

Excellent Police care
Heizel, Brussels, June 6th, 2007

From Birth to the First Steps

Ladies and Gentlemen,

Dear Colleague Police Officers from Home and Abroad,

To give you a survey of recent Belgian police history in barely 25 minutes is anything but an easy task !

Certainly our foreign guests will need a lot of understanding to imagine how shocked Belgian society was after the traumatic events which were at the root of the drastic reform of Belgian police services.

It will be even more difficult for them to grasp in such a short time our country structures and civil services as well as the existing political tensions.

Tensions are of course completely normal in any sane western democracy and, of course, they also determine the organization and operation of the police and so it should be!

“The Belgian integrated police service : from birth to the first steps”, is of course for Belgian policemen in this audience a well-known story because they have lived it and created it. So to keep this talk interesting - even for them, I shall add some personal and critical notes.

Whenever asking an international organization or referring to an international comparative study, you will find Belgium high up in the world ranking, no matter if whether dealing with economy or material wellbeing; with social security; health care or the quality of education; or even whether the issue at stake is simply the quality of our restaurants in the Michelin- or other guidebooks or the number of beers we brew and the hectolitres we drink.

However, this is no simple country ! Different people, language communities and cultures live peacefully together in a parliamentary democracy and a federal monarchy, in which political structures are still developing and decision-making regularly changes at government level.

Contradictions and conflicts between the north and south of the country, between the major classic political trends, between central authority and local authorities, they all are peacefully managed by a complicated combination of legislation and decision-making procedures which are not always very transparent.

The cultural line of division between the cool and rational North of Europe, under strong Anglo-Saxon influence, and the vivid Latin World runs right through the heart of this country.

All this makes Belgium a unique governmental lab and provides us with knowledge and experience which we gladly offer in international diplomacy. The same goes for police organization and police care. This has also been an important reason why we wanted to organize this international conference called “The Belgian Police ... a centre of excellence” .

But there had to be paid a price for it! Governing this country after World War Two and providing economical and social prosperity both were possible at the expense of the highly needed attention for security and justice.

In the eighties it became painfully clear that authorities and police services in Belgium were not able to face some traumatic events. The maintenance of public order failed at the Heysel Stadium, a few yards away from here, at the UEFA Cup Final between Liverpool and Juventus Turin. We were happy not to experience the same political terrorism that swept many of our neighbouring countries in the last quarter of the past century, but it took us too long before a small extreme left terrorist group was dismantled. Until this very day the people who committed particularly violent raids and crimes - they may be politically inspired or not - , the so called “Gang of Nivelles” have remained unknown.

All this cost us in the eighties not only some dozens of human lives but it also shook public confidence in the way the Belgian state could not provide for the security of its citizens.

At the risk of simplifying things too much with a typology, Western European states have sharply different police structures:

- One state or national police, with or without strongly decentralized features, like Sweden or Denmark,
- A cluster of regional police forces, assisted or not by a more specialized national police entity like in Great-Britain, the Netherlands or Germany,
- A multitude of police services, one which one is mostly modelled on the military , with a functional and territorial assignment or a mixture of both. The Mediterranean countries France, Italy and Spain are the best known examples.

From the end of World War One until the end of the nineties Belgium undeniably belonged to this last group.

The National gendarmerie was a heritage from the French government, as it dated back to 1796. For a long time it mainly focused on maintaining order; after WWII, it developed a strong crime investigation capacity next to the local gendarmerie units which of old had been implanted all over the country. This police force also provided border control and traffic police on motorways.

Shortly after World War One, more exactly in 1919, a crime investigation department was set up with the judicial police as a separate police force, run by the Ministry of Justice. It was mainly if not exclusively engaged in crime investigation on capital crimes and white collar crime.

Finally, since independence in 1830, each municipality in this country has had the right to organize a municipal police department. At the time there were more than 1000 such police units. Since the merge of municipalities in 1977 this number has gone down to 586. From then on, their numerical strength in the biggest cities could run into almost 2000 co-operators, but in small municipalities in the countryside it has remained limited to a few, and sometimes only one constable.

