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Mission to Montenegro**

**AN OSCE MISSION TO MONTENEGRO
REPORT ON
POLICE PERCEPTIONS AND POLICE REFORM
IN
MONTENEGRO 2010**

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PREFACE

The author would like to express his sincere gratitude to the men and women of the Montenegrin Police Directorate who gave their time to participate in this project. I would like to acknowledge the support and advice of Rajo Ljumović and Zoran Talović at the Police Directorate Department for Planning, Development and Analytics. I also wish to thank Valeri Petrov at the OSCE Montenegro's Law Enforcement Department for facilitating the research.

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MAIN FINDINGS

The police perception report published in 2004 and the findings from the OSCE assessment and recommendations report published in 2006 can be viewed as a baseline from which to judge the progress of police reform in Montenegro. These reports documented a police force that was structurally isolated from other agencies of law, from local government institutions and from civil society. It found an organization prone to claims of political interference that was seen to be ineffective, inefficient and ill-fitted for the purpose of shepherding Montenegro through to liberal democratic standards of governance. Moreover the police perception survey detailed a hierarchical police force populated by rank and file officers with low morale and job satisfaction that felt distant from middle and senior management.

The survey findings presented here attest to transformations have been implemented since 2006. Encountering the police in 2010 one cannot help but realise that police reform is immediately visible. Political affiliations are no longer on display on the walls of police stations. Police are constitutionally separate from the Ministry of Interior. The Ombudsman office and the Council for Civil Control of the Police have been created to support the work of Internal Affairs to hold police to account. Internal regulations and new working practices have been adopted to counter corruption, bribe taking and unethical behaviour. The police spokesperson operates a website, holds press conferences, provides training and works on police-media relations. In-service training has resulted in a more professional attitude and a deep knowledge among middle and senior management concerning the means and ends of the reform process. A high-tech call centre is being piloted in Podgorica. Community policing has been adopted as a means of reform. Montenegro's borders are secured by police officers. The experience of working with other police services and with international organizations has altered the mindset of police at all ranks to be more positive towards change. The construction of a forensics laboratory, the creation of a police academy and the presence of police officers imbued with liberal values are but a few of the manifestations of this change. Perceptions about reform have also changed dramatically. This was perhaps symbolised most potently by the Head of Human Resources who, at interview, described the architecture of the new Police HQ building in Podgorica in terms of it embodying the liberal principles aspired to by the Directorate.

On the other hand more engrained aspects of policing culture in Montenegro do not seem to have changed. While middle and senior ranking officers have become more adept at speaking the 'language of reform', rank and file morale remains low. It would appear that reform created expectations that have not been met by the reform process. Only a tiny percentage of police officers have been fully trained at the Academy – the majority of police remain products of short in-service training courses. The Police Directorate is, as its predecessor the Ministry was, a top-down organization where employees are expected to obey without question. The research found that the police trade union, established during the early reform period, has not gained the full confidence of its members. Media accusations of political interference and of police links with organized crime persist. Relations with marginalized ethnic groups such as Roma remain problematic. This was evident in the manner by which Roma and Gypsy communities were spoken about at interview as constituting a 'different' security problem from other inhabitants of Montenegro. Vestiges of institutional isolation are discernible between police and civil society and between police and local municipalities run by opposition parties. Furthermore, severe budgetary limitations pose a challenge for police management to comply with the expectations of the international community.

The most dominant perception found by this survey is that the Police Directorate considers itself to be a normatively reformed institution, working hard to limit *inefficiencies* that it has identified. As an institution, it perceives itself limited in its effectiveness merely by financial shortcomings. For the participants at interview, police reform is almost accomplished. Most interviewees agreed on a figure of 3 or 3+ when asked to place the progress of reform on a scale of one to five. This perception implies that if the public is shown to be not satisfied with police work it is due to the lack of political will to pass appropriate legislation or due to wider structural economic reasons. Among rank and file, the perception is that if police were adequately equipped, provided with more in-service training and better paid then reform would be complete. The perception among more senior managers is that that police reform will progress to point four on the scale once systemization is finalized and elements of the organizational re-structuring are completed.

