EUROPEAN UNION
THE COUNCIL

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LIMITE

ENFOPOL 45

NOTE

from : Presidency

~~to : Police Cooperation Group (experts on public order)~~

No. prev. doc. : 8012/97 ENFOPOL 111

Subject : **Public order : Conflict management**
- Experts meeting in Brussels on 15 April 1998

As previously advised by the Presidency, the 15th April 1998 will be set aside as a Public Order Experts Meeting. The meeting will commence at 10.30am. It would be helpful if Member States would include in their delegations appropriate experts to allow a full discussion of the subjects listed below. These cover a range of experience from mediation to strategy development and training and implementation of Public Order tactics.

The agenda for the meeting will be as follows;-

1. Adoption of Agenda
2. Review of the measures set out in the joint action of 26 May 1997 (8012/97 ENFOPOL 111), taking in discussion of relevant results of 12448/97 ENFOPOL 220 and 13232/97 ENFOPOL 235
3. Other issues addressed by 12448/97 ENFOPOL 220 and 13232/97 ENFOPOL 235
4. European Information and Intelligence Databases
5. Conflict Management Strategy (including Policing Styles)

The Presidency invites delegations to take note that this Public Order Experts Meeting on 15th April will precede the full meeting of the Police Co-operation Working Group on 16 and 17 April.

The principal business for the experts meeting will be to review the measures set out in ENFOPOL 111, taking in discussion of relevant results of the two questionnaires, 12448/97 ENFOPOL 220 and 13232/97 ENFOPOL 235, for which responses were requested by 20th March 1998. Delegations will wish to ensure that they comply with this deadline in order that the results can be tabled and discussed at the Public Order Experts Meeting.

The meeting will also discuss proposals for European Information and Intelligence databases, and the proposals made in the paper titled "Conflict Management" (see below).

CONFLICT MANAGEMENT

1. The Current Situation

1.1 The Police Co-operation Working Group seeks to promote and develop the policing of transnational crime and disorder. In order to achieve that, Member States share information on events, places and suspects. Information includes knowledge about techniques and skills required to prevent unlawful behaviour. This exercise is presently event-driven. Members States will be very familiar, for example, with exchanges of intelligence and football spotters ahead of European fixtures.

1.2 Police operations for "Euro 96" and "France 98" football tournaments have demonstrated what can be achieved through close co-operation. Nevertheless, several countries have expressed concern and frustration with the current "network" for exchanging information and intelligence. There is a genuine desire to improve that "network" and to facilitate a rapid flow of data on all other types of crime and disorder or "conflict".

1.3 At today's meeting, as well as reviewing the effectiveness of the present network and examining how arrangements can be improved, Member States are invited to exchange experiences in the establishment of national disorder intelligence and information systems, such as the UK system which was recently successfully employed to manage conflict arising from farmers' disputes; and to consider the case for a permanent information system capable of pre-empting conflict and informing police tactics to prevent such activity materialising. It is also necessary to acknowledge that conflict comprises both crime and disorder.

2. Organised Events

2.1 Whilst recognising the importance of planning for major football tournaments, the United Kingdom has found that football hooliganism is symptomatic of a much wider problem. Hooligans often have criminal records that include offences of violence, damage and dishonesty: moreover they are sometimes associated with political demonstrations and direct action groups that have no sporting connections whatsoever. Accordingly, conflict has impacted on all types of organised events, including music festivals, environmental protests and public holiday celebrations.

2.2 By their very nature, these events require a degree of organisation by those involved. This gives police the opportunity to identify and manage any potential conflict. It is standard practice for UK forces to direct primary efforts at the prevention and reduction of conflict, through effective management. Secondary efforts are directed at the prompt and effective resolution of conflict, when it occurs. This paper outlines the UK experience and invites EU experts to consider the case for developing a Pan-European approach.

3. What is Conflict Management?

3.1 Conflict may be defined as "any act that is contrary to the general public's perception of normality or which adversely affects their quality of life". It follows that disorder and crime are just different aspects of conflict.

3.2 Conflict has the potential adversely to affect the status quo. Crime is well recognised and understood; it has been the focus of police and community actions for years. But disorder, which ranges from domestic disputes to lethal
rioting, has been largely ignored. Conflict is almost always a predictor of future crime and more serious disorder.

