing policies from 1964 to 2004 were identified, examined and an assessment of the strategies and programmes of the police reforms was undertaken. In addition, an examination of the impact of these reforms on police performance and human rights record of the police force was made and the obstacles and possible failures faced by the police reforms were identified. Content analysis of the national budgets from 1964, through 1975 to 1985 and 1990, and 1995 was done in order to establish the budget allocation to the Zambia police service.

Sampling Design:

Purposive and systematic random sampling was used to identify research participants. Purposive sampling was adopted because the study was concerned with a specialized field of policing and it was therefore concerned with key informants who dealt with and who were specialized in policing and this was utilized in selecting the sample of police stations included in the study. Systematic random sampling was adopted to select public respondents that were in the study group and in the selection of police respondents in police stations.

Sample Size

A sample of 10 key informants and 250 respondents was adopted due to time, financial and other resource constraints as well, as the analytical approach adopted for data collection. The researcher was convinced that in addition to the secondary data already collected, this

sample was adequate for the research findings to provide convincing information from which conclusions could be made. The 10 key informants interviewed were officials who dealt with policing at the Ministry of Home Affairs, the Ministry of Finance, Police Headquarters and Lusaka Province Police Divisional Headquarters and Kafue police station. In order to ensure availability of participants during data collection, the managements of all the institutions *visited were requested to assist in identifying those to be interviewed.*

Two hundred and fifty systematically randomly selected participants had questionnaires administered to them in order to get views on the impact of policing reform initiatives. Before selecting the two samples, a total of 10 gazetted police stations/formations and adjacent residential areas lying within a radius of 2.5 kilometers from the nearest police station were chosen. The gazetted police cantonment or formations are located in Lusaka and Kafue only. One hundred questionnaires were administered to one hundred police officers in this category. In the second category comprising one hundred and fifty participants, one hundred and fifty questionnaires were administered to members of the general public resident in the 10 chosen residential areas.

The 10 chosen police stations and residential areas were put in alphabetical order (sequential list). Two police formation/residential areas were then randomly selected from which samples were drawn. To arrive at this, 2 divided the 10 areas so that every 5th area was part of the sample. The police stations/formations and residential areas selected using this method were in Lusaka province and these are Police Service Headquarters, Lusaka Central, Kabwata, Woodlands, Chelstone, Emmasdale, Chilenje, Matero, Chilanga police stations and Kafue police station.

In selecting actual police stations and residential areas surveyed, first the total number of police stations in Lusaka Province was established. The police stations cover areas in the shanty, low, medium, and high cost areas. According to data from Zambia Police Service Headquarters Research Planning Unit, the total number of police stations in Lusaka province is 35, but only 10 were selected. This figure was divided by 100, this being the number determined by the researcher to be the total number of police respondents to be administered with the questionnaire to police officers only. The respondents from this sample were divided equally among the formations or stations and this translated into 10 police officers per police

station. The sample size of police officers was N=100. The respondents from the Police covered all the fourteen ranks of the Zambia Police Force

The total number of selected police stations was further divided by 150, being the number determined by the researcher to be the total number of respondents comprising members of the general public. The sample size of members of the general public was N=150. Considering that there were 10 police stations under survey, the 150 respondents involving members of the general public were equally divided into 10 areas surrounding these 10 police stations. This meant that 10 policing jurisdictions or areas were covered within a maximum radius of 2.5 kilometers from each identified police station. This translated into 15 respondents per such an area. By dividing 10 into the total number of members of the general public in the 150 sample, 15 members of the general public were sampled per each Police Station chosen.

Sample area

This study was done in Lusaka Province and it was mainly concerned with the impact of police reform objectives on the residents of Lusaka and Kafue. It serves a purpose to choose Lusaka and Kafue as a single region because it is subject to unique or extreme variables. On this count, the chosen region compares favourably with other regions of Zambia in respect of the presence of a metropolis or similar localities: suburban area, a town with a rural character. Lusaka city was chosen for this study mainly because it is the largest and fastest growing city in Zambia with the most pressing problem of crime reduction and investigations, after the Copperbelt province.

Data Collection Techniques:

Secondary data was extensively collected from official documents. For police reform initiatives, data was collected from the Ministry of Home Affairs, Police Service Headquarters, and National Archives. Additional secondary data was collected from official documents from the Police Complaints Authority (PCA), Human Rights Commission (HRC), Crime Prevention Foundation of Zambia (CPFZ), and Amnesty Zambia Chapter (AZC). Accessibility to these documents enabled the researcher to have an overview and to identify the programmes to be examined. Data from the Central Statistics office (CSO) was also examined in order to

establish the magnitude of the need to provide modern police services to the communities in Lusaka and Kafue.

With regard to primary data, interviews were conducted using structured interview schedules in order to supplement secondary data and to obtain qualifying information with regard to the strategies adopted in the process of addressing the provision of police services to communities in Lusaka and Kafue. Questionnaires with closed-ended questions were administered to the police officers and the public in order to get their views.

Questionnaires and questions for interviews were prepared in advance before commencing the exercise of data collection after proper studying and survey. Qualitative data was collected from the key informants while quantitative data was collected from the people affected by the policing initiatives through the use of questionnaires with closed – ended questions. The questionnaires were compiled from rank order questions according to a Likert scale, which make measurement on an ordinal level. Data collection was done between 1st February 2006 and 30th July 2006.

Data Analysis Techniques

Collected data from the police reform survey was analyzed manually and using, Statistical Package for the Social Sciences (SPSS), a computer software.

Limitation of the Study

The study was based in Lusaka Province and therefore, the findings suffer limitations in making generalizations applicable to a larger scale. The time allocated to conduct the study is limited. The allocation of resources on the study is also limited because it is a self-sponsored study. Some people interviewed did not want to be associated with failure therefore, they hid information on areas of weaknesses especially those in top management of the police organization and who were more interested in promoting police corporate image. In this respect, there had to be some cross checking with secondary data to determine the validity of the information collected. The other major problem was poor record keeping, more especially at Police Headquarters. The record keeping system was not computerized and therefore, it took long to retrieve information from the archives. The issue of non-availability of computers in the past was the main reason for this problem.

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CHAPTER TWO

BACKGROUND TO THE REFORMS

This chapter sketches through the major developments of the Zambia Police Service during the three major periods that have shaped Zambia's political, economic and legal status and it takes the advent of Independence in 1964 as a departure point. These periods are referred to as the First Republic covering the period between 1964 and 1972, the Second Republic covering the period between 1973 and 1990, and the Third Republic beginning from 1991 till today. This chapter's central focus, therefore, is to lay an historical background of the Zambia Police Service and provide a reform context.

The chapter is divided into six parts: the first is this introduction. The second part provides a discussion of the police force and the nature of service delivery and its human rights record in the First Republic, while the third part focuses on the Second Republic. In the process an attempt will be made to analyze the forces and events that led the police force to operate in the way that it did during these two periods. The fourth part focuses on the nature of service provided by the police force and its human rights record from 1991 to 1994, that is, prior to the introduction of the police reforms and the emerging expectations from the re-introduction of a multiparty political system in the third Republic, the fifth part highlights on the reform context and finally the conclusion.

It should be noted from the outset that reform is a planned change that occurs when something faulty or dysfunctional is detected within the current or existing system. Reform measures are therefore responses taken to address the identified problems or to make satisfactory the performance of the defective system.

The Zambia Police from 1964 -1972

The advent of independence brought forth significant manpower changes in the Zambia Police Force due to the fact that during the colonial period, British officers occupied the top hierarchy of the Force. Since the police force was British officered, the Zambian government decided to 'Zambianise' the top positions fairly early from 1964 onwards. In the police force the top administrative personnel on the hierarchy were changed with the appointment of the first Black Commissioner of the Zambia Police Force, Mr. Michael Mataka and other Zambian officers

were promoted to replace the British officers. Rapid Zambianization of the Police Force was also necessary due to the on-going liberation wars in the region and the fear that British officers were sympathetic to white regimes in the countries where Africans were yet to be independent. This was the beginning of zambianising many administrative positions in the Zambia Police Force.

There were three factors arising from manpower changes in 1964 that led to administrative problems in the running of the police force, all of which are a result of the colonial legacy of the colonial Police Force. The first factor that created administrative problems had to do with the fact that African Police Officers were denied the chance of rising to senior ranks due to the racial policy of colour bar. The second factor was that African police officers lacked education leading to the third factor, which made African police officers to occupy lower ranked jobs in the Police Force. The impact of this is that after independence many African Police Officers, who had to assume reigns of leadership were from the lower ranks, had a low educational and professional background. The majority of these officers were not trained in the management of the Force because they had occupied lower ranked jobs (Research and Planning Unit, Policing Changes in the Zambia Police, 1997:1).

It should be noted that the staffing of the top hierarchy of the Police Force with British officers was a policy of the colonial government, which was called the colour bar. The colour bar was a racial policy that excluded Africans from occupying top management positions not only in the police force, but in other government departments as well. The colour bar was both a cause and an effect leading to insufficient education among the African population, which in turn led to Africans being given lower jobs in the hierarchy of the Police Force. The fact that Africans occupied lower jobs in the hierarchy led to administrative problems with the coming of independence, because when the Zambian Government decided to change from expatriate to Zambian leadership of the Force, this meant replacing white expatriate police officers with African police officers with managerial skills. The lack of education among African police officers led to unqualified people being appointed to managerial positions in the Police Force which meant that African police officers could only be promoted to a certain rank and hence leaving vacancies in the Force. For example, in 1964, the Zambian Government introduced Compensation Schemes for departing expatriate police officers. The Police Force was faced with the problem of replacing 70 superior officers and 339 subordinate police officers that

retired in terms of these schemes during 1964. The majority of the senior posts were filled by accelerated promotions of local officers and expatriate officers who decided to remain in Zambia. However, by the end of the year there were still vacancies among the superior police officers, subordinate ranks, and other ranks (Zambia Police Annual Report 1964:1). The table below shows the establishment of the force and the strength at 1964.

Table 1
Establishment and Strength of the Zambia Police Force in 1964

Category	Establishment	Strength	Short Falls
Superior Police Officers	145	136	9
Subordinate Police Officers	549	421	128
Other ranks	5, 491	5,281	210
Buglers	50	42	8
Total	6,185	5890	355

Source: (Zambia Police Annual Report, 1964:2)

Due to the number of vacancies that existed at the end of the year in 1964, the Zambian Government decided to promote local officers to various ranks ranging from Assistant Inspector to Commissioner of police. These promotions were intended to fill the vacancies that existed at the time. In addition the following accelerated promotions were made of personnel who had undergone a special course of training:

Table 2
Promotions of officers in the Zambia Police Force in 1964

Category	Strength
Sub inspector to assistant inspector	36
Sergeant to assistant inspector	25
Constable	24
Constable	98

Source: (Zambia Police Annual Report, 1964:2).

Apart from the administrative problems experienced by the Zambia Police Force after 1964, there were operational problems. This is largely because with the coming of independence, the police did not transform their methods of law and order maintenance to suit the post independence political dispensation. This was demonstrated in the manner in which they dealt with public order issues in the ensuing years. The manner of operation remained unchanged judging from the behaviour of the police in the way they dealt with clashes between various groups, and the clashes in which they were involved after independence. In order to show the extent of militarism in the police force after 1964, the study shall give detailed discussion of five events that occurred between 1964 and 1971.

The first concerns the Lumpa uprising. The manner in which the police dealt with the Lumpa uprising gave the impression that the police force had not changed from the way it operated during the colonial period. The uprising itself was caused by the advice that Alice Lenshina, leader of the Lumpa Church, gave to her followers not to participate in politics. This led to clashes between members of the Lumpa Church and followers of the United National Independence Party (UNIP) in some parts of the Northern and Eastern provinces. One case of clashes between Lenshina's followers and police occurred in 1964, when a police patrol of the Mobile Unit which went to Chapula village in the Chinsali District to investigate a complaint of maltreatment of district messengers was met with resistance from armed Lenshina followers and three members of the Lumpa Church were killed. The following day police reinforcements forced an entry into the village, but Lenshina's followers ignored appeals to lay down their weapons and launched attacks in the course of which 27 of them were killed (Zambia Police Annual Report, 1964:2). Another description of the clashes between the police and Lenshina's followers is documented by R. Hall in his book entitled *Zambia* (1965:229). Hall writes that, a serious situation developed in the first half of 1964, when Lumpa followers began to build stockaded villages from which they harassed surrounding areas. Platoons of the Mobile Police unit were drafted to Chinsali District in Northern Province and troops followed later after a white police officer was speared to death when he tried to enter a stockaded village. Two army battalions were occupied pursuing 5,000 members of the sect. On July 30, the security forces surrounded Sione, the headquarters of the Lumpa Church, and after being attacked, fought their way into the church, 74 people died and 40 were wounded. As a reprisal, the Lumpa followers attacked Lundazi Township, over running it, and capturing the police station and killing 150 persons before freeing at dawn.

The second source of events that showed that the military role of the police force that characterized its operations in the colonial period had spilled into the independence period is when inter-party tension emerged between the ruling and opposition parties. The police intervened in a series of clashes with cadres, resulting in arrests and detentions. Inter-party rivalry between supporters of the two major political parties in the country caused a resurgence of violence on the Copperbelt from 1965 up to 1972 when a One Party Political System was introduced. Inter-party tension began building up again in August with the card checking campaigns that followed the repeal of legislation forbidding the demanding of political

identification. In Mufulira the police had to intervene in a series of clashes that began with the interruption of a public meeting called to discuss the new legislation. There were further interparty incidents in Mufulira during Independence anniversary celebrations in October 1965, several houses were stoned and two rival gangs, each of about 60 persons, found roaming the streets were broken up and dispersed by the police (Zambia Police Annual Report, 1965:3). The manner in which the police dealt with the Lumpa uprising and Interparty clashes created ill feeling among the people. The people of parts of the Copperbelt, Northern and Eastern provinces developed very unfriendly attitudes towards the police (Phiri B.J. 2001:2). For this reason, as well as the fact that the top leadership of the police force was white, Africans never trusted the police force.

The third source that shows the militaristic nature of the police force arose from the creation of the paramilitary unit. The unit was established to police Zambia's borders due to liberation struggles in neighbouring countries ruled by colonial regimes. Policing Zambia's borders had put a strain on the available police manpower at the time. According to the Zambia Police Annual Report of 1965, the Rhodesian Government's Unilateral Declaration of Independence on 11th November 1965 gave rise in Zambia to security problems. The dispatch of Rhodesian troops to the Zambia border necessitated reciprocal action by the Zambian Government and the reinforcement of police along the border. The unsettled conditions in neighbouring states, particularly in Rhodesia, Namibia, Angola, and Mozambique in the last quarter of 1965, necessitated constant police vigilance and the reinforcement of many border posts. Due to these demands of policing the borders, the Zambian government decided to establish a Police Para-Military Unit in 1966, which acted as a strike force against disturbed areas. Following the successful establishment of the Police Para-Military Unit in 1966 and due to the rise in crime, operations of para-military officers were extended to duties that had nothing to do with border patrols. They were now being deployed to do foot patrol duties in townships while armed with conventional or military firearms leading to alleged violation of human rights when carrying out an apprehension or arresting suspects (Research and Planning Unit, Policing Changes in the Zambia Police, 1997:3).

The fourth source of events showing police militaristic role was exhibited when there was an emergence of a new crime wave in Zambia which involved armed robberies and there was need to respond to this new threat. The emergence of crime involving the use of fire arms

was confirmed by then Prime Minister, Mainza Chona who informed Parliament on 04th March, 1974 that: “I want to report to this House that there have been one hundred and sixty three aggravated robbery cases in Zambia involving the use of firearms (Parliamentary Debates of the Third National Assembly on the Penal Code (Amendment) Bill No. 2 of 1974:20). In addition, in 1969, an eyewitness wrote “the police would organize large road blocks, especially in the evening or during the night, or at the lunch time rush hour, to check on vehicles and their occupants. On at least one occasion the road block was simply shot at by an armed gang who crashed through it leaving behind several dying people”. (Wright, M. 1971:108). The rise in armed robberies was also confirmed in a Front page news article by the *Zambia Mail*, of Monday May 11, 1970 which reported that six armed bandits, five Congolese and one Zambian have been caught in police road blocks on the Copperbelt province over the last few days.

In an attempt to control the new wave of violent crime, the police established a special Investigations Task Force Code-named the Flying Squad in 1969. The Flying Squad was an armed and motorized police unit tasked to respond to armed robberies. This squad used firearms to shoot at suspected armed bandits. An article in the *Zambia Mail*, of Monday May 11, 1970 reported that in Chililabombwe, two men in a stolen car were involved in a running gun battle with police when they came up against a roadblock, abandoned their car and fled into the bush on foot. This shows that the flying squad was using firearms to shoot at suspected bandits. Therefore, there were concerns in the manner in which the Flying Squad engaged suspected bandits as reported in the same article.

The fifth source of events that exposed the police force’s militaristic role arose from the use of firearms when quelling demonstrations by students at the University of Zambia. For example, according to a newspaper article in the *Zambia Mail* of Thursday, July 1971, there was a fracas at the French Embassy between University of Zambia students and the police used firearms and one student was shot during a running battle between police and students through the streets of Lusaka. Gunfire was used to scare off more than 500 students demonstrating outside the French Embassy against France’s decision to allow South Africa to manufacture Mirage jets under License. Eventually the University of Zambia was closed.

The Police Force under the One Party System

The change from political pluralism to the single party political system which was ushered with formal introduction of the one party system in December 1972, altered both the out-look and performance of the Zambia Police Force. This led to the relative loss of autonomy of the police force and less respect for police ethics and it therefore affected police performance created by subordinating the police force to political expedience. This was so because the only political party in the country became supreme above all other institutions in the land. The one party constitution was premised on the principle of party supremacy. The Conflict Perspective theory that we outlined in chapter one is helpful in attempting to explain policing under the one party political system. The Conflict Perspective states that the police are state directed. From this perspective the police are seen as a means of maintaining the dominance of a ruling class.