In each of the reform areas under survey issues arose which provides insight into the attitudes of Police Directorate employees to reform. It was clear that the Montenegrin police have come to a crossroads of reform and that important decisions need to be taken regarding the future. At the heart of the Montenegrin Police Directorate is a struggle over ever diminishing resources. A sense of proprietorship was evincible when police spoke about resources they had won during the early period of reform. At the Forensics centre, a sense of proprietorship over the forensic facilities was found which limits inter agency cooperation. At the Police Academy the opposite perception was recorded. Here, there was a sense that in order to evolve, the Academy needed to look beyond the police and engage with other law enforcement agencies. Uniform police are aiming to build public relations by adopting community policing as a vanguard strategy externally but a lack of coherence between their goals and the work of criminal investigators creates an intelligence gap. This intelligence gap is, arguably wherein public dissatisfaction can be found and organized crime profits. Moreover uniform police appear to be highly selective when it comes to community policing, and have not engaged with all communities equally. Criminal police are wary of losing autonomy to the Prosecutors office. Administration departments consider that exact job descriptions, new terms of employment and tighter regulations will complete reform. This solution alienates rank and file police who feel that reform has resulted in an increased workload and a decrease in pay and conditions. As an outsider visiting the Police Directorate, one gets the sense of an organization rife with internal conflict. How this lack of coherence affects its relationship externally will only be discernible when the results presented here are compared and contrasted to public satisfaction surveys.

INTRODUCTION

This report details the findings from research undertaken by the OSCE in cooperation with the Montenegrin Police Directorate into police perceptions of the process of reform. It has been produced as a part of a wider research project that will compare and contrast police perceptions of reform with public perceptions of reform. The survey therefore sought to distil from employees of the Police Directorate their attitudes to, and expectations of, reforms that are essentially being undertaken to institutionalize values and behaviours that will lead to closer relations between the police and members of the Montenegrin public. The report might additionally be viewed as part of a longitudinal study of police perceptions of reform, following from a thematically more limited study undertaken by the author and CEDEM of police/public perceptions in 2004. The OSCE is in the process of producing an assessment with a set of recommendations for the future of reform in the Republic of Montenegro. It was felt that a clear picture of how police envisage reform might profitably be compared and contrasted to the impact of reforms on the general public. For instance, if the police claim that they believe their community policing to be effective model of good public-police relationship building and it can be found that community policing is appreciated by members of the public, then it should be clear that community policing should be further pursued and developed. If, on the other hand, it is found that police believe the nature and pace of reform to be acceptable but the public survey finds a frustrated and sceptical public, then the priorities of reform might require revisiting. Therefore by producing two surveys reformists are presented with a rudimentary cause and effect analysis which can form the basis for future strategic planning.

The findings of the research are presented in a manner that assures the anonymity of its participants. The report looks at key areas of reform and seeks to examine the effects of reform – both positive and negative. The report focuses upon reforms in the fields of forensics, education, uniformed policing, criminal investigations and border policing. It additionally takes into account how human resources have affected reform. The report incorporates interviews from other operational and administrative support departments into the analysis.

The final section forms a summation of police perceptions of reform as portrayed to the author during interviews.

METHODOLOGY

This report presents the findings from a series of interviews with employees at all levels of the Police Directorate in the Republic of Montenegro. The interviews were held between 1st July 2010 and 15th July 2010 at Podgorica, Herceg Novi, Bar, Danilovgrad and Nikšić. Representatives from the main thematic areas of police reform agreed to be interviewed. These included members at all levels of command from uniformed police, border police, criminal investigation police, forensics, human resources, media relations and education and training. The purpose of the research was to gauge the perceptions of the police towards the process of reform. Reform is directed at moving the Montenegrin police away from the authoritarian model of security towards adopting the working practices, structures and values associated with securing a liberal democratic polity.

Debates concerning the differing methods to better reform a police organization often revolve around whether reform should prioritize the transformation of the organizational structure or whether one should firstly target changing the mindsets of the people within the organization. This is often expressed in terms of structure versus agency, or top-down versus bottom-up reform. Should one change the organizational structure in anticipation of its capacity to mould the individual and guide the process of change? Or should one change the attitudes and behaviour of employees in the hope that this transformation will create the necessary conditions for structural reform? Invariably we find that organizational structure tends to be prioritized while at the same time pedagogy is utilised to initiate the required changes 'from below'. In terms of this debate, our research concentrated on the relationship between structure and agency, on measuring the behaviour and attitudes of Directorate employees towards wider institutional reform. It aimed to evaluate the extent of the alignment between structural transformation and the processes of inculcating a change in the values of police officers. In short, it sought to measure how police have experienced reform, what their attitude to reform is and how they envisage the future trajectory of reform.