3.3 Conflict Management is the process of identifying tensions in society, outside the norm, and having done so, of deploying appropriate resources to stop the problem escalating, with a view to returning a community to its former normality. It is based upon the premise that "*increased tension = increased potential for conflict*".

3.4 Timely and appropriate interventions, based on early problem identification, will lead to a more efficient police response. An efficient police response is one that requires the minimum number of resources engaged for the minimum length of time. Thus, the maintenance and restoration of order become cost effective and productive. The diagram at Appendix 1 encapsulates the concept and objectives of conflict management.

3.5 There are four key elements to effective Conflict Management:

* Conflict Intelligence
* Conflict Identification
* Conflict Resolution
* Ethical Values

3.6 Conflict Intelligence – Intelligence is vital to conflict management. UK Police Forces are working towards combining operational intelligence and information systems, to form one integrated conflict management database.

3.7 Conflict Identification – The timely identification of potential conflict is a critical issue. In many cases, disorder may be the result of gradually rising tensions; these may not be connected to a single incident. Identification of problems can be enhanced through the use of databases, updated locally, to provide an image of the status quo and therefore alert officers to deviations from it.

3.8 Conflict Resolution – This is the immediate action that takes place to deal with conflict that is occurring. The police have a crucial role to perform in this respect as they are empowered to use lawful force. The police should seek to establish, through mediation, what is to be considered as acceptable and unacceptable behaviour throughout a potential conflict event.

Whenever conflict has been resolved and the status quo has been regained, it is necessary to investigate the circumstances which gave rise to the event: this will ensure that the opportunity for a recurrence is prevented or minimised.

3.9 Ethical Values – Communities must be allowed to enjoy the freedoms and rights that are articulated in the European Convention on Human Rights. This requirement need not detract from our ability to manage conflict. Providing each member of the police force adheres to four simple ethics, the public need not be suspicious about police activity. The four ethics have stood the test of time. They are:

To “Secure and Protect” using “Minimum Force”, being “Fair and Reasonable” whilst “Searching for the Truth with the Truth”.

Further discussion with respect to ethics and the police officer role is included at Appendix 2.

4. Matching the response to the threat

4.1 Increases in social tensions will cause comparable increases in conflict. Police need to adapt their responses to the phases of conflict, which correspond with the build- up of tensions. The graph shown at Appendix 3 illustrates the relationship between tension levels and stages of a riot as experienced in the United Kingdom. Whilst it is understood that these phases exist, what is not clear is the level of consistency, if any, across different countries and cultures. There is a clear need for further development of the conflict management model in identification and definition of stages of disorder. The assistance of public order experts is requested in respect of this further work.

4.2 It follows that depending upon the type and scale of an incident, a police service can pre-plan its response and identify the types of resources that will be required to manage the various levels of conflict. The chart shown at Appendix 4 describes strategies employed to reduce and prevent conflict.

4.3 The key element to pre-planning is identification. Unless a potential conflict can be identified, preventative or reduction activity will not be possible. In such circumstances, the only policing option will be reaction. Pure reaction means that real problems leading to disorder are not solved, this in turn leads to a cycle of further reaction. This is the law-enforcement style of policing and it has two serious long-term consequences. The first is that over time the police will become de-skilled in terms of prevention and reduction ability. The second is that demands will continue to rise until they reach such a level that existing police resources will not be able to cope.

4.4 Conflict Management as a policing style allows for and is in fact dependent on reduction and prevention activity. Officers work with the local communities and other agencies to solve problems. This integrated approach provides the foundation for early identification systems. Early intervention is not always possible with law enforcement; the traditional peace officer approach appears to be more successful in this regard. As can be seen the police service needs to take decisions about the policing style that best fits the roles and functions undertaken at all times. Further information on policing styles is available at Appendix 5.

5. The Future

5.1 If policing is not effective, society leaves itself open to anarchy as values and norms are eroded. If conflict is managed, communities can thrive and flourish, in accordance with the tenets of the European Convention on Human Rights.