Several examples can be given to support the view that during the Second Republic the Conflict Perspective theoretical framework does explain the Police Force. First was the government's decision to introduce the vigilante-policing scheme, which came into force after amending the Police Act through the Zambia Police (Amendment) Act No. 23 of 1985. According to Part IX of the Act, paragraph 48, *subsection one*, it is stated that in every section, in every Branch of every ward there may be established a vigilante group of such number of persons as may be necessary. *Subsection two* stated that, on recommendation of the Ward Security Committee in each ward, the Inspector General of Police (IGP) shall, by writing appoint suitable persons to be vigilantes for a specified section in that ward. The Ward Security Committee comprised UNIP members and this affected autonomy of the police because the IGP could only appoint suitable persons to be vigilantes on recommendation of this ward security committee that was a political party structure of the ruling party at the time. The Zambia Police (Amendment) Act No. 23 of 1985 further provided that the Inspector General may delegate his power to appoint vigilantes in any particular section to the Officer in Charge of Police under whose jurisdiction that section is situated. *Subsection three stated*, that every vigilante appointed in accordance with *Subsection two*, should sign a declaration of service. *Subsection four* of the Act stated that, subject to the provisions of this part and to any general or specific direction of the Minister, the Inspector General shall have the command, superintendence, direction and control of the vigilantes appointed under this section. Provided that the IGP may delegate such command, superintendence, direction and control in respect of

vigilantes in any such Section, Branch, Ward or District to any such officer as he may designate for that purpose. *Subsection five* stated that every vigilante appointed under this part shall, in respect of this section for which he is appointed, carry out such functions and duties to assist the police in maintenance of Law and order and protecting persons and property, as may be required of him by the Officer in Charge of police under whose jurisdiction he is placed. Paragraph 50 stated that, it shall be lawful for the Inspector General to provide, from the funds allocated by parliament for the police, batons, handcuffs, whistles, identity cards, instruction manuals and other requisites for the training of, or the carrying out of their functions by vigilantes. Paragraph 51, *Subsection one* stated that, a vigilante may arrest any person who, in his presence, commits a cognizable offence or whom he reasonably suspects of having committed a felony. *Subsection two* stated that, any vigilante arresting any person without a warrant shall, without unnecessary delay; hand over the person so arrested to a police officer, or in the absence of a police officer, shall take such person to the nearest police station.

However, following the introduction of the vigilante system, it should be noted that vigilantes were civilian United National Independence Party (UNIP) cadres who were required to volunteer their free time in the maintenance of law and order and the preservation of peace in their respective communities. In addition, there emerged complaints of harassment, ill-treatment, beatings and loss of property during “Operation Clean Ups”, Curfews and arrests of alleged loiterers, “Shishita” conducted jointly by police, immigration and defense personnel accompanied by UNIP Vigilantes. (Report of the Human Rights Commission of Inquiry, 1995: 14) Although the scheme was under the direction and control of the police, the party took charge and officials began giving instructions on policing within the communities (Research and Planning Unit, Policing Changes in the Zambia Police, 1997:1).

There were also some elements of human rights abuses in the Second Republic, as the police continued to use force again even in quelling student demonstrations. For example, according to the *Times of Zambia* article of 10th February 1976, the Government closed the University of Zambia, Great East road campus indefinitely. This brought to an end almost two weeks of tension and minor skirmishes between police and the students. Mobile Police armed with tear gas canisters and short batons besieged the campus after students staged a demonstration in support of the Popular Movement for the Liberation of Angola (MPLA). They searched the students for university property such as books and other items of interest to

the police. "The police detained 17 students and 5 Lecturers under the preservation of public security regulations. After 5 months, 15 students were released. Four expatriate Lecturers were released after a few weeks and deported for allegedly being behind the unrest caused by Government's reluctance to recognize MPLA Government in Angola". (*Times of Zambia*, 08th August, 1976)

The Human Rights Commission chaired by a Lusaka Lawyer, Bruce Munyama that was instituted on May 5, 1993 whose mandate was to, "Investigate and establish whether human rights were violated during the Second Republic [1972 to 1991] and after 30th October 1991 [the Third Republic]," also revealed many cases of human rights abuses in the Second Republic. From the evidence received by the commission the following constituted the main areas of concern: violation of human rights and harassment of political detainees, ill-treatment, torture and lengthy detention of criminal suspects and illegal aliens by police and immigration officers, failure by police to investigate complaints against police officers, failure by police to prosecute cases of domestic violence and sexual abuse, abuse of police power, low calibre police officers, breakdown in command, poor conditions of police camps, shortage of police stationery, delay in the administration of justice, issues relating to and incidental to violations of human rights, and involvement of the presidency in human rights violations (Report of the Human Rights Commission of Inquiry, 1995: 25).

The commission revealed that in reference to whether torture chambers existed in the Second Republic, the commission ascertained and verified that a room at the back of Chilanga Police Station was used for the incommunicado detention of Major Ronald Chansa. Whilst he was detained in this room for three weeks the cement dust blowing from Chilanga Cement Works caked his body. His health deteriorated so much that a Mr. Mubiana, the then Officer in Charge, requested Police Officers from Force Headquarters who were in charge of Major Chansa's case to remove him immediately as he was concerned that Major Chansa might die at Chilanga Police Station. Major Chansa was subsequently taken to Lilayi Police Training School where he underwent further incommunicado detention, physical torture in the Officers' Mess. A Supreme Court Judgment of 1983 confirms the version of his detention and torture given to the commission. That is in the case of Ronald Chansa Vs the Attorney-General SCJ/8/97/1983. At Kamfinsa Mobile Police Training School in Kitwe, Mr. Siza Zulu revealed to the Munyama report of the human rights commission of inquiry, the room in the

Officers' Mess where he was subjected to excruciating torture through the use of a machine that emitted electric shocks to his body. Mr. Zulu identified and named the late Mr. Dick Mpundu, a former senior police officer, as the one who operated this portable equipment that he used to torture Mr. Zulu.

Further the commission received testimony that is critical of the practice of arming police officers. The commission was aware that by convention police officers did not carry arms generally. If they did, the arms were not displayed publicly. With the declaration of the state of emergency, and particularly in the Second Republic, however, police officers in particular started bearing arms even when they were on ordinary patrol duties that did not require their being armed. This practice had resulted, in a number of instances, either accidental or deliberate in shooting of members of the public (Report of the Human Rights Commission of Inquiry, 1995: 35).

From the a foregoing analysis, we can observe that since the advent of independence the Zambia Police Service has been marked by a record of administrative and operational changes resulting from the colonial legacy and liberation struggles in Neighbouring countries. The nature of police operations has also reflected the spill over of its militaristic role inherited from the colonial and First Republic into the Second Republic. The third observation that may be noted in the Second Republic is what the Human Rights Commission chaired by a Lusaka Lawyer Bruce Munyama stated in its report, that the police perpetrated many cases of human rights abuses.

The Police Force from 1991 to 1995

The re-introduction of a multiparty political system in 1991 led the government to introduce two changes in the way the government and the political parties related to each other. The first change that was introduced was de-linking of the party structure from the Government, following the abolishment of the principle of party supremacy. This led to the abolishment of the vigilante-policing scheme. The second change was the depolitization of the Zambia Police Force. This involved the abolishment of political education courses and examination in the police force. Thirdly, the Zambia Police Force ethic of neutrality previously inherited from the British colonial Government was restored. The new administration also indicated its

commitment to addressing the problems of human rights abuses that were allegedly committed by the police by appointing the earlier cited by the Munyama Commission.

However, despite the new Political dispensation that provided a context of a Police Force that would respect human rights, there were still a number of problems that were associated with the Police Force. According to the Human Rights Watch report of December 1996, Volume 8, Number 4 (A) and responses from the respondents interviewed in this study, between 1991 and 1994, police stations frequently became debt collection centres, where police officers, acting upon an unofficial complaint, would detain a debtor without charge indefinitely until he or she paid the complainant. In return, the police received a percentage of the payment. This abuse of police powers in dealing with civil matters is another area that the Munyama commission inquired into and considered. A number of witnesses informed the commission that police officers were used in the settlement of matters that were suitable for the determination by civil courts. The civil matters that witnesses alluded to included breach of contract cases, debt collection, serving of injunction orders, landlord and tenant matters. A few examples will suffice to illustrate this point. Firstly, the case of Mrs. Lukwesa of Nyumba Yanga in Lusaka is illustrative of police abuse of power. She was forced to accompany police officers to Woodlands police station late at night leaving behind an infant under the care of a child aged 10 years. Mrs. Lukwesa was taken to Woodlands police station to compel her husband who was alleged to have obtained money by false pretences to report to police at Kafue. A police officer from Kafue Police Post confirmed to the Munyama commission that when he visited Mrs. Lukwesa at her Nyumba Yanga home, he saw the photograph of the complainant prominently displayed in the living room. Mrs. Lukwesa informed him that the complainant was a family friend and that her husband had only obtained a loan from the complainant. The police officer informed the commission that upon receiving this explanation from Mrs. Lukwesa, he realized that the matter was not criminal as such. However, as his superiors had assigned the case to him, he was obliged to inform Woodlands police to arrest Mr. Lukwesa at all costs. The commission ascertained that after her release the following day the police in Kafue and at Woodlands police station did not pursue the matter any further. (Report of the Human Rights Commission of Inquiry, 1995: 32)

Another illustrative case is that of Ms Sandra Mweetwa who was mercilessly beaten by female and male police officers at Lusaka central police station on the instigation of former

Member of Parliament Mr. Aaron Muyovwe with whom she was living at the time. Mr. Muyovwe took police officers to his Makeni home for the purpose of searching and putting pressure on Ms. Sandra Mweetwa to return money that he claimed she had stolen from the bedroom. Although the search was unsuccessful, Mr. Muyovwe drove Ms. Sandra Mweetwa in the company of police officers to Lusaka central police station where she was badly beaten while Mr. Muyovwe was waiting in the car. The matter never went further than the beating. In other words she was not charged with any offence. No charges were levelled against Ms. Sandra Mweetwa. The police officers involved in assaulting Ms. Sandra Mweetwa have never been charged with a criminal offence or disciplined administratively (Report of the Human Rights Commission of Inquiry, 1995: 33).

Perhaps the most important case that can demonstrate that the police had not changed was the way they dealt with or treated the alleged architects of the Zero option plan. In the case of the Zero Option Plot, in February 1993, the government-owned *Times of Zambia* reported that a plot by the former ruling party, UNIP, to overthrow the government by unconstitutional means, known as the Zero Option Plan, had been uncovered. The Zero Option Plan was alleged to call for a destabilization of Zambia through industrial unrest, the promotion of violent crime, and the organization of a mass uprising against the government. (BBC, Retrieved on 2006-10-16). According to the Munyama commission, during the brief period of 04th March, 1993 to 25th May 1993 when the state of emergency was introduced in response to the Zero Option plan, cases of harrassment and torture and incommunicado detentions occurred. (Report of the Human Rights Commission of Inquiry 1995:27) The commission discovered that officers who were involved in interrogations of political dissidents and alleged coup plotters in the Second Republic were also involved in the interrogation of Zero Option suspects. These officers applied the same tactics as those used in the Second Republic. An illustrative case is that of the arrest and detention of Cuthebert Chitunda Ng'uni, under public security regulations who was the United National Independence Party Member of Parliament for Chama South as reported by Kaweche Kaunda and Tiyaonse C.Kabwe. Ng'uni later explained to news reporters that the police had tricked him into leaving prison under the pretext that Lawyers wanted to see him. When they brought him out of prison, they blind folded him and drove him into the bush. While in the bush, he was stripped naked and beaten. He spent five days in the bush and through out the ordeal, he was kept completely naked, blind folded and without food or water,

but all the time undergoing unceasing numerous forms of torture. (Kaweche Kaunda and Tiyaonse C.Kabwe 1993: 8). On April 28, 1993 exactly 55 days after his detention, Ng'uni was brought into the High Court by the police, supported by two fellow detainees with his arms over their shoulders. When hearing began, Defense Counsel Edward Shawama brought to the attention of Justice James Mutale that Mr Ng'uni was badly tortured. The court ordered that he be examined by the Doctor" (*Times of Zambia*, April, 29, 1993) In addition, Ng'uni's 16 year-old daughter Bertha, who was snatched from her parents' home in Chelstone by two plain-clothed security men and taken for interrogation to Woodlands Police Station, in a white Toyota Corona Registration Number AAL 3854, reported finding her father in a miserable state. She said that when policemen led her into a room where her father was, she found him sitting on what she recognized as a torture chair, looking very roughed up, tired and dirty. They threatened her that if she did not co-operate and tell them about her father's involvement in the Zero Option, the type of people he met and what they discussed, she would be tortured in the same way. Curthbert Ng'uni later died from kidney failure allegedly caused by bacterial infection resulting from the alleged torture. According to Kaweche Kaunda and Tiyaonse C.Kabwe, apart from the arrests and detention of Cuthebert Chitunda Ng'uni, Police arrested and detained many more UNIP leaders. (Kaweche Kaunda and Tiyaonse C.Kabwe 1993: 6). According to the details of this case, the threat to National security emanated from the discovery and publication by the *Times of Zambia* of two documents alleged to have been prepared by a faction within UNIP. These were; the 'Zero Option Plan' exposed by the *Times* in the issue of February 24, 1993 and Radical Plan exposed two days later. Police as being seditious and treasonable described both documents.

Reactions from some senior officers who were interrogating Zero Option detainees, and those of the then Minister of Home Affairs, Newstead Zimba and those who condemned the torture suggested that police did actually inflict physical and mental suffering upon some detainees. A case in point is the wrangle that erupted between Minister of Local Government and Housing Roger Chongwe and the interrogators supported by Zimba. Chongwe, speaking in Lusaka's Garden House Motel on March 24th, 1993 where he opened a Human Rights Seminar for Senior Officers from the Law Enforcement Agencies, called for the punishment and removal from the agencies, of any officer taking advantage of the then newly imposed State of Emergency to torture detainees. "Torture is unacceptable and inhuman. Other methods of

interrogation, therefore, must be employed' he said. (Kaunda Kaweche and Tiyaonse C.Kabwe 1993: 9)

Despite the existence of these human rights abuses, and perhaps partly because of these abuses and the existence of a relatively open political system a number of Non Governmental Organizations (NGOs) were able to raise concerns about the operations of the Police Force throughout 1991 to 1994. One such NGO is the Inter-African Network for Human Rights and Development (AFRONET), whose chief executive officer; Ngande Mwanajiti told Human Rights Watch/Africa that he had become the focus of state-sponsored intimidation in the run-up to the elections of 1995. Mwanajiti gave as an example an incident on November 14 when three police officers visited his home and picked up one of his home-helpers for questioning. The worker that evening asked for two days of leave to attend a funeral. The next day it transpired that he had packed all his things and left. According to Mwanajiti a friend to his worker had told him that police officers had picked up his worker for questioning and had told him not to disclose anything to Mwanajiti. Human Rights Watch (December 1996, Vol. 8, No. 4 (A) :). In another case involving Inter-African Network for Human Rights and Development, Zambia Independent Monitoring Team (ZIMT) and the Committee for a Clean Campaign (CCC) occurred on November 24 and 25, police raided the Lusaka premises of these three human rights and election monitoring groups. Police removed many files and books from ZIMT and AFRONET for examination and briefly detained and took to Lusaka Central Police Station for questioning the ZIMT's president, and the CCC chairman. On November 24, ZIMT general secretary, Gershom Musonda, was also detained for several hours and charged with threatening violence for commenting on the death of police bomb disposal expert, the late Orton Banda. (Human Rights Watch December 1996, Vol. 8, No. 4 (A) :).

From the foregoing, analysis, we can observe that, Zambia Police Force between 1991 and 1994 has been marked by a record of human rights violations of political dissidents. The nature of police operations has also reflected the spill over of its militaristic role into the Third Republic as police continued carrying firearms even when carrying out duties that did not require them. The third observation that may be noted between 1991 and 1994 is what the Human Rights Commission chaired by a Lusaka Lawyer Bruce Munyama stated in its report, that the police had committed many cases of human rights abuses.

Reform context

The expressed concerns of Government despite the existence of the gap between rhetoric and practice, and the advocacies done by NGOs all provided context for the initiation of the Police Reforms between 1994 and 1995.

There were also pressures from the United Nations, Regional Organizations and the country's Multilateral and Bilateral Partners to reform the police force. Zambia, as a member of the United Nations and the African Union, has signed and ratified the International Convention on Civil and Political Rights (ICCPR) and The African Charter on Human and Peoples' Rights (ACHPR), all of which acknowledge the right to life and outlaw torture or cruel, inhuman and degrading treatment and thus the need for a professional human rights orientated police (Nameiseb, T. 2002: 88-89).

In addition, the Munyama Commission made the following recommendations on the status of the Zambia Police Force, which were included in the police reform programme:

- a) there be established an Independent Police Complaints Authority by statute comprising a chairperson who is qualified to be appointed as judge of the high or supreme court, an experienced lawyer, a retired senior police officer, a medical doctor, a member of the clergy, and a person from interest groups.
- b) There be established an internal investigations department comprising senior investigation officers who should be detached from routine police operations, whose responsibility will be to investigate complaints against the police and report their findings to the proposed independent police complaints authority.
- c) Proper records of interrogations be kept and that these records must contain the following: 1. the time the suspect was brought to the police station, 2. his or her physical and medical condition, 3. the place of detention, 4. name(s), rank, number and formation of the officer(s) interrogating, 5. the charges raised, and 6. time given for rest and refreshments offered.
- d) There be appointed at all police stations custody officers who should hold the rank of sergeant or above and whose responsibility should be to ensure the wellbeing of persons in custody
- e) There be established in all districts inspectorates whose responsibility will be to visit stations and cells to inspect the condition of cells and inmates and ensure the

observance of the law and regulations, inspectorates be comprised of representatives from civic, religious and professional bodies.