Belgian police has always been very dependent on authority. It only has limited initiative power and must always perform under the authority and guidance of prosecutors, judges,

mayors, governors or other public servants. This authority has by them all in practice always been considered in a very close and narrow sense.

Although the gendarmerie depended on no less than three ministers (the minister of Home Affairs, of Justice and Defence) it was generally considered as the police power of the national, central government and the minister of Home Affairs in particular. The strong structure of this national police even seemed to suggest that it could at any time plot its own future. This perception – rightly or wrongly – would widely influence the following general police reform .

With the judicial police the public prosecutors and examining magistrates could freely have a proper crime investigation capacity at their disposal . This is also an important element to be able to understand the current police organization.

Belgium has also a strong tradition of municipalism. Much attention is paid to the municipality as a level for public service, not least for the maintenance of public order, security and health, which the mayor is directly responsible for. In fact this is a political dogma which is rather encouraged by the many mayors who build up their office with a parliamentary mandate and, by doing so, influence national decision-making as well. Reality is rather different when you consider Belgian municipalities account for only about 12 % of all public spending, while the European average is more than twice as high, ranging between 25 and 30%.

The fact is that, in all respects, mayors have always preferred to have their police authority implemented with a proper police department, which they themselves can control and manage without too much external intervention. This much desired counter balance to a national police under exclusive central authority and management would influence the reorganization of the Belgian police as well.

Police scientists often hold the view that fundamental police reforms only come about in a revolutionary or pre-revolutionary climate, or even, straight after it, during the “restoration” .

I have already described the successive crises and the wavering trust of citizens between 1981 and 1987. Of course, politics were dealing with it too. Various parliamentary committees

studied both security and police problems at the time, but firm decisions or proposals for changes in police organisation did not arise as yet.

There was one exception though: April 1987 the audit-firm “Team Consult” released the report about “Police Services in Belgium” which the government had ordered two years before.

This report argued strongly for a very rational and economical approach but failed in its criminological and sociological framework and missed out the tensions and political setting in which police has to work. No vision at all was developed on security - nor police policy. Yet, there was a clear stated case for a national unity police under the authority of one Minister of Security. That clearly was a step too far.

When times are not considered fit for fundamental changes, one decides rather on many smaller measures, mostly without any cohesion. Some more staff were recruited in all three police services, more attention was paid in training programs and facilities; also, investments in more and better equipment were made. Many task forces were set up and, more particularly, many coordination - and consultation bodies, which first and foremost should prevent radical, structural measures were introduced.

In reform processes – such as the ones we can see abroad – such a transitional period of temporary and half measures seems to be inevitable.

At the beginning of the nineties, police itself eventually became a real political issue. Government declarations and policy statements paid ample attention to it.

Most radical of all were the two “Whitsuntide-Plans” in 1990 and 1992, called after the time of the year when they were proclaimed. Useful as the numerous measures in these plans may have been – most of them were indeed also carried out – there was again no question of a real reformation vision on the whole police department.

Indeed - it was rather the other way round!. The three existing police services remained unaffected and were maybe unconsciously played off against each other, which stimulated rather than prevented a “cop war”.

Municipal police had to be professionalized, with more and better training and equipment to set up a counterweight to the gendarmerie. The latter got demilitarized and had to become a fully 'civilian' police organization. The general staff of this police was the first in Belgium to launch terms like "community policing", "community oriented policing" and "basic policing with quality" and gave local gendarmerie units more autonomy. The latter tried to build an identity for themselves and so inevitably clashed with municipal police, who were the "market leaders" with their beat officers in most municipalities and quarters.

From then on, efforts of the Home Department would especially focus on the peaceful coexistence of both police services within one and the same territorial circumscription. They had to cooperate and spread police tasks amongst each other under the mayor's authority. This has never become a real success, since it strongly depended on both the local willingness of different police chiefs to cooperate and on the mayor's authority and attention.