5.2 In order to achieve their objectives, as described at 1.1 above, the Police Co-operation Working Group are invited to consider :

A. How effective conflict management might be deployed to prevent and reduce crime and disorder across Europe.

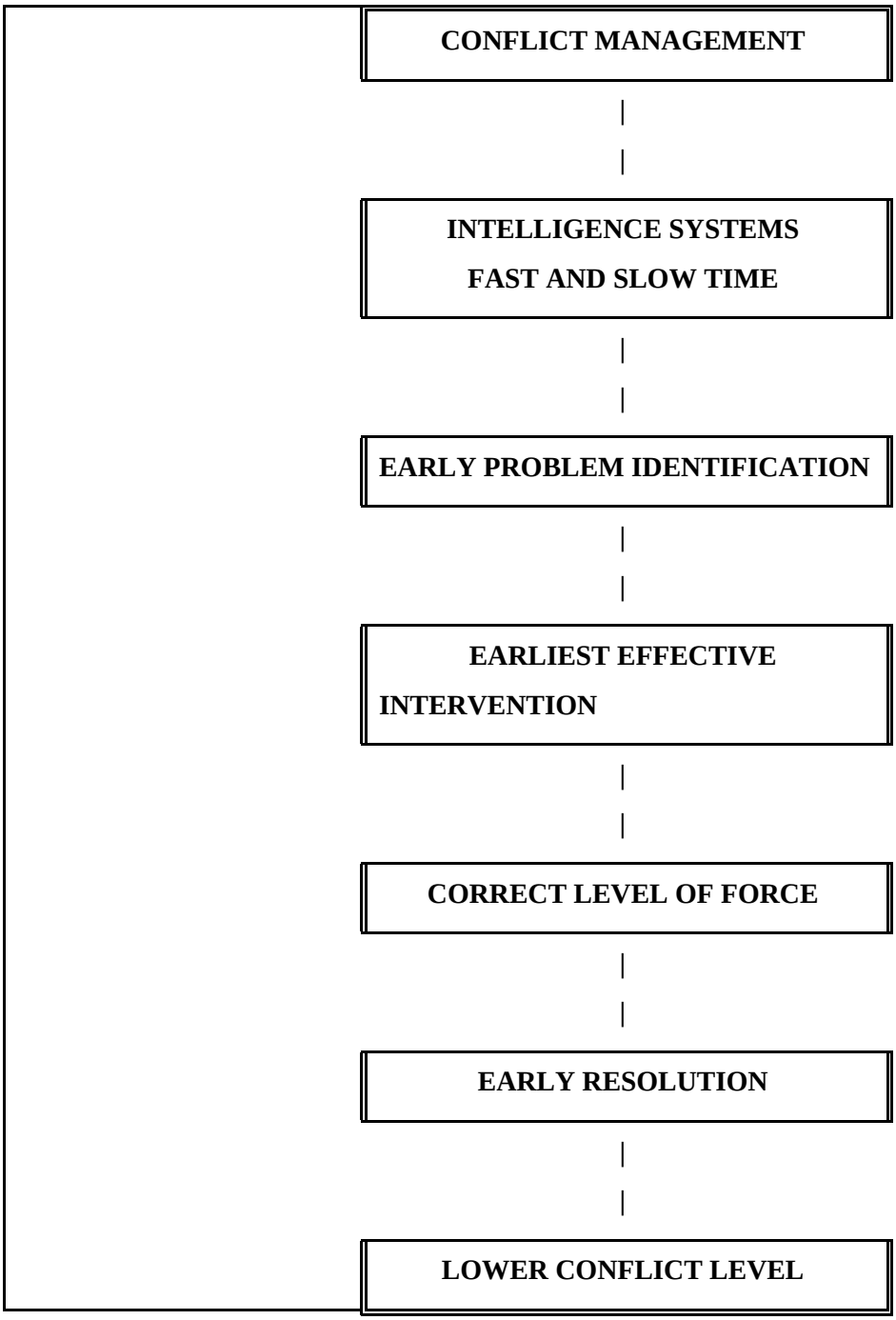
B. The case for establishing at EU level a single, permanent system, for collating and disseminating information that will inform future strategies and tactics.

C. How a more strategic approach could be deployed in preventing conflict and disorder given the different policing styles and techniques used in different member states.

D. What research might be useful in developing a common aproach to transnational disorder.

Appendix 1

The Conflict Management Model



Appendix 2

Ethical Values

In addition to the freedoms that should be enjoyed by society, the peace officer style of policing provides a certain degree of freedom for police officers. This freedom or discretion is not available for law enforcement officers as a law has been broken or has not been broken and officers act accordingly.

A Peace Officer will be using his or her skill to manage conflict, as already discussed, through early intervention, reduction and prevention activities. There are very few, if any, directions or guidelines to police officers performing the peace officer role as to how to use discretion and tolerance in their work. This is despite the fact that such direction is essential.