- f) In order to enforce discipline and respect for the law, rules and regulations relating to surcharge of officers, dismissal and prosecution be strictly implemented
- g) Strict guidelines regarding the treatment of arrested and detained persons by police be formulated and publicized.
- h) Evidence or statements made by a suspect after being subjected to physical or mental compulsion, torture, violence, threats or inducements of any kind, deceit, trickery, misleading suggestions, protracted questioning, hypnosis or administration of drugs should not be admissible in evidence against him/her in any legal proceedings: 1). Zambia should ratify the United Nations Convention against torture and other cruel, inhuman or degrading punishment or further that the provisions of this convention be incorporated in domestic law: 2). In all those cases where evidence of wrongdoing is disclosed by this commission, further investigation should be carried out so that culpable persons are tried and punished accordingly: 3). Police officers should only be armed when dealing with particular incidents which require the use of firearms and, 4). Police officers issued with firearms and ammunition be made strictly accountable for it.

It is against this background that in 1994, the government started to make moves towards reforming the police. The police reforms were factored into the public sector reform moves to reform all the government.

In 1994, a new Inspector General of Police (IGP) was appointed and given a mandate to reform the police. The new Inspector General of Police immediately instituted measures to restore discipline, professionalism, and respect for human rights. These included reopening the police training academy which had been closed for seven years with a new curriculum that included a human rights segment and recruited 800 new police officers, ranging from human rights training to officers in stations; investigating instances of police abuse and prosecuting those found to have committed human rights abuses. During the year 1994, 230 middle ranking and senior officers were enrolled in various human rights and leadership courses, 33 officers were subjects of investigations and at least 3 officers were sentenced to prison terms for criminal offences.(US Department of State Report, 1995: 3). Other measures included

cooperating with the Human Rights Commission in making police officers available to testify against human rights violators; arranging with the nongovernmental Zambia Civic Education Association (ZCEA) to provide human rights training to officers in selected police stations; undertaking investigations of instances of police use of excessive force; and beginning to discipline and prosecute officers who committed human rights abuses. (USA Human Rights Practices Report, 1995:4)

From 04th to 08th July 1994, the Zambia Police held a National workshop where they brought together police commanders from across the country, officials from relevant government ministries and departments and consultants engaged by the British government to provide technical support (Police Reforms Workshop Report, 1994). The police reforms were officially announced at this workshop. The Workshop formulated the Zambia Police Reform Programme whose general objectives were as follows: Reduce the National Crime Rate by 50% within 4 years, reduce the Human Rights abuses by half within 4 years, and improve the public image of the Police and Improve police/public cooperation and partnership. At the same workshop, it was resolved that the police changes its name from 'Zambia Police Force' to 'Zambia Police Service' and adopt the 'Community-based Policing' model of law enforcement as part of the new image of the police and to emphasize its new policing strategy.(Zambia Police Service Annual Report, 1998). The Zambia Police formulated the Service's Mission Statement that marked out clearly the role or function of the Police in Zambia and the manner in which they would carry out such role. The Strategic Vision as outlined in the Mission Statement stated that:

"We, the Zambia Police are committed to providing high quality service, by upholding and applying the law fairly and firmly to all. We will apply pro-active methods to prevent crime, arrest those who break the law and take them to court and assist victims of crime through counseling. We are committed to cultivating rapport and partnership with the community. We pledge to respect individual human rights while recognizing the community's expectations and obligations. We are committed and will review our roles and are ready to change our approaches to law enforcement methods where necessary in order to facilitate good democratic governance, while upholding our Professional standards and ethics"

(Zambia Police Reforms Project Proposal Document, 1994)

As a follow-up to the mission statement a number of support oriented strategies were identified and encompassed in a project proposal document which was published in May 1994. These included among others Restructuring of police organization, training and rank hierarchy,

acquisition of an effective communication system and information technology, Establishing a police complaints authority, Creating a victim support unit, Reviewing the law relating to fines and detentions of suspects, penal code, criminal procedure code and evidence act, Prescribing a code of conduct for all police officers. Core operational and support functions were identified and strategic intentions were decided that were required to take the Police Service to where it intended to be in five years' time (Zambia Police Reforms Project Proposal Document, 1994). A strategic Plan was then developed that reflected a new start date and a five-year time frame prioritizing various issues and showing year-on-year financial cost.

The Strategic plan indicated so many reform objectives worked out into various Programmes as follows; Public Order Management which included the promotion of safety and developing a traffic management strategy, to contain cases of violent crime so as to reduce fear of crime, to increase the number of detections for and reduce crimes of violence involving the most vulnerable groups (i.e. women, children and the elderly, to reduce the number and increase detection rate of burglaries, to provide victim support, education on crime and spiritual guidance, to provide reliable and adequate transport for use by the police, to provide effective communication network to link all police formations for quick relay of information.. Training Programmes included the provision of high visibility policing as a crime deterrent, promotion of the upholding of human rights, and provision of skilled police managers in spontaneous disorder management. Administration Programmes included the improvement of the general police administration and personnel management. Finance Programmes included the improvement of financial control at all levels, to provide effective monitoring of finances and value for money throughout the organization, to delegate financial responsibility to areas of operational needs, and to ensure proper funding of operational priorities.

The time frame for the completion of the implementation of recommendations contained in the 1995-2000 strategic development Plan was due on December 30, 2000. The Inspector General of Police whose main objectives were two-fold subsequently appointed a review committee. Firstly, to review the existing five-year strategic development plan 1995-2000 and determine whether or not these were still relevant to the aims and objectives of the Zambia Police Service. Secondly, to recommend, where necessary, the need for policy guidelines and strategies that would effectively and efficiently shape the destiny of the Zambia Police Service giving it additional framework to the new plan spanning the years 2001-2006.

Consequently, the recommendations of the review committee constituted what became the next strategic development plan for 2001-2006 that sought to give a new lease of life for the effective management of the Zambia Service.

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CHAPTER THREE

THE POLICE REFORMS AND PUBLIC SERVICE DELIVERY

Introduction

This chapter focuses on the nature of the reforms that were undertaken by the Zambia Police Service in order to improve service delivery. The chapter is divided into six parts: this introduction, a discussion of the reforms undertaken to improve the maintenance of peace and public order, the reforms to improve detection of crime and prosecution of offenders, the reforms undertaken to improve provision of police radio/telephone communication services, the reforms undertaken to improve the capacity of the police in the prevention of crime, and protection of life and property, a discussion of the reforms undertaken to improve traffic management, and finally a conclusion.

Maintenance of peace and public order

The Strategic Development Plan (1995-2000) indicated seven reform objectives in the area of maintenance of law and order in the country. The position at the time was that processions and demonstrations, especially those of a political nature were increasing in the wake of plural politics and job losses as a result of retrenchments of labour due to privatization of the economy. Therefore, the Zambia Police Service felt that there was need to develop new techniques to handle these processions and demonstration in order to maintain peace and public order, so that when such processions and demonstrations are taking place, members of the general public who are not part of these events continue conducting their activities without being disturbed or interfered with. The aim was to provide leadership, skillful police services and effective contingency planning for all public order situations. The first reform objective was to develop directives and planning skills for major disasters and major civil emergencies and to organize training and practices for any plans in this area. Secondly, to develop tactics for rapid response combat units based at each divisional headquarters for spontaneous disorders and riots, so that members of the general public continue carrying out normal activities in their various communities without these disorders and riots disturbing the peace and public order which is needed to undertake normal societal activities. Thirdly, to enhance police coverage of processions and demonstrations, large social and sports gatherings as well as crowded streets.

The fourth reform objective was to improve police searching skills and attitudes at road blocks and check points in order to minimize the delays caused to the traveling members of the general public at such road blocks and check points. The fifth reform objective was to develop a training package on dealing with public disorders at strategic, tactical and operational levels of the Police Force. The sixth reform objective was to improve event planning and management, and the seventh reform objective was to enhance both foot and motorized patrols, especially in areas of high criminality. (Zambia Police Strategic Development Plan 1995)

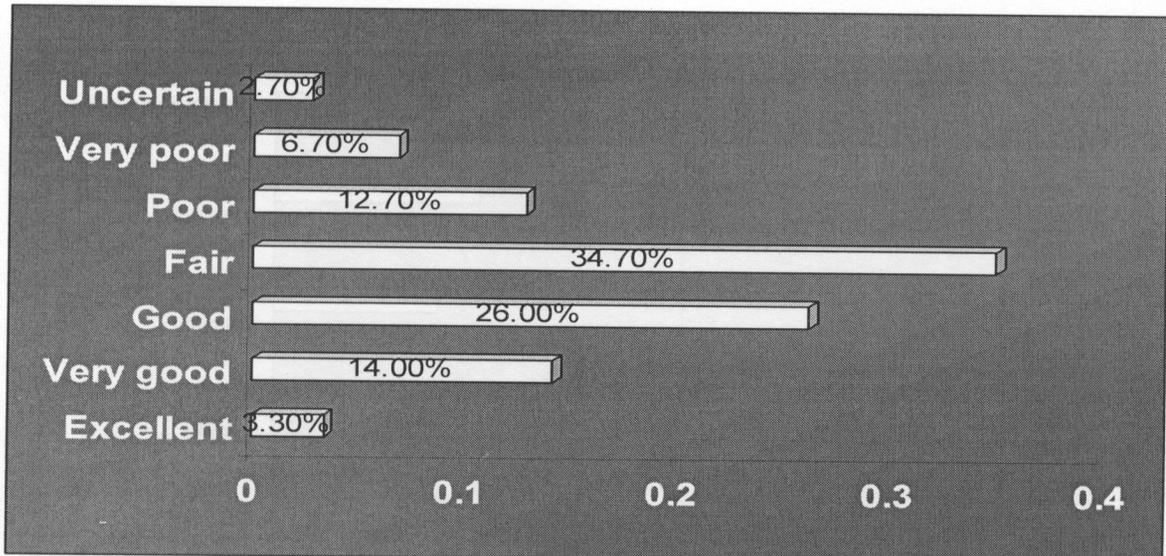
The Review Report of the Strategic Plan indicates that the first reform objective, which was to develop directives and planning skills for major disasters and major civil emergencies and to organize training and practices for any plans in this area, was not met as there was no policy document prepared. However, a limited number of officers participated in Disaster Management courses. (Review Report of the Strategic Development Plan 2000:3). The second reform objective that was to develop tactics for rapid response combat units based at each divisional headquarters for spontaneous disorders and riots was not met. It was not met due to logistical constraints such as adequate accommodation to cater for police officers graduating from Police Training College and the two Police Training Schools. In addition, the second reform objective was not met due to lack of adequate manpower to deploy to these rapid response combat units that were to be based at each divisional headquarters for spontaneous disorders and riots. The third reform objective which was to enhance police coverage of processions and demonstrations, large social and sports gatherings as well as crowded streets was met through ensuring strict coordination in the provision of manpower by various police stations to cover processions and demonstrations, large social and sports gatherings as well as crowded streets every time such a need arises. In addition to this coordination mechanism in the provision of manpower by various police stations to cover processions and demonstrations, large social and sports gatherings as well as crowded streets, there was the Public Order (Amendment) Act Number 1 of 1996 which reinforced crowd control mechanisms by stipulating that organizers of such processions and demonstrations, large social and sports gatherings, called Convenors, should provide their representatives called Marshals, who should be responsible for controlling the people taking part in such activities. The fourth reform objective which was to improve police searching skills and attitudes at road blocks and check points was not met as there were no clear cut instructions and re-training of officers involved in

carrying out such duties. The fifth reform was to develop training package on dealing with public disorder at strategic, tactical and operation levels of the Police Force. This was not met as no such training package was developed to meet this objective. The sixth reform objective was to improve event planning and management. This objective was not met as no training package on event planning and management was developed. The seventh reform objective was to enhance both foot and motorized patrols, especially in areas of high criminality. This reform objective was partially met especially in Lusaka where operational motor vehicles were introduced for specific areas in order to enhance both foot and motorized patrols.

However, when members of the general public that were in the sample in this study were asked to rate the standard of the Zambia Police in the area of maintenance of peace and public order, after twelve years of implementation of the Zambia Police Reform objectives, the members of the public that were in the sample were on the overall relatively positive. A total of 43.3 percent gave a rating that ranged from good to excellent as indicated in the chart. There were 34.7 percent members of the public who rated the performance of the police as fair, while only 19.4 percent rated the performance of the police in the maintenance of peace and public order as either poor or very poor.

Chart 1

Rating of the performance of the Zambia Police in the Maintenance of Peace and Public Order by members of the Public.



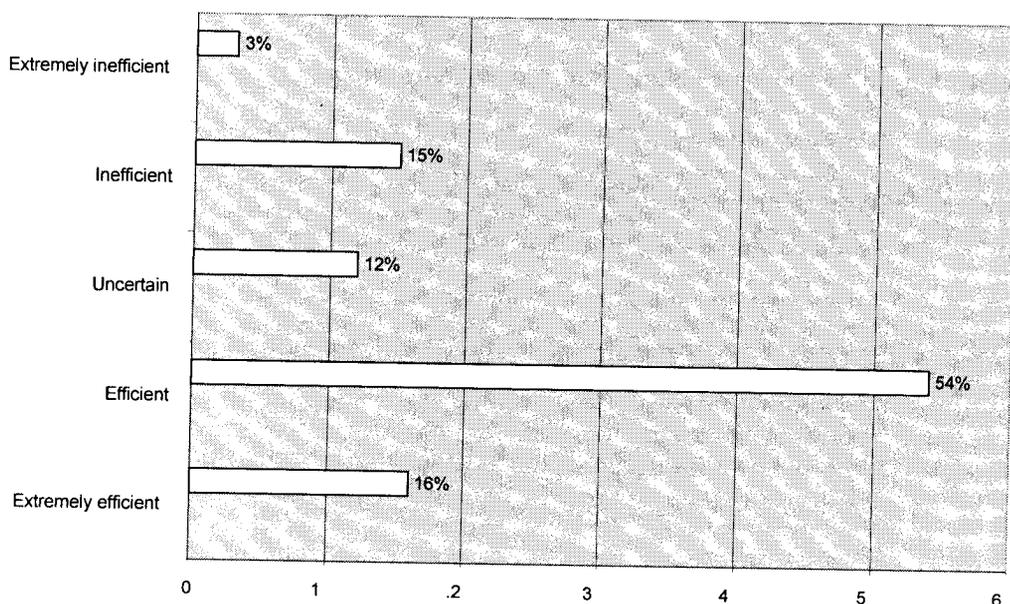
As in the case of the members of the public, police officers also gave an overall positive view of the role of the police in the maintenance of peace and public order. The majority of

Police Officers rated themselves as being efficient in maintenance of peace and public order. A total of 70 percent police officers interviewed rated police performance in maintenance of peace and public order that ranged from efficient to extremely efficient as indicated in the chart. There were a total of 18 percent who rated the performance of the police in the maintenance of peace and public order as either inefficient or extremely inefficient.

Information collected in 2000 and 2006 confirmed by the Review Report of the Strategic Plan and the Police Public Relations Officer indicates that, despite logistical shortages, and lack of in-service training due to under funding of the police organization, the Zambia police have still ensured a prevalence of peace and public order in the country. It may be noted that the estimates of the required Police Staff Compliment was put at a target of 27000 Police Officers by the year 2000. Other police officers interviewed said that police have been efficient in service delivery to the general public, despite the lack of resources and incentives. Some of the police officers interviewed said that peace and public order have prevailed in Zambia and this can also be evidenced by low incidences of crime during public rallies and the existence of law and order when processions and demonstrations are being conducted throughout the country.

Chart 2

Rating of the performance of the Zambia Police in the Maintenance of Peace and Public Order by police officers.



Prevention of crime, and protection of life and property

The Strategic Plan indicated that, there were five reform objectives in the area of Crime Prevention, and protection of life and property. The crime prevention and protection of life and property in the country prior to the introduction of Police Reforms was such that there were incidents of armed robbery of motor vehicles. There were few cases cleared up in the courts of law and mugging cases existed. The aim therefore, was to contain crimes involving violence and muggings so as to reduce the fear of crime. The first reform objective was to increase the visibility of uniformed general duty personnel, as well as rapid response motorized patrols in the community. The concept 'to increase the visible presence of officers' referred to increasing the number of police officers on the streets who were going to be seen by members of the public. The second reform objective was to encourage citizens to form Neighbourhood Watch Schemes in their respective communities and the third reform objective was to increase the establishment of Police Posts in localities of high incidents of crime. The second and third reform objectives will not be discussed in this chapter, as they will constitute the material for discussion in chapter five. The fourth reform objective was to promote positive police action and give a wide coverage of police successes against crime and banditry through the press and electronic media. The fifth reform objective was to form a public relations office at each divisional headquarters so as to encourage public and police interaction.

The first reform objective which was to increase the visible presence of uniformed general duty personnel as well as rapid response motorized patrols in the community was partially met, especially in Lusaka Urban where additional numbers of police officers were deployed. It was partially met in the sense that according to the plan it covered the whole country, however, upon implementation of this objective, only Lusaka received the required additional manpower to meet this objective and not the whole country due to financial constraints of training additional manpower to cater for the whole nation. The fourth reform objective that was to promote positive police action and give a wide coverage of police successes against crime through the press and electronic media was met and this is done from time to time by the Inspector General of Police, and through the Police Service Public Relations Office and Divisional Commanders. The fifth reform objective which was to form a public relations office at each divisional headquarters so as to encourage public and police interaction was not met since the Inspector General of Police did not appoint Divisional Public

Relations Officers (Review Report of the Zambia Police Service Strategic Development Plan 2000:5).

Since the first reform objective was to increase the visible presence of uniformed general duty personnel as well as rapid response motorized patrols in the community, members of the general public that were in the sample were asked as to whether they were satisfied with the number of police officers available for duty in their respective localities. The members of the public that were in the sample expressed general dissatisfaction with the number of police officers available for duty in their localities. As indicated in table 3, the majority of them, 68.7 percent indicated dissatisfaction or was extremely dissatisfied. Only 16.0 percent expressed satisfaction and 5.3 percent expressed extreme satisfaction. The dissatisfaction expressed by some members of the public that were in the sample on the availability of police officers in their localities may be attributed to the number of police officers available in the police service in Lusaka and Kafue.