In 1992, the police function or duties Act came into force. Tasks of police services were clearly defined and also the way they could use their legal privilege on use of violence and in doing so, in the execution of their mission, take action against citizen's rights and freedom. This was an absolute necessity, especially for police tasks other than crime investigation.

The same law should also define that police services could not in principle develop a security policy of their own but should carry out the policy and instructions of governmental and judicial authorities.

The law also provided the possibility of a so-called "pentagon consultation" which brought together the mayor, the public prosecutor and the local responsables of the three police services. This consultation aimed at the promotion of the application of the policy. For the first time ever, an integrated security policy was recommended, where one would come to an arrangement through consensus. Criminal management remained the exclusive domain of judicial authority and governmental management remained in the mayor's hands, but the both departments had to try and coordinate their efforts more and in a better way. It was left to police services to prepare all this and to implement it, of course, according to the arrangements made.

In 1995 and 1996 this pentagon consultation won an important place in the new strategy concerning police collaboration. From then on, all activity had to take place within Inter Police Areas or Territories, which in some places coincided with the boundaries of one bigger municipality and in other - more - cases extended over the territory of several municipalities.

In the texts that were published at that time, policy-makers talked more and more about two discernible components of police care: the “basic component” and the “additional component”. The basic component referred to the daily police action with 24-hour stand-by duty for urgent police assistance, points of contact for the population and a modern society-oriented police. The additional component referred in its turn to more specialized police tasks and specialized police units. Daily police activity was in many cases a bit more organized on a supramunicipal level. In addition, targets and concrete arrangements were recorded in “security charters”.

In 1996 a few children were kidnapped, abused and killed. The so-called “Dutroux”-case and – again – the failure of police and justice department moved public opinion and led, on October 20th 1996, to the “White March”, with 300.000 people in the biggest demonstration Belgium had ever known. The political World reacted with a new parliamentary investigation committee. Government wanted to anticipate its decisions and therefore called a government committee of its own into existence for a more efficient police structure, called the Huybrechts Committee . As a matter of fact, the government then in power hoped that its own experts would bring forward a proposition which would merge the gendarmerie and the judicial police at national level whereas municipal police would continue their usual activities at local level.

This turned out to be a failure. Both committees came to the same conclusion: a radical police reform should lead to a dual police organisation in which on the one side the federal police became a merger between the judicial police and a part of the gendarmerie, and on the other side, on the scale of the already mentioned “inter police areas”, the municipal police departments and the brigades of the gendarmerie had to merge into new local police bodies.

And, just as if two committees were not enough, a Senate committee for Home Affairs also set down a report of their own. They stated that – quite correctly –one should think first of the needs of the population, and the philosophy behind police action and the conditions to

produce an efficient, professional, democratically controlled police service that would be accepted by the people.

A kind of “policing by consent”, as it were. Next, and only next, restructuring of police services could be reflected upon. For the first time, politicians were speaking unambiguously about a community policing approach. To meet the security demands of the population, a reassuring presence of the police was required. We now call it: “Blue in the streets”. The rate of crimes solved had to go up. New methods of inquiry were necessary to find about the demands of the people concerning security and similar feelings. Finally, this parliamentary committee also came to the conclusion that a dual police service would best answer all needs.

In spite of the apparent consensus, the government then in office tried to push their proposition for a reform that didn’t go so far. As parliament debated, Dutroux managed to escape, which forced the ministers of Home Affairs and Justice to resign.

This “event” was the unique opportunity to come to a consensus about the new police structure in a broad political agreement. It earned the name of the “Octopus agreement” because it was signed by eight political parties - like the octopus has eight tentacles.

In a few months’ time a working group of officials managed to turn this agreement into a bill and on December 7th 1998 a new law cheered – I’m quoting – “ the ingrained police service, structured at two levels”.

Mind the wording in the official name of this new police. It is called a police “service” and not a police “force”. This stresses the serving character of the police. The explanatory memo to the law prescribes explicitly this has to proceed according to the principles of the community policing. Successive ministerial circular letters, many studies of the federal department ‘relations with the local police’ and the trial and error in many local police departments would provide this Belgian community policing model its concrete composition. The “policing by excellence”, which is presented to you extensively during this conference, is the most recent translation and synthesis thereof.