In order to provide a set of rules, to deal with complex situations and to ensure fairness and equality, a set of police ethics has been drawn up. They are identified at 3.9 and will now be shown in more detail.

Secure and Protect; The Police will secure the safety of the public from disorder and crime with particular regard for the vulnerable and those at risk. Prevention is a primary role in this task, all of which will be achieved with respect, understanding and care. In protecting the public, the police may have to place themselves at risk.

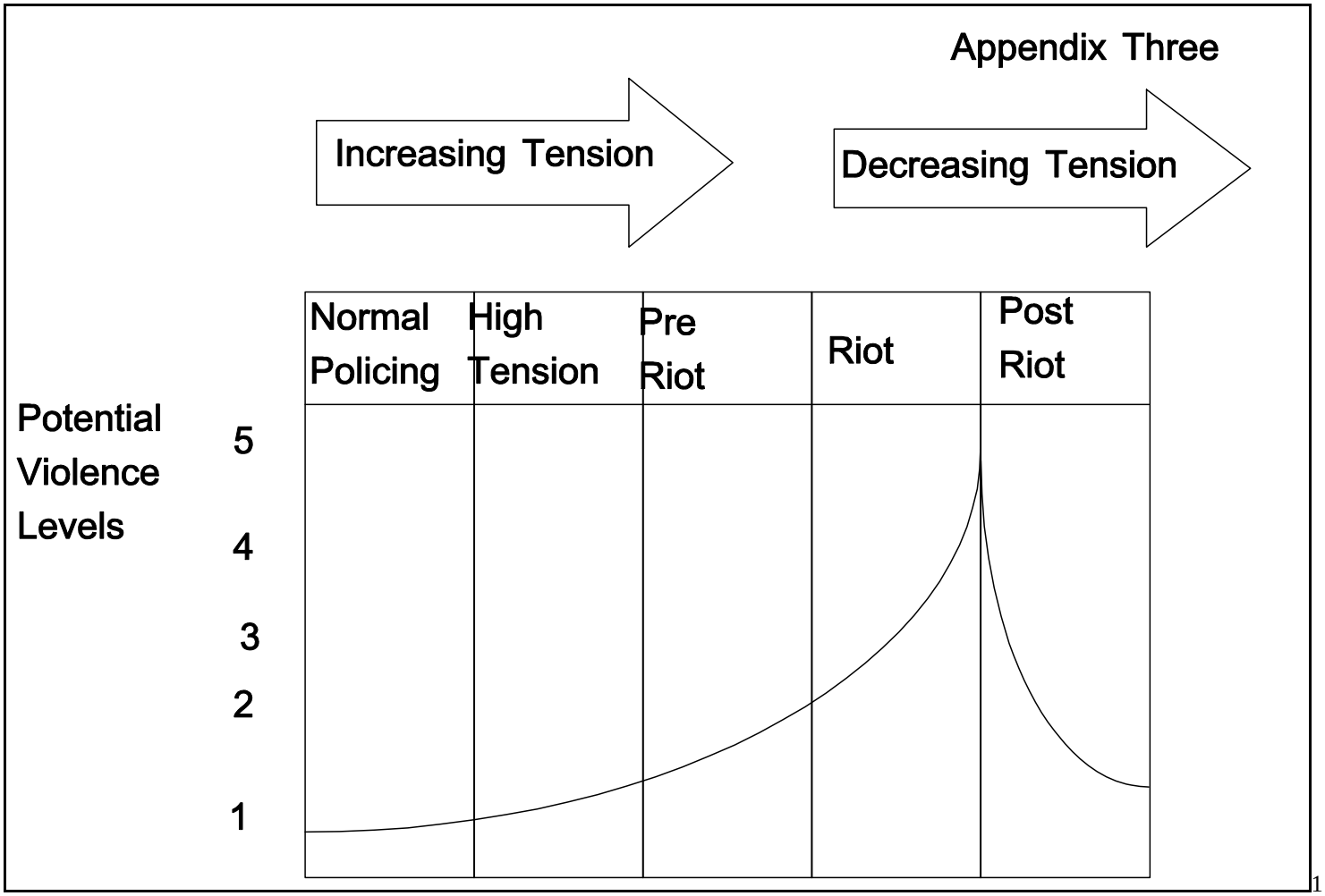
This is considered to be the primary ethic and the reason for being of the police.