Table 3

Rating of the availability of police officers available for duties in various localities by members of the public since 1995.

Response	Frequency	Percent
Extremely satisfied	8	5.3
Satisfied	24	16.0
Uncertain	15	10.0
Not satisfied	79	52.7
Extremely unsatisfied	24	16
Total	150	100.0

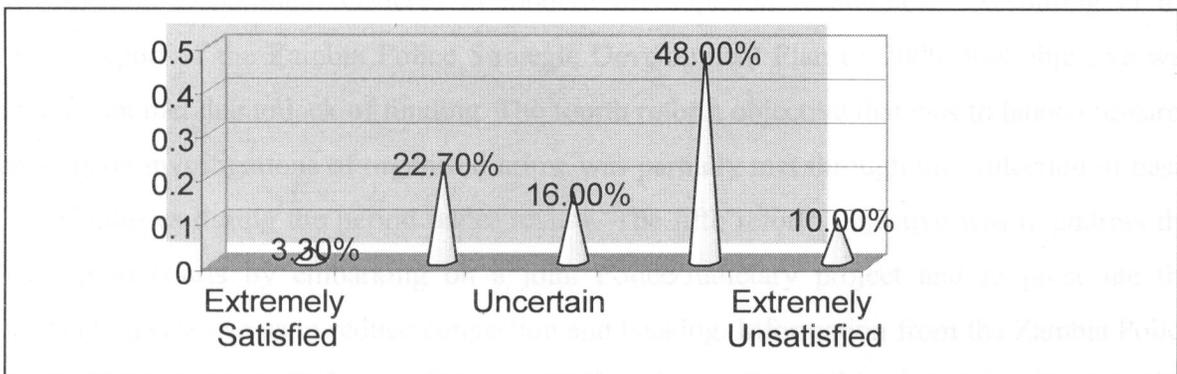
Information from the Deputy Commissioner of Police in Charge of Police Training indicates that , the non-availability of police officers for duties in particular localities may be attributed to the limited number of police officers available in the police service in the country. For example, the reforms targeted to increase the Zambia Police Establishment to 27000 by the year 2000; however, this target has not been reached. The target of 27000 police officers in the country was not reached because of the high death rate among officers, housing problems and retirements (Review Report of the Zambia Police Service Strategic Development Plan 2000).

In the attempt to assess as to whether police has improved in service delivery after 1995, the members of the public in the sample were asked to rate their satisfaction on the number of patrol parties seen performing in the various localities. The members of the public in that were in the sample were on the overall relatively negative. There were over 58 percent

who expressed dissatisfaction with the number of police patrol parties. A total of 26 percent rated the performance of the police in conducting patrol parties that ranged from satisfied to extremely satisfied as indicated in the Chart. Some of the members of the public said that the police always delay to come to the crime scene because they lack resources such as vehicles to use during motorized patrols. The public said that a report may reach the police station on time, but the response is late.

Chart 4

Rating of the members by the public on the number of police patrol parties in their localities



Detection of crime and prosecution of offenders

The Strategic Plan (1995:15) indicated that there were seven reform objectives in the area of detection of crime and prosecution of offenders. The first was, to provide specialist training in investigating and detecting of crime techniques. The second was to examine the possibility of improving the information gathering from the public by giving publicity to specific major crimes called crime stoppers. The third reform objective was to improve scientific investigation of crime by re-training of criminal investigation department officers in modern investigation techniques. The fourth reform objective was to launch research projects on investigations of organized crime. The fifth reform objective was to address the backlog in courts by embarking on a joint Police/Judiciary project and to prosecute the outstanding cases so as to reduce congestion and backlog. The sixth reform objective was to train more prosecutors to equal the number of existing Magistrates' courts. The seventh reform objective was to increase convictions rate and enhance the professionalism of prosecuting officers so as to improve the administration of justice.

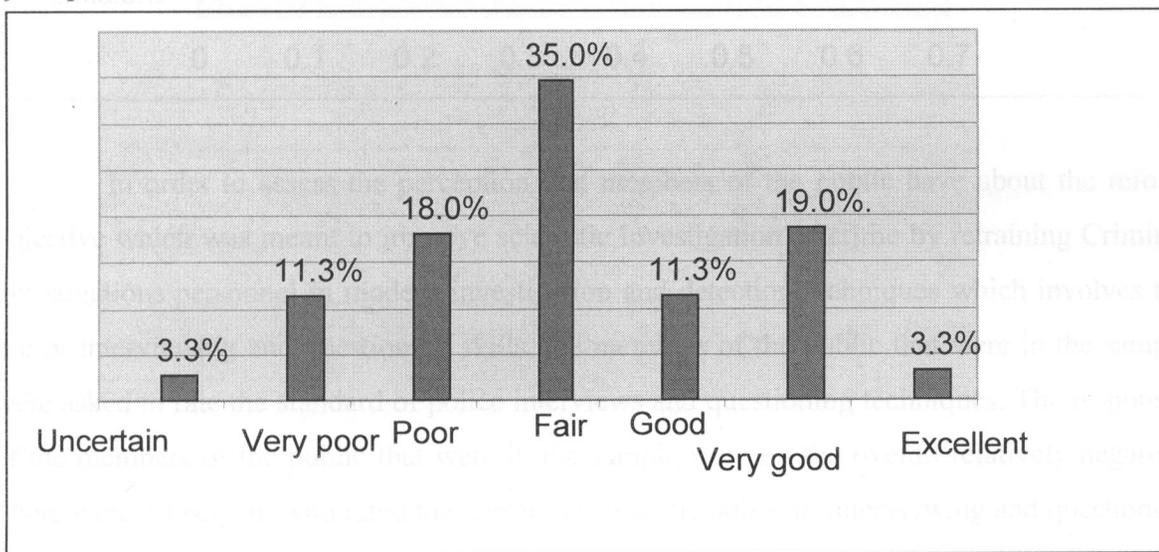
The first reform objective in the area of detection of crime and prosecution of offenders was, to provide specialist training in investigating and detecting of crime and interviewing techniques. This reform objective was partially met through the Basic Criminal Investigation Courses that were organized locally. The second reform objective which was to improve the information gathering from the public by giving publicity to specific major crimes called crime stoppers was not met due to lack of funding and guidelines (Interview with Director of the Criminal Investigations Department at Police Service Headquarters, 30th June, 2006). The third reform objective was to improve scientific investigation of crime by re-training of Criminal Investigation Department Officers in modern investigation techniques. According to the review report of the Zambia Police Strategic Development Plan of 2000, this objective was equally not met due to lack of funding. The fourth reform objective that was to launch research projects on investigations of organized crime was partially met through the collection of basic crime statistics during the period under review. The fifth reform objective was to address the backlog in courts by embarking on a joint Police/Judiciary project and to prosecute the outstanding cases so as to reduce congestion and backlog. Information from the Zambia Police Service Prosecutions Officer indicates that the fifth reform objective was not met, but consultations were ongoing about the possibility of decentralization of the Prosecutions Wing of the Zambia Police Stations. The sixth reform was to train more prosecutors to equal the number of existing Magistrates' courts. This reform objective was met as an on-going process. The rank structure of the Prosecutors was changed to make Sub-Inspector as the lowest rank for prosecutors. At the same time a policy was introduced for prosecutors to wear suits as official dress in court in order to enhance professionalism. The seventh reform objective was to increase convictions rate and enhance the professionalism of prosecuting officers so as to improve the administration of justice. This reform objective was met as in the sixth objective above (Interview with the Service Prosecutions Officer, 14th July, 2006)

In view of all the seven reform objectives which were aimed at crime reduction and improving crime investigations, members of the public that were in the sample were asked to give their assessment of police performance in this area. Their responses were relatively positive. A total of 34.7 percent rated the performance of the police in crime reduction and investigations as fair. There were 33.3 percent members of the public whose rating ranged from good to excellent as indicated in the chart, while 29.3 percent rated the police performance as

either poor or very poor. Some members of the public who rated the police performance as fair said that, the crime rate in Zambia was moderate compared to other countries, for example, South Africa, which has been said to have the highest murder rate in the World (BBC.com-Achieve, 2007). Other members of the public who argued that crime was high said that police did not conduct any substantial patrols because of poor police logistics, such as the number of police vehicles allocated to each police station for use in police operations. The police service has not been able to acquire the required number of police vehicles that are supposed to be allocated to each police station due to inadequate funding. (Interview with Chief Mechanical Superintendent of the Zambia Police Service 26th February 2006)

Chart 5

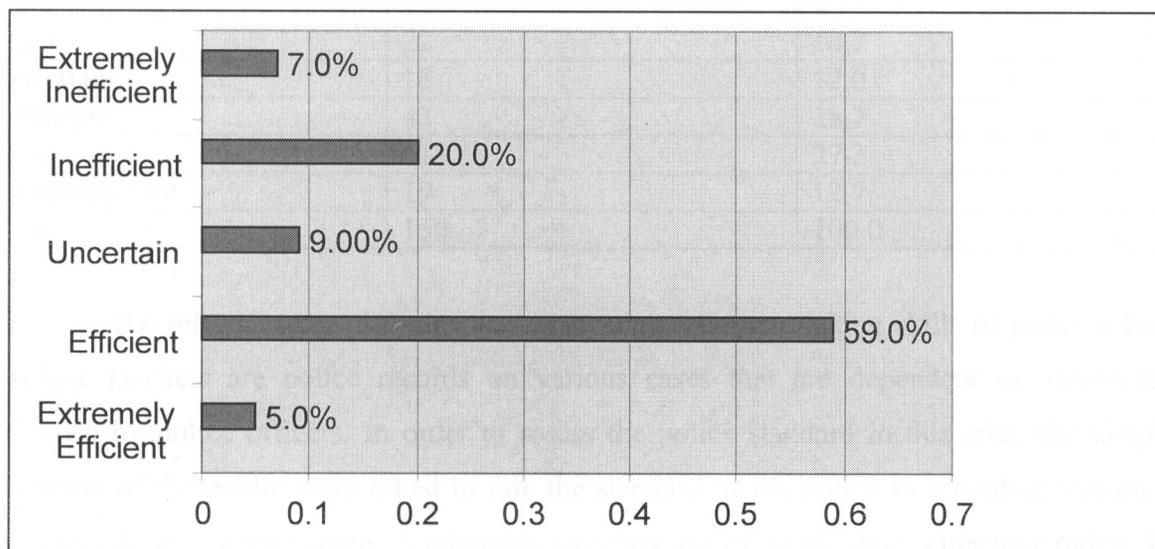
Rating of the standard of crime reduction and investigations in Lusaka and Kafue by members of the public since 1995



The police officers interviewed on crime reduction and investigations rated themselves as being efficient in crime reduction and investigations. The police officers that were in the sample were on the overall relatively positive. A total of 64 percent gave a rating that ranged from efficient to extremely efficient. There were 15 percent who rated the police performance of the police in crime reduction and investigations as inefficient or extremely inefficient. Information from the Central Province Division Commanding Officer indicate that, Police officers rated themselves as efficient because they worked in conditions in which they faced logistical constraints and yet they still managed to arrest suspects and take them to court.

Chart 6

Rating of the performance of the Zambia Police Service in Crime Reduction and Investigations by Police Officers since 1995.



In order to assess the perception that members of the public have about the reform objective which was meant to improve scientific investigation of crime by retraining Criminal investigations personnel in modern investigation and detection techniques which involves the use of interviewing and questioning skills, the members of the public that were in the sample were asked to rate the standard of police interviews and questioning techniques. The responses of the members of the public that were in the sample were on the overall relatively negative. There were 40 percent who rated the performance of the police in interviewing and questioning techniques as either low or extremely low. A total of 19.3 percent gave a rating that ranged from high to extremely high standard as indicated in the table, while, over 28.7 percent rated the performance of the police as moderate.

Table 4

Rating of the performance of the police in interviewing and questioning techniques since 1995 by members of the public

Response	Frequency	Percent
Extremely high	7	4.7
High	22	14.7
Uncertain	18	12.0
Moderate	43	28.7
Low	41	27.3
Extremely low	19	12.7
Total	150	100.0

The reforms were also aimed at improving statement-taking skills of police officers because Dockets are police records on various cases that are dependent on information recorded by police officers. In order to assess the police standard in this area, the sampled members of the public were asked to rate the standard of the police in recording statements promptly during investigations. A relatively large number of people gave a negative rating. The members of the public who said that, the police do not either take statements at all, those also include for police officers that do not take statements promptly during investigations amounted to 46.7 percent. Some of the members of the Public in the sample said that the police lack stationery, transport and that some police officers lack statement taking skills. Sometimes they force suspects to give false statements that are obtained under duress. At other times, a suspect can be kept for a week without a statement being recorded. Only a total of 16.0 percent said that the police record statements promptly.

Table 5

Rating of the performance of the police in statement taking since 1995 by members of the public

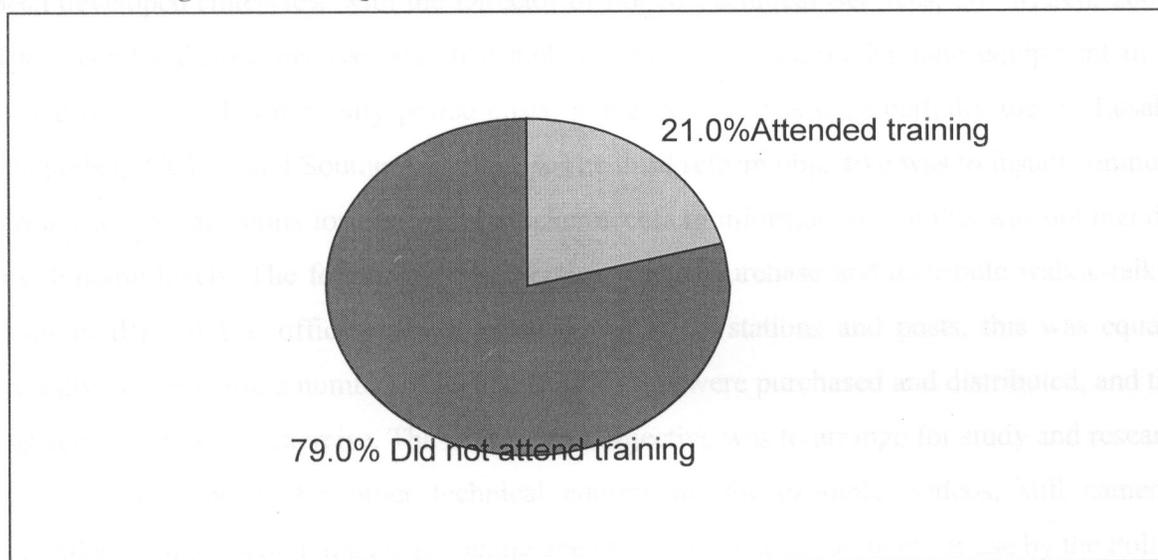
Responses	Frequency	Percent
Absolutely promptly	6	4.0
Promptly	24	16.0
Uncertain	50	33.3
Not prompt	64	42.7
Never	6	4.0
Total	150	100.0

The reform objective of improving interviewing, questioning and statement taking skills of police officers was to retrain criminal investigations officers in scientific investigations of crime involving modern investigations techniques. However, only 21 out of 100 police

officers interviewed indicated that they had attended retraining courses. The remainder of the police officers interviewed out of the sample of 100 indicated that they had not attended any retraining in scientific investigations of crime involving modern investigations techniques since 1995. This factor may explain why police officers were rated as having relatively average to negative skills in interviewing, questioning and statement taking skills, because the majority of the police officers interviewed had not attended any retraining courses.

Chart 5

Numbers of Police Officers who attended training in scientific investigations of crime involving modern investigations techniques since 1995.



Provision of radio and telephone communication services

Prior to the 1995 Police Reforms, there existed inadequate radio contact between police stations and officers on foot patrol. There was an absence of direct radio communication at some stations as well as unreliable and inadequate telephone communication network. As result of these operational problems, the reform objective was to install effective and efficient telecommunication network to link all Police formations for quick relay of information. There were five reform objectives in the provision of radio and telephone communication services and computerized management of information system. The first reform objective was to develop an information technology strategy linked to policing strategy as outlined in the strategic development plan of 1995 to 2000. The second reform objective was to install modern police radio/telephone equipment in all police stations and community police posts. The third

reform objective was to install computer terminals in all divisions for easier and quicker access to information. The fourth reform objective was to purchase and distribute walkie-talkies (hand-held radios) to officers doing patrol duties in all stations and posts. The fifth reform objective was to arrange for study and research in the Service needs for other technical equipment, for example, videos, still cameras, surveillance equipment, baggage screening and other technical equipment for use by the Police.

The first reform objective that was to develop an information technology strategy linked to policing strategy was not met because no policing strategy outlined in the plan has been developed (Interview with the Director of Police Technical Services, 20th March, 2006). The second reform objective was to install modern police radio/telephone equipment in all police stations and community police posts; however, this was only partially met in Lusaka, Copperbelt, Central and Southern Divisions. The third reform objective was to install computer terminals in all divisions for easier and quicker access to information, but this was not met due low funding levels. The fourth reform objective was to purchase and distribute walkie-talkies (hand-held radios) to officers doing patrol duties in all stations and posts, this was equally partially met, because a number of handheld radio sets were purchased and distributed, and this has been an on-going exercise. The fifth reform objective was to arrange for study and research in the Service needs for other technical equipment, for example, videos, still cameras, surveillance equipment, baggage screening and other technical equipment for use by the Police, this study was made, but it equally suffered from low funding levels (Interview with the Director of Police Technical Services, 17th June, 2006)

Since the second reform objective was to install modern police radio/telephone equipment in all police stations to enable police officers to maintain a 24 hour response in attending to public complaints, members of the public that were in the sample were asked to rate the police performance in maintenance of 24 hour response service. The rating of provision of radio and telephone communication services which can enable the police maintain a 24 hour response service to members of the public was on the overall relatively positive. A total majority of 55.3 percent gave a rating that shows that the police sometimes maintain a 24 hour response service as indicated in the table. There were 22 percent members of the public in the sample who rated the performance of the police in the maintenance of 24 hour response service that ranged from the police often and always provide this service, while only 10.7 percent rated

the performance of the police in maintaining a 24 hour response service as a function which is not performed at all. The majority of the members of the public in the sample said that maintenance of a 24-hour response service is very important police function because police services are needed at any time of the day due to the fact that this service is an essential service in any society. Some of the members of the public said that the demand for this type of police service is what has led to the establishment of Police Toll Free Emergence Lines, 991, and 911.