According to the 1998 Act, police services are now organized at two levels: the federal level and the local level - which together must guarantee integrated police care.

As a matter of fact, no less than 197 police services are concerned, 1 federal and 196 local ones, which depend on various governments and between which there are no hierarchical but intense functional relations. Mayors and municipal governments still exert a strong influence on local police which remains under their co-direction. Central government is quite sure that it can count on the execution of their priorities and instructions, in case of disturbances of public order as well. Judicial authorities got guarantees about national and local criminal investigation capacity, which they keep on managing almost directly.

I don't need to describe how the integrated police is concretely organized, because this has been clearly illustrated in the short movie that has just been shown.

Belgian police law prescribes more than only a police structure. It also prescribes that governments and police services should agree on security plans which subsequently should be executed by the police. This is also true at the national level with the national security plan as well as for the local level with the "zonal" security plans. But even this terminology is now considered out of date.

All governments, governmental services and social categories are expected to contribute to social or integral security. This task is not exclusively reserved for the police, although the police will of course always make an important contribution.

To define this contribution, the phrase "police plan" has to be used from now on, rather than "security plan".

I've been describing the prehistory of the police reform. Despite this long story the formal substitution of the new police has been carried out very quickly. The law dates back to December 7th 1998, on January 1st 2001 the new federal police became operational and on January 1st 2002 the 196 local police zones and services were launched.

There has thus never been any talk about a good and methodical preparational period prior to an official founding time. This would be incompatible with each manual about change management, but I remain convinced – like many other people – that this was the only way to bring about one of the most radical institutional changes in our country.

One can therefore not talk about the “birth” of a new police, but rather about an “early birth”. At the federal police, as well as in the 196 local police departments, there was, after the foundation, still a long way to go to ensure operationality of the police.

Any industrial or commercial enterprise or organization which goes through such a fundamental reform process is almost inevitably busy with internal considerations as well - rather than just external partners. These external partners or clients, including any citizen and category in the society, can of course not be ignored when organizing the intervention function, the beat operations or reception activities. Tomorrow this will undoubtedly be illustrated with many ideas and best practices in various workshops.

Whilst making the first steps of the new police, the attention has been paid to the development and orientation of internal business processes in the first place: police intervention and crime investigation technics, and above all: an excellent informational management. “Listen very carefully, I will say this only once” : Police work is all about intelligence ! The latter is, together with an open company or business culture, without any doubt the backbone of an excellent police care. All the rest, including the way a police service is organized, is of minor importance.

Nevertheless, it can again be called a Belgian miracle that police service in the middle of radical changes continued to carry out their daily core tasks with unimpaired quality. One can even talk of much more than just continuity. Fragmentary scientific research points out that crime solving is now much broader and quicker. Public opinion polls, among others by means of subsequent security monitors, already reveal fundamentally restored confidence of public opinion in the police. 80 % of the people surveyed are satisfied or even very satisfied with police service. Such a level of satisfaction almost matches or even surpasses people’s confidence in education and health care.

Unfortunately, this is not so when talking about their trust in the political world and the satisfaction about the operation of the justice department and many other public services. These are our authorities and inevitable partners in an excellent police care.

After more than 5 years, the police, rather than the government, appears to be the pacemaker for an integral security management in almost all “police zones” and municipalities. Of course there are exceptions, especially in big and medium- sized cities in the north of the country, where governmental authorities do direct security management. Some public prosecutor’s offices have started moving to clear priorities in prosecuting, internal accountability, and even with the EFQM – European Foundation for Quality Management – model.

However, police services remain the most important pioneers for policy – and this may still last for some years. With their experience and knowledge in the field, they still propose where priorities should be. With their experience in developing, executing and checking action plans, they still keep the daily direction in hands of security policy de facto. This can surely not be nor remain the final target. But until others take over, this also is a social task which we accept with a true sense of duty and enthusiasm!

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