Minimum Force; In all circumstances Police will consider minimum use of authority, force and resources at the earliest opportunity.

Search for the Truth; All police investigations must be based on a search for the truth using honest techniques to collect evidence.

Fair and Reasonable;- The police are entrusted with the power of discretion which must be used fairly, reasonably and responsibly, to the benefit of the public and to enhance the quality of life.

Appendix Three



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APPENDIX 4

CONFLICT MANAGEMENT

POLICING AIMS	NORMAL POLICING	HIGH TENSION	PRE - RIOT	RIOT	POST RIOT
RAPID RESPONSE	EFFECTIVE INTERVENTION	IDENTIFY TRIGGER INCIDENTS	CONTROLLED RESPONSE TO CALLS	MUTUAL AID (OTHER FORCES)	CONTROLLED RESPONSE TO CALLS
1 EARLY INTERVENTION	SECURE SAFE AREAS	OCCUPY RELEVANT SECTORS/AREAS	SECTOR/AREA CONTROL	SATURATED USE OF DEFENDERS	SECTOR/ AREA CONTROL
NEGATE THE INDIVIDUAL OFFENDER	STOP CHECKS	MONITOR TENSION INDICATORS	DEPLOY EQUIPPED DEFENDERS & ENFORCERS	REMOVE PUBLIC FROM RIOT AREAS	INVESTIGATION OF RIOT CAUSE
2 CONTAIN UNSTABLE LOCATIONS	ENFORCEMENT	NETWORK DATABASES	PROTECT VULNERABLE PREMISES	SECTORS/ AREAS MONITORED BY COMMANDERS	CONTAIN UNSTABLE LOCATIONS
REDUCE GROUP CONFLICT	CARE CHECKS	ACTIVATE LOCAL GUARDIANS	SENIOR POLICE INVOLVED WITH COMMUNITY LEADERS	ENFORCERS REGAINING CONTROL	HIGH PROFILE MEDIA HANDLING
3 BUILD STABLE ENVIRONMENTS	REINFORCEMENT	FACTS GIVEN TO STREET NETWORKS	SECTOR CONTROL HONEYCOMBED WITH AREA CONTROL	DEFENDERS PROTECTING VULNERABLE PREMISES	REINFORCEMENT

POLICING LEVELS 1 = PEACEMAKING (REACTION)
2 = PEACEKEEPING (REDUCTION)
3 = PEACEBUILDING (PREVENTION)

Appendix 5

Policing Style

The correct policing style is crucial to the successful implementation of a conflict strategy. Style and strategy act in support of each other.

If it is accepted that organised events can be policed using the conflict management approach, then ordinary every day events in society can also be policed using the same approach. As policing is broadened from organised events to its more everyday applications in society, suitable tactics can be identified. More essentially these need to be in place in order for conflict management to succeed.

There are three decisions to be made, they are

1) Law enforcement or Peace Officers
2) Response policing or Active Policing
3) Specialist Teams or Local Teams

For ease of reference and comparison the following table is produced, identifying advantages and disadvantages in each area.

Appendix 5

	ADVANTAGES	**DISADVANTAGES**
LAW ENFORCEMENT	Natural Instinctive Choice	Officers can only act on breach of law or threat of breach
	Enforcement prescribed equally to each individual	Little public encouragement to prevent breaches of law
		No check on reactive demand spiral
		Strong legal protection for alleged offenders at expense of alleged victims
		Little scope for targeting major or prolific criminals
PEACE OFFICERS**	Primary duty to keep the peace, therefore earlier interventions are made	Cultural change may be difficult and a long process
	Public obligations for peacekeeping. Peace officers are identified as role models	
	Discretion supported by ethics promotes fair application of the law under any circumstances	
RESPONSE POLICING	Resources can be planned around demand	Feeds the reactive spiral
		Little or no scope for targeting major or prolific criminals
ACTIVE POLICING**	Recognises need for Reaction, Reduction and Prevention	Places responsibility and accountability with other agencies and the public
	Places partnership prevention on formal footing	
SPECIALIST TEAMS		Essentially reactive reducing the ability of the force to act in prevention activity
		Reduced numbers of patrol officers from supporting teams
		Remaining patrol officers de skilled
LOCAL DELIVERY**	Enhanced status of local officer, community relations improved.	
	Skilled delivery, therefore effective	

** **Denotes Conflict Management Policing Style**