Table 6

Rating of the performance of the police in maintaining a 24 hour response service since 1995 by the public

Response	Frequency	Percent
Always	17	11.3
Often	16	10.7
Uncertain	18	12.0
Sometimes	83	55.3
Never	16	10.7
Total	150	100.0

The current position of the police service in the provision of communication services is such that an information technology strategy linked to policing has not been developed and the installation of modern police radio/telephone equipment in all police stations and posts was only partially met in Lusaka, Copperbelt, Central and Southern police divisions. Hand held radios were purchased and distributed in some police stations and posts, however, a number of police stations and posts do not still have this facility (Interview with Director of Police Technical Services, 20th June, 2006)

Further members of the public in the sample were asked as to whether the police have improved in responding to phone calls sent by the public. The members of the public that were in the sample were on the overall relatively negative. There were 60.6 percent who rated the performance of the police response in answering emergency phone calls as either slow or extremely slow. A total of 26 percent gave a rating that ranged from fast to extremely fast as indicated table 7.

Table 7

Rating of the performance of the police in answering phone calls from members of the public by members of the public..

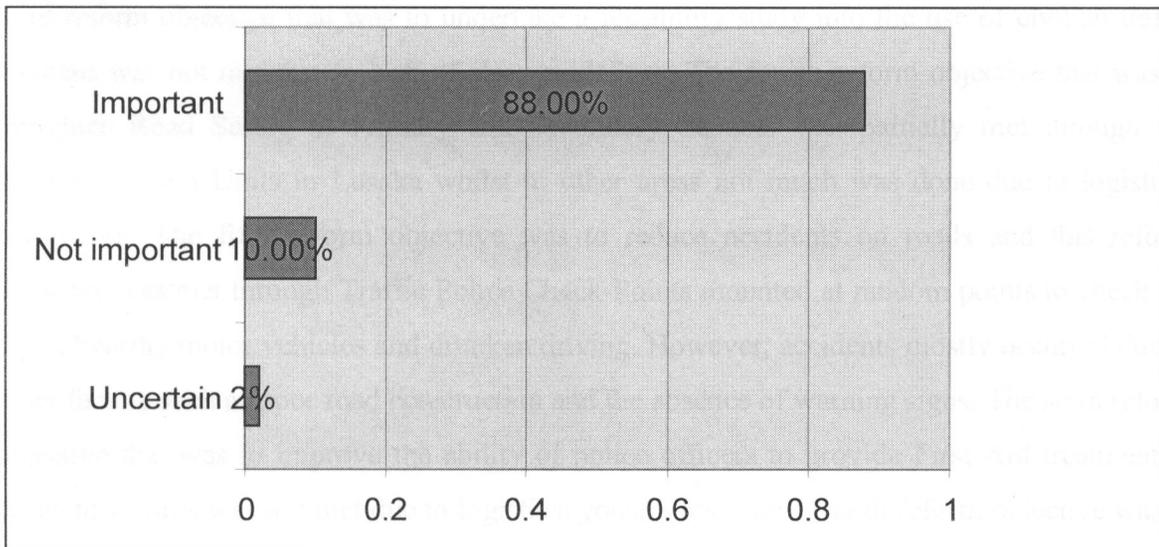
Responses	Frequency	Percent
Extremely fast	14	9.3
Fast	25	16.7
Uncertain	20	13.3
Slow	47	31.3
Extremely slow	44	29.3
Total	150	100.0

However, some of the police officers that were in the sample and key informants interviewed said that response to crime reports would meet public expectations if most police operations requiring use of electronic equipment were computerized. The police officers said this will lead to quick access to information for police operations and data collection will be accurate. These police officers said that this development would lead to easy information exchange on crime, because officers will be able to communicate even when they are in different locations. Radios will lead to easy communication between officers on patrol and the main station, because it will be easier to inform the main station of any crime in any beat area of patrol. Further, some of the police officers that were in the sample said that there was need to constantly update computerization of police radio/telephone equipment in order to keep abreast with latest technological developments in policing. The Chart below shows that the majority, 88 percent of the police officers interviewed said that, computerization of police functions will sustain efficiency in responding to reports relayed by members of the public through radio and telephone facilities. A total number of 10 percent said that installation of computers and the provision of modern police radio and telephone equipment may lead to efficiency in answering phone calls sent by members of the public. On their part police officers said the speed of answering phone calls from members of the public needing police services is important because the police need to act on this information since they cannot be at every scene of crime without receiving the information of the locality of where a crime is being committed.



Chart 7

Responses of police officers on the importance of installing computers, provision of modern police equipment and telephone equipment.



Traffic Management

According to the Police Strategic Plan of 1995-2000, there were seven reform objectives in the area of Traffic Management. The first reform objective was to develop a Traffic Strategy that will bring up to date traffic law enforcement in the country. The second reform objective was to provide training to traffic officers that will result in courteous and firm law enforcement. The third reform objective was to undertake a feasibility study into the use of civilian traffic wardens. The fourth reform objective was to introduce Road Safety in Primary and Secondary Schools. The fifth reform objective was to reduce accidents on roads. The sixth reform objective was to improve the ability of police officers to provide First Aid treatment to accident victims. The seventh reform objective was to improve on the traffic police response speed, efficiency and increase mobility of traffic teams.

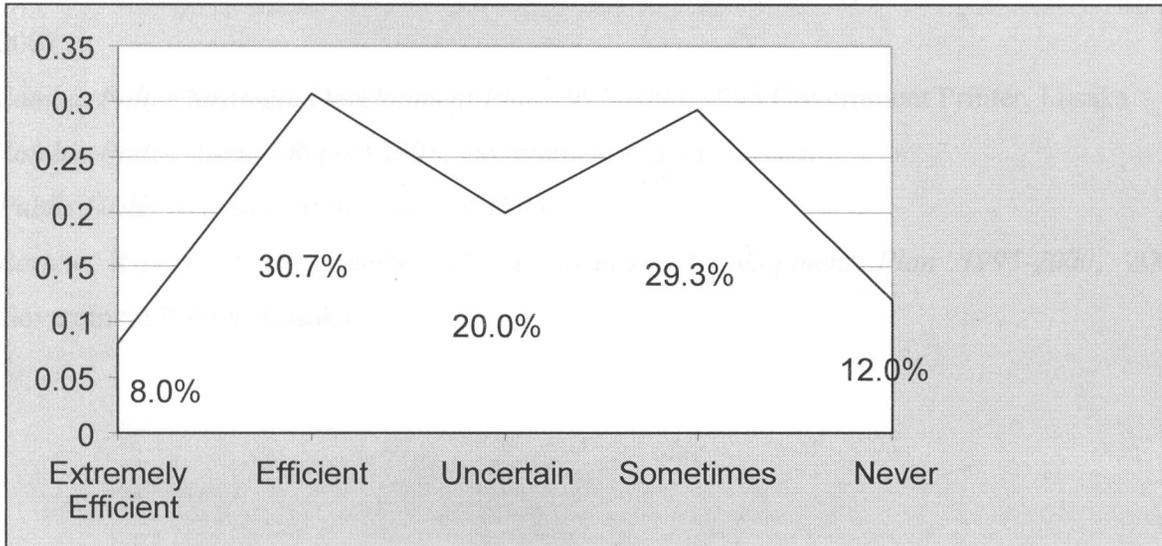
Information from the Head of the Zambia Police Service Traffic department indicates that, the first reform objective which was to develop a Traffic Strategy that will bring up to date traffic law enforcement in the country, was not met because no Traffic Strategy has been developed up to 2006. However, the traffic section was expanded by the recruitment of more officers into the department and speed readers were also introduced. The second reform objective which was to provide training to traffic officers that will result in friendly, courteous

and firm law enforcement was met through the basic traffic courses conducted at Police College and Road Safety Courses through the National Road Safety Programme. Further information from the Head of the Zambia Police Service Traffic department indicates that, the third reform objective that was to undertake a feasibility study into the use of civilian traffic wardens was not met due to lack of clear guidelines. The fourth reform objective that was to introduce Road Safety in Primary and Secondary Schools was partially met through the Schools Liaison Units in Lusaka whilst in other areas not much was done due to logistical constraints. The fifth reform objective was to reduce accidents on roads and this reform objective was met through Traffic Police Check-Points mounted at random points to check for unroadworthy motor vehicles and drunken driving. However, accidents mostly occurred due to other factors such as poor road construction and the absence of warning signs. The sixth reform objective that was to improve the ability of police officers to provide First Aid treatment to accident victims was not met due to logistical constraints. The seventh reform objective was to improve on the traffic police response speed; efficiency and increase mobility of traffic teams was met only in Lusaka where a few motor vehicles were acquired for this purpose.

As a result of the first reform objective, members of the public in the sample were asked to rate the police performance in police traffic response speed to traffic incident reports. The members of the public that were in the sample were on the overall relatively positive. There were 41.3 percent who rated the performance of the traffic police response speed, efficiency and increase in mobility of traffic teams as either functions that are never carried out or only carried out sometimes. A total of 38.7 percent gave a rating that ranged from efficient to extremely efficient as indicated in the table. Some of the reasons given by the 41.3 percent where that the traffic police are just making money for themselves through bribes. The officers concentrate at finding faults on motorists. Information from some key informants interviewed indicate that, between 1995 and 2006 the police have experienced inadequate funding for capital projects and have not been able to acquire the required numbers of motor vehicles for the police service. For example, “in 1995, the estimated budget for the implementation of the Strategic Development Plan was put at K 110 billion. However, Police allocation for the year was only K 14.5 billion, falling far short of the estimated amount. Resource constraints therefore hampered the implementation of the programme.” (Zambia Police Strategic Development Plan 1995-2000:3)

Chart 8

Public rating of traffic police response to traffic incidents



Conclusion

From the a foregoing discussion of responses from Key informants interviewed, the public and police officers and observations of the Review Report of the Zambia Police Strategic Development Plan 1995-2000, police performance in maintenance of peace and public order, has not met the expectations of the citizenry. Despite the fact that, there have been improvements in crime reduction and investigation, it has not relatively reached the expected levels. As far as the detection of crime and prosecution of offenders was concerned, the respondents stated that police interview, statement taking, and questioning techniques need improving through more training programmes. Police Reponses in maintaining a 24 hours response and responses to emergency phone calls has not improved due to lack of computerization of police operations which require the use of information technology. On the question of availability of police officers on duty and police patrols parties' inadequacies still exist. Finally traffic management has also not relatively improved following the increase of motor vehicles on our roads.

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CHAPTER FOUR

IMPACT OF REFORMS ON THE POLICE HUMAN RIGHTS RECORD

Introduction

This chapter focuses on the nature of the reforms that were undertaken by the Zambia Police Service in order to improve its human rights record. The chapter is divided into four parts: the introduction, a discussion of the reforms undertaken in order to introduce the Police Public Complaints Authority, the reforms undertaken to ensure impartial application of the law by police officers, and finally the conclusion.

In the period between 1991 and 1994, as stated in the reform context section of chapter 2, the human rights situation in Zambia prior to the introduction of police reforms was such that cases of human rights violations existed as revealed in the Munyama Human Rights Commission Report of 1995. There was a lack of measures to deal with human rights violators in the police and the police lacked knowledge of constitutional law. There was concern that the police-training syllabus did not accommodate human rights topics and there existed no independent involvement in investigations of complaints against the police. Therefore, the reforms in this area were aimed at ensuring that police officers became knowledgeable of human rights and respect these human rights of the Zambian community. There were four reform objectives in the attempt to uphold human rights by the Police Service. The first reform objective was to ensure that an Independent Police Public Complaints Authority was created which will deal with all matters of a serious nature such as death, torture, ill treatment, unlawful detention and cases involving human rights violations arising from police operations. The second reform objective was to include in the Police Training Syllabi topics on Constitutional Law and Human Rights with immediate effect. The third reform objective was to introduce a policy that a Shift Supervisor of the rank of Sergeant and above should approve all arrests and detentions of offenders. The fourth reform objective was to introduce measures that were going to ensure that proper records on complaints and investigations are kept properly and ensuring that complaints should have a feedback. The police Command realized that human dignity and maintenance of human rights has always been a major human rights concern to the Zambian people. The availability and accessibility of police officers that respect

human rights is crucial in determining the human status of citizens. Other key issues concerning human dignity and maintenance of human rights include fair and equal treatment of all persons and the use of force by police.

Police Public Complaints Authority

The Police Public Complaints Authority was legalized through the Zambia Police (Amendment) Act No. 14 of 1999. Part XA of the Act paragraph 57A states that in this part, unless the context otherwise requires “Authority” means the Police Complaints Authority established under section 57B; “member” means a person appointed member of the Authority under section fifty-seven C; “principal officer” has the meaning assigned to it under the Local Government Act; “Secretary” means the person appointed Secretary of the Authority under section fifty-seven D; and “serious injury” means fracture, damage to an internal organ, impairment of bodily function, a deep cut, a deep laceration or unlawful carnal knowledge. Paragraph 57B states that there is hereby established the Police Public Complaints Authority. Paragraph 57C *subsection one* states that the Authority shall consist of the following part-time members appointed by the Minister of Home Affairs: (a) the Chairperson, (b) the Vice-Chairperson; and (c) three other members. Subsection two states that the Chairperson shall be a person who has held, or is qualified to hold the office of Judge of the High Court. Paragraph 57D states that the Minister of Home Affairs shall appoint a full-time Secretary to the Authority who shall be a serving public officer and shall be (a) responsible for the management and administration of the Authority; and (b) responsible for the implementation of any matters referred to the secretary by the Authority. Paragraph 57G *subsection one* states that the functions of the Authority shall be- (a) to receive all complaints against police actions; (b) to investigate all complaints against police actions which result in serious injury or death of a person; (c) to submit its findings, recommendations and directions to- (i) the Director of Public Prosecutions for consideration of possible criminal prosecution; (ii) the Inspector General for disciplinary action or other administrative action; or (iii) the Anti-Corruption Commission or any other relevant body or Authority. *Subsection two* states that where the Authority directs the Inspector-General, the Anti-Corruption, relevant body, or Authority under *subsection (1)* the Inspector-General, Anti-Corruption Commission, relevant body or authority shall give effect to such directions.

Information in from the Secretary of the Police Public Complaints Authority indicates that, the first reform objective to create an independent Police Public Complaints Authority was met by Government through the Ministry of Home Affairs that is the appointing Authority of the members of the Police Public Complaints Authority. The second reform objective was to include in the police training syllabi topics on constitutional law and human rights and this reform objective was met and the subjects are being taught at Police College, Kamfisa and Paramilitary training schools. The third reform objective was to introduce a policy that all arrests and detentions of offenders to be approved by a shift supervisor of the rank of sergeant and above and this reform objective was met and the custody officers of the rank of sub inspector are in place at police stations in accordance with the Zambia Police (Amendment) Act No. 14 of 1999. The fourth reform objective was to keep proper records on complaints and investigations and ensuring that complaints are given feedback. Equally this reform objective was met and files for complaints are kept at stations and divisions

It must be noted that the Police Public Complaints Authority was established by the Government as indicated in the Strategic Plan and as stipulated in the Zambia Police (Amendment) Act No. 14 of 1999. In assessing the benefits of the Police Public Complaints Authority from its inception, the publics were asked on whether its establishment is beneficial to the citizenry. The members of the public that were in the sample were on the overall relatively positive. A total of 52.0 percent gave a rating that ranged from beneficial to extremely beneficial as indicated in the table, there were 28.0 percent who rated the introduction of the Police Public Complaints Authority as either not beneficial or extremely not beneficial.

According to some of the 52.0 percent members of the public in the sample the Police Public Complaints Authority is providing a service to the public according people's expectations. This assertion is supported by the *Post Newspaper* article of January 5, 2007, which states that the Police Public Complaints Authority (PPCA) received 269 complaints from people in 2006 compared to 380 in 2005. Among the prominent cases the PPCA received were unlawful detentions, death while in custody, torture, un-professionalism and abuse of authority by police officers.

Table 8

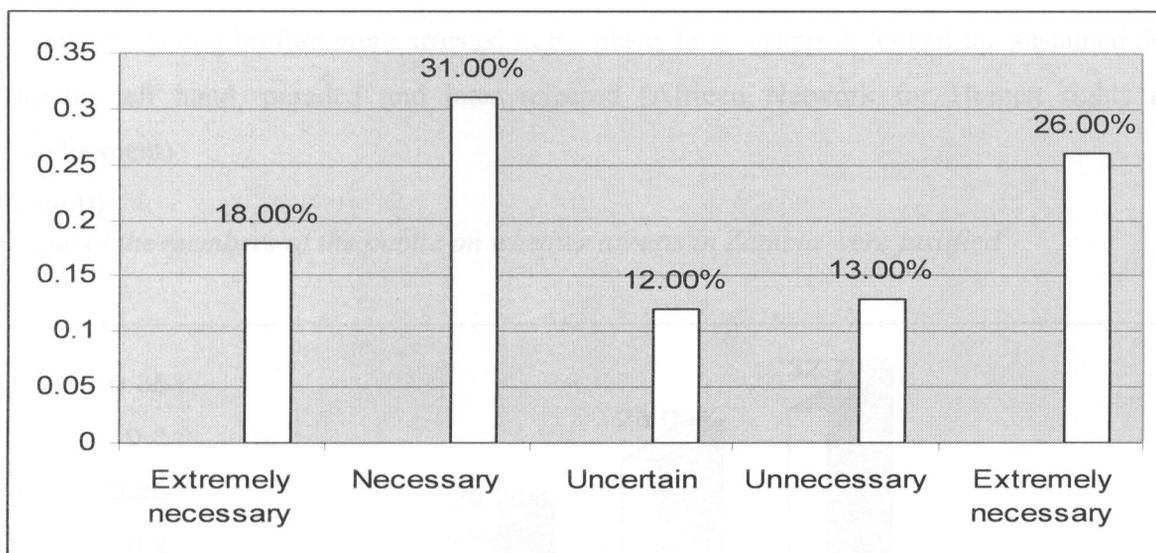
Rating of the members of public on the importance of establishing the Police Public Complaints Authority.

Responses	Frequency	Frequency
Extremely beneficial	37	24.7
Beneficial	41	27.3
Uncertain	30	20.0
Not beneficial	34	22.7
Extremely not beneficial	8	5.3
Total	150	100.0

Police officers that were in the sample were equally asked to rate the necessity of establishing a police public complaints authority. The police officers in the sample were equally on the overall relatively positive. A total of 49.0 percent gave a rating that ranged from necessary to extremely necessary as indicated in the table. There were 39.0 percent who rated the introduction of the Police Public Complaints Authority as either unnecessary or extremely unnecessary. In an article in the *Post Newspaper* of January 5, 2007, the Permanent Secretary in the Ministry of Home Affairs stated that the Police Public Complaints Authority was performing its work to ensure that citizen's human rights are respected. He said as of now that Government was satisfied with the operations of the Police Public Complaints Authority and it was educating people on their rights. The Police Public Complaints Authority and the Police were working in harmony unlike at the inception of the authority when police officers perceived it to be bent on victimizing them. Currently there existed a cordial co-existence between the Police Public Complaints Authority and the police, which shows that police officers are appreciating why the Police Public Complaints Authority was established.

Chart

Rating of the police officers on the importance of establishing the Police Public Complaints Authority.

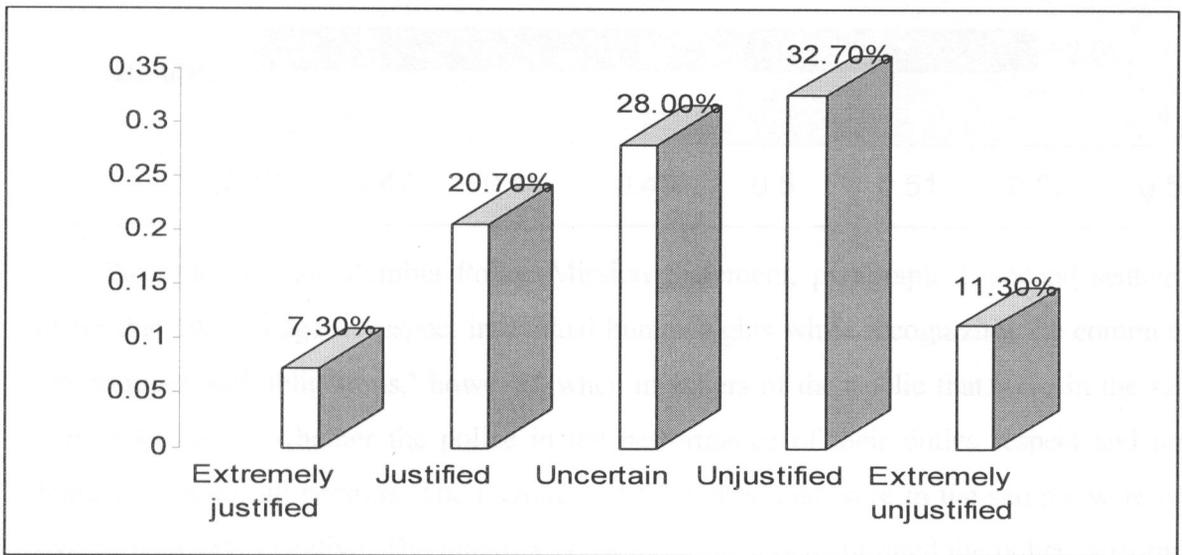


In assessing the extent to which the police were respecting human rights in the country, members of the public that were in the sample were asked as to whether arrests and detentions in Zambia were carried out according to what is stipulated in the law of Zambia. This question was asked to the members of the public that were in sample due the fact that, the third reform objective was to introduce a policy that all arrests and detentions of offenders should be approved by a shift supervisor of the rank of sergeant and above, a reform objective which was actually met. The custody officers of the rank of sub inspector are in place at police stations in accordance with the Zambia Police (Amendment) Act No. 14 of 1999. The members of the public that were in the sample were on the overall relatively negative. There were 44.0 percent who said that arrests in Zambia were often either unjustified or extremely unjustified. A total of 28.0 percent gave a rating that ranged from justified to extremely justified as indicated in the table. Some of the 44.0 percent who rated arrests carried out by the police that they were either unjustified or extremely unjustified said that the introduction of custody officers has not changed the situation significantly. The African Network has documented illustrative cases of unjustified arrests and detentions for Human rights and Development in its dealings with one police station in Lusaka that is Matero Police Station. According to the African Network for Human rights and Development in April 1997, police on suspicion that they committed Murder picked up six youths from a nearby Township. The six suspects gave separate accounts of what

transpired on Saturday April 23, 1997. Two of the accounts are as follows: Ernest Chanda, 23, slapped, beaten, locked up, fainted, taken to hospital, not charged for Murder, six days in cells, but was released without interrogation. The other case involved Patrick Mwitelela, 22. The mother and young brother were arrested in his place, later swapped, locked up, sustained deep sore on left hand, paraded and later released (African Network for Human rights and Development)

Table 10

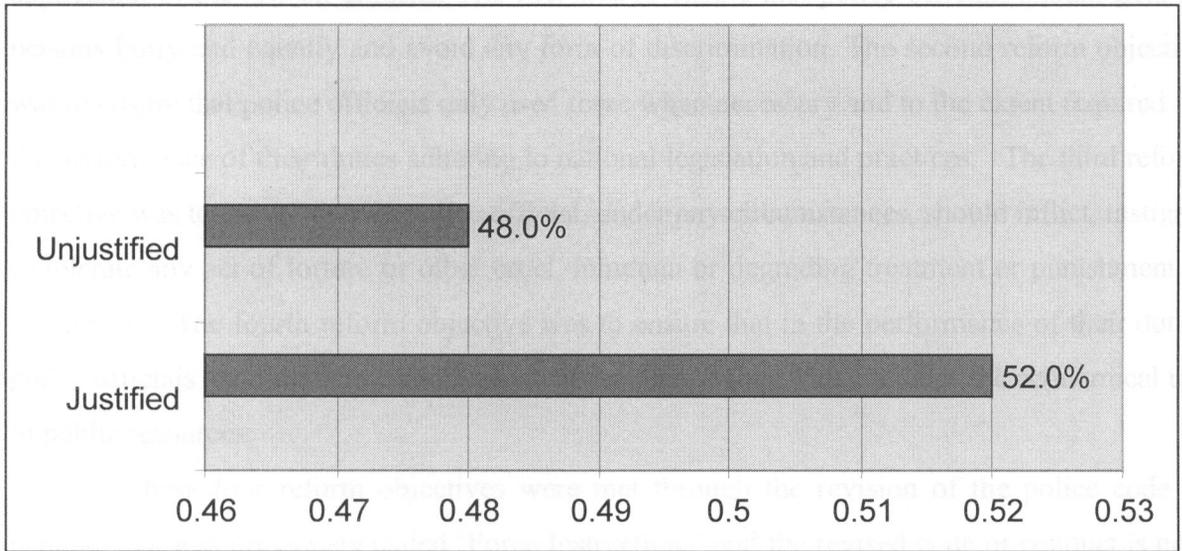
Rating of the members of the public on whether arrests in Zambia were justified



The police officers in the sample were also asked as to whether human rights of suspects have been improved as result of the fact that a shift supervisor of the rank of sergeant and above approves arrests and detentions of suspects. The police officers that were in the sample were on the overall relatively positive. The majority constituting 52.0 percent said that often arrests and detentions in Zambia were justified under the approval of a shift supervisor of the rank of sergeant and above because the majority of police officers are constables who now have no authority to detain suspects and when they apprehend a suspect, the arrest has to be approved by their shift supervisors. However, a total of 48.0 percent said it was not justified that all arrests and detentions of suspects should be approved by their supervisors, because this contradicts their powers of arrest which have been conferred on them by the Zambia Police Act of the laws of Zambia as police officers.

Chart 9

Rating of police officers on whether the approval of arrests and detentions by the shift supervisor has led respect of human rights by reducing unjustified arrests and detentions.



According to the Zambia Police Mission Statement, paragraph 2, second sentence, it states that ‘We pledge to respect individual human rights while recognizing the community’s expectations and obligations,’ however, when members of the public that were in the sample were asked as to whether the police in the performance of their duties respect and protect human rights for all persons. The members of the public that were in the sample were on the overall relatively negative. The majority constituting 72.0 percent rated the police performance in respecting and protection of human rights for all persons as either done only sometimes or never done at all. While only 13.3 percent gave a rating that ranged from often respect and protect human rights for all persons to always respect and protect human rights for all persons as indicated in the table.

Table 11

Rating the police in the performance of their duties respect and protect human dignity and maintain and uphold human rights for all persons.

Responses	Frequency	Percent
Always	9	6.0
Often	29	19.3
Uncertain	17	11.3
Sometimes	81	54.0
Never	14	9.3
Total	150	100.0

Impartial Application of the Law on Citizens

According to the Strategic Plan there were four reform objectives in ensuring impartial application of the law on citizens. The first was to ensure that police officials should treat all persons fairly and equally and avoid any form of discrimination. The second reform objective was to ensure that police officials only used force when necessary and to the extent required for the performance of their duties adhering to national legislation and practices. The third reform objective was to ensure that no police official, under any circumstances, should inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment to any person. The fourth reform objective was to ensure that in the performance of their duties police officials should respect and protect all property rights. This includes the economical use of public resources.

These four reform objectives were met through the revision of the police code of conduct that was previously called 'Force Instructions' and the revised code of conduct is now called 'Service Instructions'. These reform objectives were based on administrative decisions and directives of how police officers were expected perform their duties with regard to respect of human rights of the citizens. For example, according to the service instructions, short batons are issued to police officers to protect them against violent attack and will be used only in extreme cases, or when police are being overpowered, to prevent the escape of a prisoner or to assist the weak or injured. The arms and legs of attackers will be aimed at in the first instance. Another illustrative example concerns the use of police patrol dogs. The service instructions stipulate that patrol dogs will be engaged on crime prevention duties as follows; routine uniformed patrols in areas subject to outbreaks of crime, or in the vicinity of valuable property (e.g. shopping centres, car parks, industrial sites, etc.) where their deterrent value will be greatest and searching for intruders at premises found insecure at night. However, patrol dogs are not suitable for controlling riotous mobs. They are trained for attacking single targets and are to be so used. They will not be detailed to be present at public meetings and assemblies as a matter of routine, nor will they be used as a deterrent in advance of any disturbance. Patrol dogs will not be used for duties other than those for which they are trained. Therefore, in an event where these instructions are not followed, the officer responsible will be disciplined with severity.

The members of the public that were in the sample were asked as to whether police officials treat all persons fairly and equally and avoid any form of discrimination in the performance of their duties. The members of the public that were in the sample were on the overall relatively positive. The majority, 70.0 percent said that the police sometimes treat all persons fairly and equally and avoid any form of discrimination in the performance of their duties. A total of 12.6 percent gave a rating that ranged from often or always as indicated in the table, while only 17.3 percent rated the police officials on the treatment of all persons fairly and equally and avoiding any form of discrimination as a function which police never perform as expected.

Table 12

Rating by members of the public on whether police officials on the treatment of all persons fairly and equally and avoiding any form of discrimination

Response	Frequency	Percent
Always	2	1.3
Often	17	11.3
Uncertain	23	15.3
Sometimes	82	54.7
Never	26	17.3
Total	150	100.0

The second reform objective was to ensure that police officials only used force when necessary and to the extent required for the performance of their duties adhering to national legislation and practices. As a result of this reform objective, the members of the public that were in the sample were asked to rate the performance of the police as far the use of force was concerned in order to assess whether the police had changed as far the use of force was concerned when carrying out their duties. The members of the public that were in the sample were on the overall relatively positive. A total of 52.6 percent said that the police sometimes use force, but in certain cases they never use force. There were 28.6 percent who rated the performance of the police as far the use of force was concerned as either police often or always use unreasonable force against suspects.

Table 13

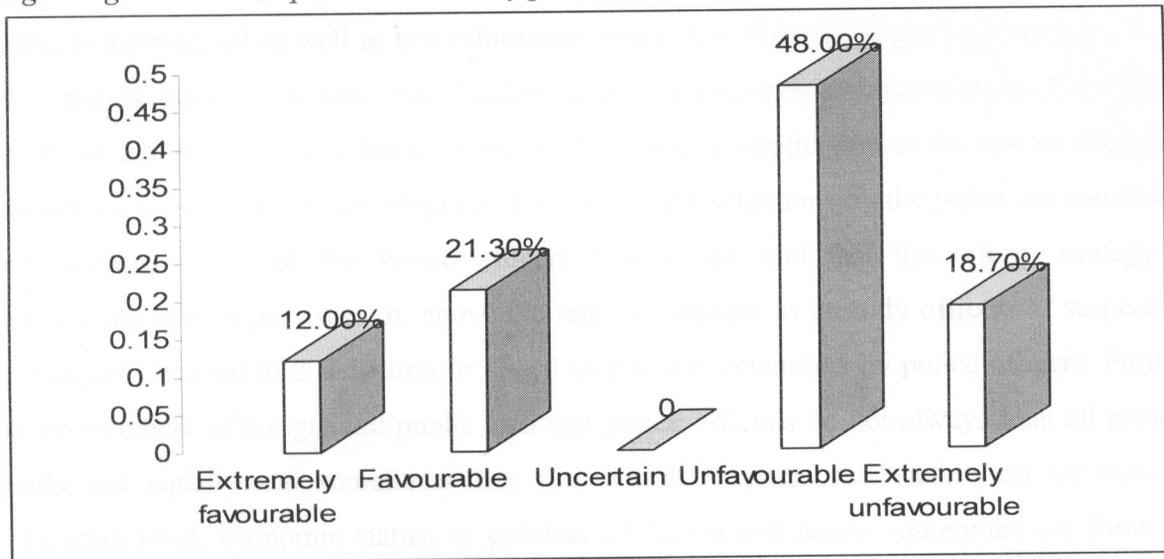
Rating by members of the public on whether police officials' use force when necessary and to the extent required for the performance of their duties adhering to national legislation and practices.

Response	Frequency	Percent
Always	20	13.3
Often	23	15.3
Uncertain	28	18.7
Sometimes	65	43.3
Never	14	9.3
Total	150	100.0

The third reform objective was to ensure that no police official, under any circumstances, should inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment to any person. In its Mission Statement the police had indicated that they were committed and will review their role and were ready to change their approaches to law enforcement methods where necessary in order to facilitate governance in a Multi-party political system, while upholding their professional standards and ethics. The members of the public that were in the sample were asked to rate the police as to whether they have changed their approaches to law enforcement methods as far torture of suspects in police custody was concerned. The members of the public that were in the sample were on the overall relatively unfavourable. There were 66.7 percent members of the public in the sample who said that the police have either unfavourable or extremely unfavourable behaviour as far as infliction, instigation or tolerance of acts of torture or other cruel, inhuman or degrading treatment or punishment. A total of 33.3 percent gave a rating that ranged from favourable to extremely favourable as indicated in the table.

Table 14

Rating by members of the public on whether the police ensure that no police official, under any circumstances, shall inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment to any person.



The fourth reform objective was to ensure that in the performance of their duties police officials would respect and protect all property rights. This includes the economical use of public resources. However, 12 years after the reforms were initiated members of the public in that were in the sample were asked to rate as to whether the police respect property rights of the members of the general public. The members of the public that were in the sample were on the overall relatively positive. A total of 44.7 percent said the police sometimes respect property rights as indicated in the table. There were 26.6 percent who gave a rating of the police performance in respective to property rights as either a function which is often or always carried out, while only 8.0 percent rated the performance of the police in respect of property rights as a function which the police do not perform well at all.

Table 15

Rating by members of the public on whether the police ensure that in the performance of their duties police officials respect and protect all property.

Frequency	Frequency	Percent
Always	17	11.3
Often	23	15.3
Uncertain	31	20.7
Sometimes	67	44.7
Never	12	8.0
Total	150	100.0

Conclusion

From the a foregoing discussion of the assessment of the police performance as far as the respect for human rights of citizens since 1995, most of the members of the public and police officers interviewed as well as key informants agreed that the establishment of a Police Public Complaints Authority was beneficial and necessary in upholding and maintaining of the human rights of the citizens. In addition, as far as the impartial application of the law to citizens is concerned some of the public observed that arrests and detentions by the police are sometimes not justified. Most of the Police officers interviewed said that the reform strategy of introducing shift supervisors of, above the rank of sergeant as custody officers of suspects in police cells has led to a reduction in illegal arrests and detentions by police officers. Further, some members of the general public said that police officials do not always treat all persons fairly and equally and sometimes they discriminate suspects and victims on the basis of education level, economic status, or political affiliation and police sometimes use force not proportionate to the resistance of suspects when carrying an arrest or when they are responding to clashes between various groups. On the question of instigation, infliction and tolerance of acts of torture or other cruel, inhuman or degrading treatment or punishment, the public pointed out that police have not changed according the expectations of the citizens or as required by law, just as they do not always respect property rights despite the introduction of the police reforms in 1995.

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CHAPTER FIVE

COMMUNITY POLICING

Introduction

According to the Zambia Police Strategic Development Plan 1995-2000, there were four reform objectives that were aimed at introducing and implementing the concept of community policing in Zambia. The first reform objective was to encourage citizens to form Neighbourhood Watch Schemes in their respective communities. The second reform objective was to increase the establishment of Police posts in localities of high incidents of crime. The third reform objective was to hold periodic meetings with Provincial and District Administrators, Local Politicians, Businessmen, Chiefs and Church Leaders in order to solve crime related problems as partners. The fourth reform objective was to establish a ranked structure for the Community Services Division that was given the mandate to spear head the police reforms and the concept of community policing.

In order to implement the concept of community policing in Zambia, the Government enacted the Zambia Police (Amendment) Act that outlines the guidelines and powers to be exercised by both the police and members of the public who establish community crime prevention associations. These guidelines and powers were provided for in the Zambia Police (Amendment) Act Number 14 of December 1999. Members of the public in collaboration base part IX of the Act on establishment of community crime prevention methods with the Zambia Police Service. The provisions of this Part IX are provided in paragraphs 48, 49, 50, 51, 52 and 53. *Subsection one* state that in this part “association” means a crime prevention and control association established under *subsection two*. *Subsection two*, states that any community may establish in residential, commercial or industrial area crime prevention and control association to compliment the police in maintenance of law and order. *Subsection three*, states that, an association established under *subsection one* shall be registered under the Societies Act and a copy of the certificate of registration shall be lodged with the officer-in-charge of the police station in the area where the association is to operate. *Subsection four* states that, membership of an association shall be voluntary and open to any person who is normally resident or operates in the area or community where an association is established. *Subsection five* states

that, every association shall perform its functions subject to the direction and control of the officer-in-charge.

Paragraph 49 of this Act state that, the Inspector General may assign a police officer of or above the rank of Inspector to an association. Paragraph 50 states that, the Inspector General may, on request from an association, provide equipment and other requisites to the association necessary for the prevention and control of crime. Paragraph 51 *subsection one*, states that, a member of an association may arrest any person without a warrant who commits a cognizable offence in the presence of that member or the member reasonably suspects of having committed an offence. *Subsection two* states that, where a member of an association arrests a person without a warrant the member shall at the earliest opportunity hand over that person to a police officer, or take the person to the nearest police station or post. Paragraph 52 states that, where a member of an association suffers serious injury or dies during the performance of that member's duties the provisions of *section twelve* of the Police Reserve act shall apply as if that member were a Police Reserve Officer. Finally, paragraph 53 *subsection one* state that there shall be a Victim Support Unit at all police stations and posts to be administered by police officers appointed by the Inspector General of Police. *Subsection two* states that, the functions of the Victim Support Unit shall be to provide professional counseling to victims of crime and to offenders and to protect citizens from various forms of abuse. The last *subsection* states that, Police Officers in the Victim Support Unit may coordinate with the civil society and professional bodies in carrying out their duties (Zambia Police (Amendment) Act Number 14 of December 1999:364). The Act provides; establishment of community crime prevention methods, assignment of police officer to such an association, powers of arrest by association member, compensation according Cap 117 of the laws of Zambia and establishment of Victim Support Unit.

. Brian Tembo's Internet article (Preventing and Combating Crime through Community Participation; issued in "The Zambian" at www.thezambian.com/reports/crime.aspx, 2004) gives a description of the Nyumba Yanga and Woodlands Neighbourhood Watch Association in which he writes about how this Association is preventing and combating crime through community participation. This article is a very helpful illustrative case of community policing in Zambia. As a result of that a summary of the article will be given to show how an Association of this nature illustrates the importance of community policing. Detailed

Summary: Tembo in the article describes the strategy of community policing through introduction of Neighbourhood Watch Associations and or community crime prevention associations. The introduction of Community Policing strategy has also manifested itself through the establishment of Police Posts in several areas to help create Police presence. In the case of the Nyumba Yanga and Woodlands Neighbourhood Association, the residents of Nyumba Yanga and Woodlands Extension residential areas in Lusaka, have formed a neighbourhood watch association. This Association was registered in order to make it a legal entity as required by the Zambia Police Amendment Act Number. 14 of December 1999. The Association was formed to curb the crime that had affected these two neighbourhoods in terms of house break-ins, motor vehicle thefts and various forms of assault.

In the article Tembo states that, since the establishment of the Association, there has been a noted reduction in the number of cases recorded in the Nyumba Yanga Police Post daily occurrence book to about two per month. The members this association volunteers for night *patrols with the police and conduct these night patrols with their own cars and fuel costs are met by the Neighbourhood Watch Association and/or residents. A phone line has also been installed at the Police Post (+260-1-262996) to enhance communication and crime reporting. With the phone line, residents can call the Post directly and the officers there can radio their men on patrol within the neighbourhood promptly.*

He also notes that the members of the Nyumba Yanga and Woodlands Neighbourhood Association are aware of the fact that security transcends several boundaries and does not only involve the direct combating of crime. It also entails concern for establishment of community amenities such as security for the children through the provision of safe play areas. Further indicating that the Nyumba Yanga and Woodlands Neighbourhood Association and the residents have embarked on a street naming exercise where respective households in streets raise money amongst themselves to pay towards the erection of street signs. The example of the Nyumba Yanga Neighbourhood Association illustrates how a Community Policing arrangement may assist the police to prevent crime in society.

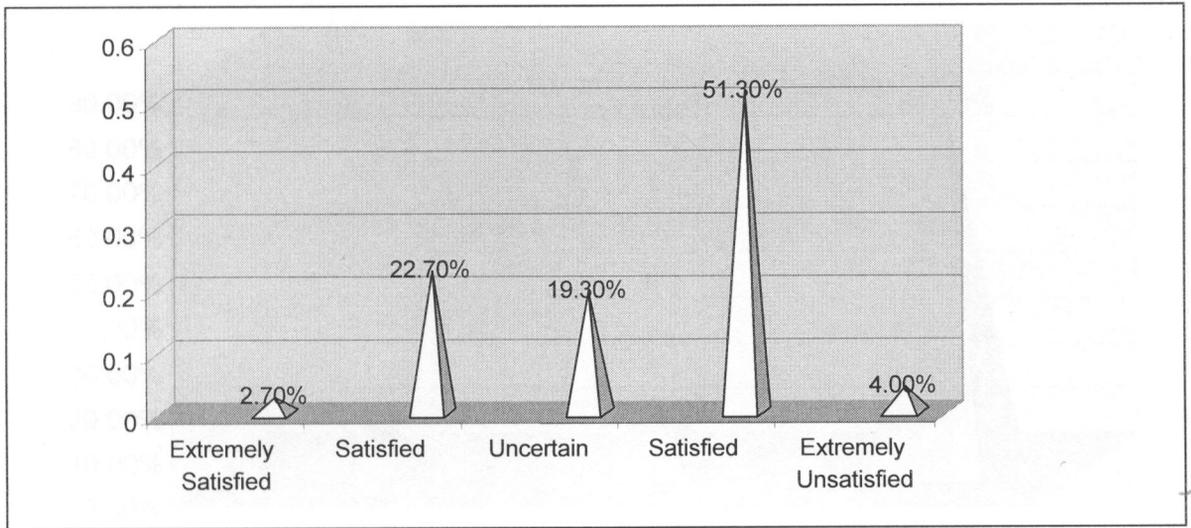
Following the introduction of the concept of community policing in Zambia, information from the Police Community Policing Schemes Supervisor based at Police Service Headquarters indicates that, the first reform objective which was to encourage citizens to form Neighbourhood Watch Schemes in their respective communities was met successfully and a

number of these associations has been formed as in the Nyumba Yanga example mentioned above. However, registration fees for these associations are considered high especially for rural members. There is also no uniform identification for members, for example, identity cards. The second reform objective that was to increase the establishment of Police posts in localities of high incidents of crime was partially met especially in Lusaka whilst very few police posts have been set up elsewhere. The third reform objective was to hold periodic meetings with Provincial and District Administrators, Local Politicians, Businessmen, Chiefs and Church Leaders in order to prevent crime as partners. This reform objective was started and has been done through the implementation of community policing concept. The fourth reform objective was to establish a ranked structure for the Community Services Division that was given the mandate to spear head the police reforms. This reform objective was included in the organization structure of the Zambia Police Service that was submitted to Cabinet Office for approval. However, full implementation of the new community services division has proved problematic due both financial and human resource constraints.

However, when the members of the public that were in the sample were asked as to whether they were satisfied with the number of community crime prevention and neighbourhood watch associations in their localities, they were on the overall relatively negative. There were a total of 55.4 percent members of the public that were in the sample who rated the performance of the police in ensuring that community crime prevention and neighbourhood watch associations were established as either not satisfied or extremely not satisfied. A total of 24.4 percent gave a rating that ranged from satisfied to extremely satisfied as indicated in the chart, while only 19.3 percent rated the performance of the police as fair. The members of the public in that were in the sample said that not enough community participation was taking place and no such meetings were taking place regularly, and most times they do not just take place.

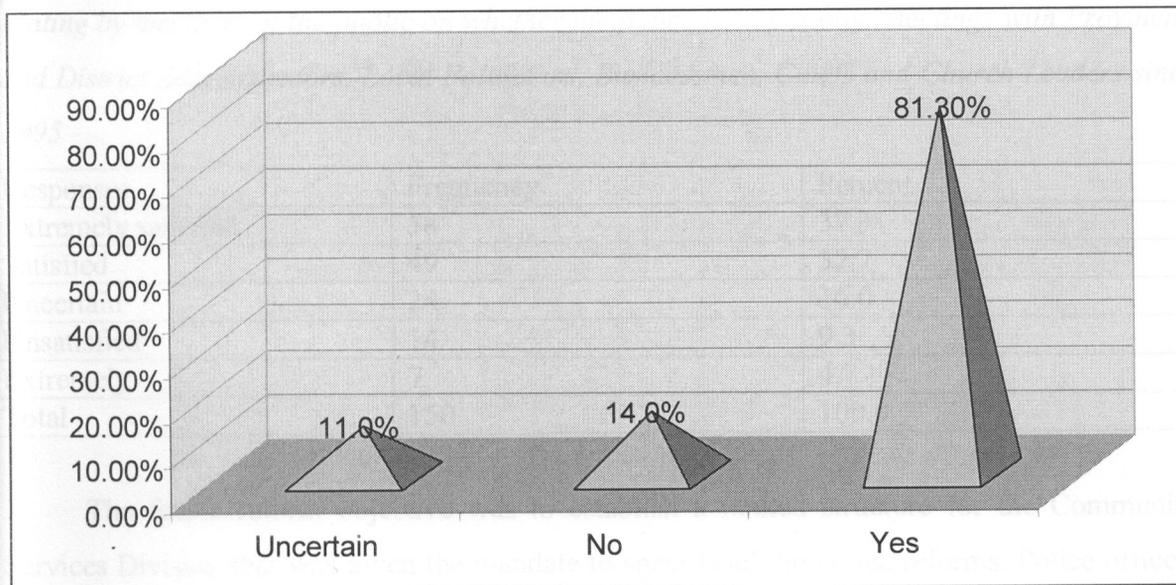
Chart 10

Rating of the police performance in ensuring that community crime prevention and neighbourhood watch associations are established.



The second reform objective was to increase the establishment of Police posts in localities where gazetted police stations were not available in order to reduce the crime rate in these communities. In order to assess as to whether this reform objective was achieved during the period under review, the members of the public that were in the sample were asked to rate police performance in establishing police posts in their various localities. Out of the 150 members of the public that were in the sample, 81.3 percent said that they had access to a police post in their locality. Only 14.0 percent said that they still did not have access to a police post. One hundred and twenty two (122) members of the public in the sample acknowledged that they had access to a police post in their particular localities. The majority of the members of the public that were in the sample said that the police have succeeded in establishing police posts in most of the localities where police services were needed by citizens, although, this should be an on going exercise as more residential, commercial and industrial areas are established.

Rating by the public of police performance in establishing police posts in localities with high criminality levels since 1995.



The third reform objective was to hold periodic meetings with Provincial and District Administrators, Local Politicians, Businessmen, Chiefs and Church Leaders as partners in crime prevention. When the members of the public that were in the sample were asked as whether periodic meetings by the police with provincial and district administrators, local politicians, businessmen, chiefs and church leaders are held regularly by the police. The members of the public in the sample were on the overall relatively positive. A majority of 70.0 percent gave a rating that ranged from satisfied to extremely satisfied as indicated in the table. A total of 16.0 percent rated the performance of the police as fair, while only 14.0 percent rated the performance of the police in insuring that periodic meetings by the police with provincial and district administrators, local politicians, businessmen, chiefs and church leaders' as either not satisfied or extremely not satisfied. Some of the members of the public that were in the sample, said that these meetings discourage criminals from residing in the localities where such meetings are held regularly. They said that this is so because criminals come to realize that members of such communities are organized and can know about their activities and they leave the area for fear of being reported to the police. They said that meetings enable the police to discuss the crime rate and it helps the police and the public to find solutions on how to fight

crime in these neighbourhoods. The police will get views and ideas from these community leaders on crime situations in these communities.

Table 16

Rating by members of the public on whether the police hold periodic meetings with Provincial and District Administrators, Local Politicians, Businessmen, Chiefs and Church Leaders since 1995

Responses	Frequency	Percent
Extremely satisfied	58	37.3
Satisfied	49	32.7
Uncertain	24	16.0
Unsatisfied	14	9.3
Extremely	7	4.7
Total	150	100.0

The fourth reform objective was to establish a ranked structure for the Community Services Division that was given the mandate to spear head the police reforms. Police officers were asked on whether they considered the establishment of a ranked structure for community service division was beneficial to the delivery of quality services to members of the general public and the prevention of crime, and protection of life and property. The police officers that were in the sample were on the overall relatively positive. A majority of 77.0 percent gave a rating that ranged from beneficial to extremely beneficial as indicated in the table. A total of 12.0 percent said they were not certain if the establishment of a ranked structure for community service division is beneficial to the delivery of quality services to members of the general public and the prevention of crime, and protection of life and property. While only 11 percent of the total number of police officer that were in the sample said that establishment of a ranked structure for community service division is either not beneficial or extremely not beneficial.

Table 17

Rating by police officers on whether the establishment of a ranked structure for community service division is beneficial to the delivery of quality services.

Responses	Frequency	Percent
Extremely beneficial	39	39
Beneficial	38	30.0
Uncertain	12	12.0
Not beneficial	8	8.0
Extremely not beneficial	3	3.0
Total	100	100.0

Conclusion

From the afore going discussion, it may be noted that, implementing the new initiative of community policing has required a total shift from conventional policing philosophy and Politicization which had led to incompetence, lack of accountability in the police organization resulting in its failure to manage crime adequately. This is so because criminals live in the community. Community Policing aims to establish an active and equal partnership between the police and the public through which crime and community safety issues can jointly be determined and solutions designed and implemented. Community policing is a philosophy that guides police management styles and operational strategies. It emphasizes the establishment of police-community partnerships and a problem solving approach responsive to the needs of the community. It is generally based on the assumption that the objectives of any Police organization, namely the prevention, combating and investigation of crime; the maintenance of public order; the provision of protection and security to the inhabitants of a nation and their property, upholding and enforcing the law, can only be achieved through the collaborative effort of the Police, government institutions, organizations and structures of civil society, and individual citizens. A major objective of community policing is to establish an active partnership between the Police and the community through which crime, service delivery and police-community relations can jointly be analyzed and appropriate solutions designed and implemented. This, however, requires that the Police should consciously strive to create an atmosphere in which potential community partners are willing and able to co-operate with the police.

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CHAPTER SIX

CONCLUSION

This chapter attempted to assess whether in fact the study objectives were met. The statement of the problem was that the Zambia Police's five-year strategic development plan-1995-2000 was a product of the police reform programme. The police reform programme was developed and aimed at casting aside the service's previous military and political outlooks and transform the police into a public institution accountable to the law and the community it serves and transform from a 'force' to a 'service'. The reforms were intended to convert the police into an effective and efficient Law Enforcement, Order Maintenance and Crime Prevention Agency and the Reform programme was heralded as ambitious and pragmatic. However, twelve years after the Police Reforms were introduced, poor service delivery and the negative human rights record of the police force still persists. In this regard the study sought to examine the factors that might explain why the Reform objectives of the Police Reform Programme were not achieved. There were four specific study objectives. The first specific study objective was to identify and examine the Policing Policies from 1964 to 2005. The second specific study objective was examined the strategies and programmes of the Police Reforms. The third specific study objective was to examine the extent of the impact of these reforms on police performance and human rights record of the Police Force. The fourth specific study objective was to identify the specific obstacles faced by the reform programme.

The study has shown the following key findings as the factors that generally explain why the Reform objectives of the Police Reform Programme were not achieved. Firstly, the strategic development plan did not explicitly identify the relevant wings, offices or officers to implement reforms. It was found that the steering committee that was appointed by the police high command did not monitor the implementation schedule and therefore, there was no periodical review to evaluate successes of implementation programme from 1995-2000, and 2001-2006. Secondly, the strategic development plan was not widely marketed down the line to reach a cross section of police officers and other supportive co-operating partners in crime prevention, hence affecting implementation of the reforms. In addition, some strategic intentions appeared in the preamble but were not reflected in the main document where details of their implementation were supposed to be shown, vis-à-vis restructuring of police

organization, and training and rank hierarchy. Thirdly, in 1995, the estimated budget for the implementation of the strategic development plan was at K 110 billion. However, police allocation for the year was only K 14.5 billion, falling far short of the estimated amount. Resource constraints therefore also hampered the implementation of the reforms. Lastly but not the least, the implementation programme lacked priority from the Office of the Inspector General of Police in terms of resource allocation.

As mentioned earlier, there were also four specific study objectives. The first was to identify and examine the Policing Policies from 1964 to 2005. The study identified and examined the following key findings; in the First Republic the Police Force was faced with three problems. There were administrative, operational problems and its militaristic role of responding to Clashes between opposing groups in the country after 1964. The administrative problems arose from the need to replace white expatriate police officers with African police officers, which required replacing the departing expatriate police officers with Africans with managerial skills. The operational problems arose from the ongoing Liberation struggles in neighbouring countries which required constant patrol of Zambia's borders, which meant that a Police Unit trained in border patrols duties, was required after Independence. The third problem was its militaristic characteristics inherited from the Colonialism. This can be inferred from the clashes to which the police responded and were involved in after independence. This was compounded by establishment of a Police Para-Military Unit in 1966, which acted as a strike force against disturbed areas and following the successful establishment of the Police Para-Military Unit in 1966, and due to the crime rise, operations of Para-military officers were extended to duties which had nothing to do with border patrols. They were now being deployed to do foot patrol duties in townships while armed with conventional or military firearms leading to alleged violation of human rights when carrying out an apprehension or arresting suspects. There also emerged a new crime wave in Zambia that involved armed robberies and there was need to respond to this new threat. In an attempt to control the new wave of violent crime, the police established a special armed investigations task force code named the flying squad in 1969. However, the manner in which the Flying Squad engaged suspected bandits who were conducted through running gun battles brought concerns in the manner police were operating.

In the second Republic the study highlights the following findings; the change from political pluralism to the single party political system which was ushered with formal introduction of the one party system in December 1972, altered both the out-look and performance of the Zambia Police Force. This led to the relative loss of autonomy of the Police Force and less respect for Police Ethics and it therefore affected police performance created by subordinating the police force to political expedience. This was so because the only political party in the country become supreme above all other institutions in the land. The one party constitution was premised on the principle of party supremacy. From a conceptual point of view, we can argue that a Conflict Perspective can attempt to explain policing under the one party political system. The Conflict Perspective argues that the police are state directed. It may also be argued that some elements of human rights abuses existed in the Second Republic, as the police continued to use force again even in quelling student demonstrations. In addition, the Human Rights Commission chaired by a Lusaka Lawyer Bruce Munyama that was instituted on May 5, 1993 also revealed many cases of human rights abuses in the Second Republic. The nature of police operations have also reflected the spill over of it militaristic role inherited from the colonial period and First Republic into the Second Republic.

In the Third Republic between 1991 and 1994 the study highlights the following findings: the re-introduction of a multiparty political system in 1991, led the government to introduce two changes in the way the government and the political parties related to each other. The first change that the government introduced was de-linking of the party structure from the Government, following the abolishment of the principle of party supremacy. This led to the abolishment of the vigilante policing. The second change was the depolitization of the Zambia Police Force. Thirdly, the Zambia Police Force ethic of neutrality previously inherited from the British colonial Government was restored. The new administration also indicated its commitment to addressing the problems of human rights abuses that were allegedly committed by the police by appointing the earlier cited Munyama Commission. It is against this background that in 1994, the government started to make moves towards reforming the police.

In conclusion, therefore, we are able to establish that this summary in a sense shows from the study objectives that it is clear the police reform programme has not been entirely successful. According to members of the public and the police that were in the samples, there has been a marginal shift in police respect for human rights that is relatively positive. In

addition, the militaristic role of the police seems to have equally spilled over into the reform period. Finally the fourth specific study objective was to identify the specific obstacles faced by the reform programme and the specific obstacles identified include funding, managerial or administrative and operational problems, logistical constraints leading to inadequate recruitments and in-service training, accommodation, motorvehicle, stationery, uniforms, remuneration, fuel, and radios and telephones.

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Zambia Police Reforms Proposal Document, 1994, Government Printer, Lusaka

Zambia Police Strategic Development Plan 1995-2000, 1995 Government Printer, Lusaka

Zambia Police Service, (2001) Strategic Development Plan 2001-2006, Office of the Inspector General of Police, Government Printer, Lusaka.

Zambia Police Service Strategic Development Plan 2003-2007, Management Development Division (MDD)/Office of the Inspector General of Police, (2002).

1. Because of crime on wheels 2. For handling emergency/disaster management operations 3. For long distance operations requiring urgent patrols 4. For crowd patrol purposes 5. Preparation for terrorist patrol operations.

4. Do you consider the preparation of job descriptions in the police force for all roles relevant?

1. Extremely relevant 2. relevant 3. uncertain 4. irrelevant 5. extremely irrelevant.

Give reasons.....

5. Do you think it will contribute to police efficiency if a review is carried out of the organizational structure of the service with a view to delegating decision making to lower levels and the empowerment of the officers at that level?

1. Definitely it will 2. May be 3. Uncertain 4. It will not 5. definitely it will not

Give reasons.....

6. Do you think it will contribute to police efficiency if a review is carried out of the Police Rank Structure with a view to delegating decision making to lower levels and the empowerment of the officers at that level?

1. Definitely it will 2. May be 3. Uncertain 4. It will not 5. definitely it will not

Give reasons.....

Section: 2 Police Efficiency on Core and Support Functions

1. How do you rate the holding of periodic, meetings by the police with provincial and District administrators, local politicians, Businessmen, Chiefs and Church leaders?

1. Extremely relevant 2. Relevant 3. Uncertain 4. Irrelevant 5. Extremely irrelevant

Give reasons.....

2. Does the Zambia Police force abide by the standard of maintaining a 24 hour response service?

1. Always.....2. Often.....3. Uncertain.....4. Sometimes.....5. Never.....

Give reasons.....

3. How do you rate the Zambia police force in traffic police response, speed and efficiency, and increased mobility of traffic teams?

1. Extremely efficient...2. Efficient...3. uncertain...4. inefficient...5. Extremely inefficient

Give reasons.....

4. How do you rate the Zambia police force in the maintenance of peace and public order?

Excellent.....2. Very good.....3. Good.....4. Fair.....5. Poor.....6. Very poor.....

Give reasons.....

5. How do you rate the Zambia police in crime reduction and investigation?

1. Excellent.....2. Very good.....3. Good.....4. Fair.....5. Poor.....6. Very poor.....

Give reasons.....

6. Are vehicle/residential/commercial/personal searches carried out according to legal provisions by the Zambia police?

1. Always.....2. Often.....3. Uncertain.....4. Sometimes.....5. Never.....

Give reasons.....

7. How many times have police officers at road blocks and check Points requested for gifts, money, favours etc from you?

1. 1-5 times 2. 6-10 times 3. 11-15 times 4. 16-20 times 5. 21-26 times

8. How do you classify the standard of questioning witnesses of the Police in Zambia?

1. Extremely very high 2. high... 3. uncertain... 4. moderate... 5. low...6. extremely low

Give reasons.....

9. How do you rate the methods used by the police in controlling loitering of both the Youth and adults, male or female?

1. Extremely brutal.....2. Brutal.....3. Uncertain.....4. Humane.....5. Extremely humane...

Give reasons.....

10. How do you rate the crime situation in general in Zambia?

1. Extremely high.....b. High.....c. Uncertain.....d. Moderate....e. Low...f. extremely low

Give reasons.....

11. Are arrests in Zambia often justified?

1. Extremely justified.....2. justified.....3. uncertain...4. unjustified...5. extremely unjustified...

Give reasons.....

12. Are you satisfied with the number of police officers available for duty in your Area?

Extremely satisfied...2. Satisfied...3. Uncertain...4. Not satisfied...5. Extremely Unsatisfied...

Give reasons.....

13. Are you satisfied with the number of patrol parties seen performing in your area and the police response time to crime reports?

1. Extremely satisfied...2. Satisfied...3. Uncertain...4. Not satisfied... 5. Extremely unsatisfied...

Give reasons.....

14. Do you think the police record statements promptly during investigations?

Absolutely promptly...2. Promptly...3. Uncertain...4. Not prompt...5. Never...

Give reasons.....

15. Are you satisfied with the number of community crime prevention/confidence building and neighborhood watch meetings in your area?

1. Extremely satisfied...2. Satisfied...3. Uncertain...4. Not satisfied... 5. Extremely unsatisfied...

Give reasons.....

16. How do you rate the speed in answering to phone calls by the police?

Extremely fast...2. Fast...3. Uncertain ...4. Slow...5. Extremely slow...

Give reasons.....

17. Are you satisfied with the number of follow up contacts with crime victims?

1. Extremely satisfied...2. Satisfied...3. Uncertain...4. Not satisfied.... 5. Extremely unsatisfied...

Give reasons.....

Section: 2 Respects for Human Rights

1. How often does the police in the performance of their duties, respect and protect human dignity and maintain and uphold all human rights for all persons?

1. Always.....2. Often..... 3. Uncertain.....4. Sometimes.....5. Never.....

Give reasons.....

2. Police officials shall treat all persons fairly and equally and avoid any form of discrimination, how often do you think the police carry out this function properly?

1.Always..... 2. Often.....3. Uncertain.....4. Sometimes..... 5. Never.....

Give reasons.....

3. Police officials may only use force when strictly necessary and to the extent required for the performance of their duties adhering to national legislation and practices. How often does this happen?

1. Always..... 2. Often.....3. Uncertain.....4. Sometimes.....5. Never.....

Give reasons.....

4. No police official, under any circumstances, shall inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment to any person. How do you rate the Zambia police on this factor?

1. Extremely favorable.....2. Uncertain.....3 Unfavorable....4. extremely unfavorable....

Give reasons.....

5. Police officials shall ensure the protection of the health of persons in their custody and in particular, shall take immediate action to Secure medical attention whenever required. How often do the Zambia police carry out this function satisfactory?

1. Extremely satisfactory...2. Satisfactory...3. Uncertain...4. Unsatisfactory... 5. Extremely unsatisfactory...

Give reasons.....

6. All victims of crime shall be treated with compassion and respect. Police officials shall ensure that proper and prompt aid is provided where necessary. Is this function done Properly?

1. Undoubtedly done...2. usually done...3. Uncertain... 4. usually undone...5. Undoubtedly not done...

Give reasons.....

7. Police officials shall respect and uphold the rule of law and inform suspects of their rights before being apprehended or arrested. Is this done?

1. Definitely done.....2.To a large extent.....3.Uncertain.....4.To a lesser Extent 5.Not at all.....

Give reasons.....

8. Police officials shall not commit or attempt to commit any acts of corruption or abuse of power. They shall rigorously oppose and combat all such acts. Does the Zambia Police carry out this rule?

Definitely.....2. To a large extent.....3. Uncertain.....4. To a lesser Extent.....5. Not at all...

Give reasons.....

9. Police officials shall not accept any gift, presents, subscription, favours, gratuities or Promises that could be interpreted as seeking to cause the police officials to refrain from

performing official responsibilities honestly and within the law. How do you rate the police on this score?

1. Always.....2. Often.....3. Uncertain.....4. Sometimes.....5. Never.....

10. Police officials shall ensure that they treat all persons in a courteous manner and that their conduct is exemplary and consistent with the demands of the profession and the public they serve. Is this function carried out diligently?

Definitely..2. To a large extent.....3. Uncertain.....4. To a lesser extent.....5. Not at all.....

Please give reasons.....

12. How beneficial is the Police Public Complaints authority in Zambia?

Extremely beneficial 2. Beneficial 3. Uncertain 4. Not beneficial 5. Extremely not beneficial.

13. Do you think the introduction of the Police Public Complaints Authority is necessary in upholding of human rights?

1. Extremely necessary ..2. Necessary.. 3. uncertain.. 4. unnecessary ..5. extremely unnecessary

Whatever your answer please give reasons.....

ENDIX 2-Questionnaire for the public

University of Zambia

School of Humanities and Social Sciences

Department of Political and Administrative Studies (Pas)

Members of Public Administration Program 2006

Research Questionnaire on Police Reforms, Restructuring and the Police Human Rights
Record: A Case Study of Lusaka and Kafue Police Districts.

Respondent's Profile (Restricted to Members of the General Public Only) Tick against the
number

Sex: 1.Male..... 2. Female.....

Marital status: 1.Married..... 2.Single..... 3.Divorcee.....

Widow/Widower.....

Education Level

1.Primary.....2.Secondary.....3.College.....4. University.....

5.Postgraduate.....

Occupation

Work experience: Private.....Public sector.....

Place of work or residence.....

Age.....

Personal identities of the respondent are required.

Question 1: Police Efficiency on Core and Support Functions

How do you rate the holding of periodic, meetings by the police with provincial and District
Administrators, local politicians, Businessmen, Chiefs and Church leaders?

1. Extremely relevant 2. Relevant 3. Uncertain 4. Irrelevant 5. Extremely irrelevant

Give reasons.....

Does the Zambia Police force abide by the standard of maintaining a 24 hour response

service?

1. Always.....2. Often.....3. Uncertain.....4. Sometimes.....5. Never.....

Give reasons.....

How do you rate the Zambia police force in traffic police response, speed and efficiency, and
increased mobility of traffic teams?

1. Extremely efficient...2.Efficient...3.uncertain...4.inefficient...5.Extremely inefficient

Give reasons.....

4. How do you rate the Zambia police force in the maintenance of peace and public order?

Excellent.....2. Very good.....3. Good.....4. Fair.....5. Poor.....6. Very poor....

Give reasons.....

5. How do you rate the Zambia police in crime reduction and investigation?

1. Excellent.....2. Very good.....3. Good.....4. Fair.....5. Poor.....6. Very poor.....

Give reasons.....

6. How many times have police officers at road blocks and check Points requested for gifts, money, favours etc from you?

1. 1-5 times 2. 6-10 times 3. 11-15 times 4. 16-20 times 5. 21-26 times

7. How do you classify the standard of questioning witnesses of the Police in Zambia?

1.Extremely very high...2.high...3.uncertain.....4.moderate...5.low....6.extremely low....

Give reasons.....

8. How do you rate the methods used by the police in controlling loitering of both the Youth and adults, male or female?

1.. Extremely brutal.....2. Brutal.....3.Uncertain...4. Humane.....5.Extremely humane.....

Give reasons.....

9. How do you rate the crime situation in general in Zambia?

1. Extremely high.....b. High.....c. Uncertain.....d. Moderate...e.Low.....f. extremely low...

Give reasons.....

10. Are arrests in Zambia often justified?

1. Extremely justified..2. justified....3. uncertain....4.unjustified...5. extremely unjustified...

Give reasons.....

11. Are you satisfied with the number of police officers available for duty in your Area?

Extremewly satisfied...2. Satisfied...3. Uncertain...4. Not satisfied5. Extremely Unsatisfied...

Give reasons.....

12. Are you satisfied with the number of patrol parties seen performing in your area and the police response time to crime reports?

1. Extremely satisfied2. Satisfied3. Uncertain...4. Not satisfied... 5. Extremely unsatisfied...

Give reasons.....

13. Do you think the police record statements promptly during investigations?

Absolutely promptly.....2. Promptly.....3. Uncertain.....4. Not prompt....5. Never.....

Give reasons.....

14. Are you satisfied with the number of community crime prevention/confidence building and neighborhood watch meetings in your area?

1. Extremely satisfied2. Satisfied3. Uncertain...4. Not satisfied 5. Extremely unsatisfied.....

Give reasons.....

15. How do you rate the speed in answering to phone calls by the police?

Extremely fast.....2. Fast.....3. Uncertain4. Slow.....5. Extremely slow.....

Give reasons.....

16. Are you satisfied with the number of follow up contacts with crime victims?

1. Extremely satisfied2. Satisfied3. Uncertain4. Not satisfied... 5. Extremely unsatisfied...

Give reasons.....

17. Do you a Police Post located in your residential, commercial, industrial, or Farming area?

1. Yes 2. No

Section: 2 Respects for Human Rights

1. How often does the police in the performance of their duties, respect and protect human dignity and maintain and uphold all human rights for all persons?

1. Always.....2. Often..... 3. Uncertain.....4. Sometimes..... 5. Never.....

Give reasons.....

2. Police officials shall treat all persons fairly and equally and avoid any form of discrimination, how often do you think the police carry out this function properly?

1.Always.....2. Often.....3. Uncertain.....4. Sometimes..... 5. Never.....

Give reasons.....

3. Police officials may only use force when strictly necessary and to the extent required for the performance of their duties adhering to national legislation and practices. How often does this happen?

1.Always..... 2. Often.....3. Uncertain.....4. Sometimes.....5. Never.....

Give reasons.....

4. No police official, under any circumstances, shall inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment to any person. How do

you rate the Zambia police on this factor?

- 1. Extremely favorable.....2. Uncertain.....3 Unfavorable.....4. extremely unfavorable.....

Give reasons.....

5. Police officials shall ensure the protection of the health of persons in their custody and in particular, shall take immediate action to Secure medical attention whenever required. How often do the Zambia police carry out this function satisfactory?

- 1. Extremely satisfactory..2. Satisfactory3. Uncertain...4. Unsatisfactory... 5. Extremely unsatisfactory...

Give reasons.....

6. Police officials shall respect and uphold the rule of law and inform suspects of their rights before being apprehended or arrested. Is this done?

- 1. Definitely done.....2.To a large extent.....3.Uncertain.....4.To a lesser Extent 5.Not at all...

Give reasons.....

7. Police officials shall not commit or attempt to commit any acts of corruption or abuse of power. They shall rigorously oppose and combat all such acts. Does the Zambia Police carry out this rule?

- Definitely...2. To a large extent...3. Uncertain...4. to a lesser Extent...5. Not at all.....

Give reasons.....

8. Police officials shall not accept any gift, presents, subscription, favours, gratuities or Promises that could be interpreted as seeking to cause the police officials to refrain from performing official responsibilities honestly and within the law. How do you rate the police on this score.

- 1. Always...2. Often...3. Uncertain...4. Sometimes...5. Never...9. How beneficial is the Police Public Complaints authority in Zambia?

Extremely beneficial 2. Beneficial 3. Uncertain 4. Not beneficial 5. Extremely not beneficial.

10. Are vehicle/residential/commercial/personal searches carried out according to legal provisions by the Zambia police?

- 1. Always.....2. Often.....3. Uncertain.....4. Sometimes.....5. Never.....

Give reasons.....