The Organization for Security and Cooperation in Europe (OSCE) asked these questions in order to gather data for the preparation of a wider strategic assessment of Montenegrin police reform that it will be conducting. It was felt (and is fast becoming good practice) that an understanding of the attitude of police towards reform is a vital factor in the calculus of assessing and recommending future reforms. Moreover, the research exercise doubles as a consultation exercise which provides police officers and other employees of the Police Directorate with an opportunity to air their views on the process of reform.

The research thus asked police officers to describe and discuss reform in a frank and personal way. It sought a portrait of reform painted from the perspective of the police. By necessity, all of those interviewed responded under the guarantee that they were speaking anonymously. The research methodology chosen to attain this 'portrait' was necessarily a qualitative one. While previous research on police perceptions has been undertaken using quantitative methods, it was decided that a qualitative approach would offer deeper insight. It would enable the police to describe themselves and their work informally and without undue without constraint. In essence, we felt that the methodology of deep interviewing was more conducive to producing an accurate impression of how the police see themselves and, concomitantly, how they wish to be seen.

A range of questions were posed to interviewees that aimed to test their knowledge of police reform and their attitudes to organizational changes that had occurred since the publication of the first OSCE Assessment and Recommendation document in 2006. Questions prepared by the Montenegrin Police Directorate Department for Planning, Development and Analytics were incorporated to the survey. The Department expressed its need for indicators to assist management 'direct change and improve existing work plans and methodologies'. Interviews not only sought to discern what the interviewee understood as being the level and extent of reform but also took note of issues that were omitted – that, in other words, were not even considered to be associated with reform and thus was there evidence of a gap between reform priorities of the international community and those of the Police Directorate. Questions were varied according to the function of the interviewees but all questions primarily sought responses to the following research questions:

What is the purpose of police reform?

This question aimed to elicit the views of the interviewee on what he or she considered to be the primary aim of reform. It hoped to explore possible differences/commonalities between rank and file perceptions and management perspectives on reform and it tested if the interviewees were content that the purpose of reform was consistent with changes that had been made over the last four years.

What is the progress of reform?

This question tested both the knowledge of the interviewee of reforms and, through further questioning, aimed to test attitudes (positive, negative or indifferent) to the implementation of these reforms. It also revealed if the interviewee considered the Directorate to be close to, or distant from becoming a modern liberal democratic police force. Through asking this, particularly with rank and file members, we were able to explore if employees of the Directorate could readily

articulate what a reformed organization should consist of. In other words, did they have an opinion on reform? And did this opinion vary between various functions and staff grades?

Have reforms made policing better?

This question was asked in various formats to test the officer's attitude towards reform more generally. The question basically asked if interviewees agreed with the effects of reform on their daily work routines. Cognizant that reform demands a lot from the individual officer and that it promises greater results, interviewees were pushed to discuss the advantages and the disadvantages of reform. This question (and to some extent the previous question) also examined the extent to which reform had impacted upon the daily routines of police. A common format to attain this information was to ask the officer if he or she felt that there would be an increase in public satisfaction in police work and to explore why, or why not, the police officer believed this to be the case.

What is the future of reform?

This question sought to test firstly if the interviewee was aware of future reforms (both specific to his or her function and more generally). It secondly aimed to test if the interviewee had a long term understanding of his or her role in reform. By doing this it tested attitudes to in-service training, resource shortage, attitudes to international commitments and so on.

These primary research questions were supplemented by questions that sought specific data on police perceptions in a number of key reform areas:

- Change in public-police relationship
- Relationships with other security agencies
- Attitudes to minority groups/marginalized members of society
- Relationships with local and national governance structures
- Relationship with the international community
- Democratization of the Police Directorate
- Politicization of policing resources
- Attitudes to centralization, decentralization and organizational re-structuring
- Attitudes to compulsory/voluntary redundancy reforms.

Limitations

A number of limitations imposed on the researcher both by circumstance and by the culture of the Montenegrin Police Directorate tended to constrain the extent to which all of these issues might be properly explored. The interviews were held via a translator which means that it is at

times difficult to adequately gauge the language being used by the interviewee.¹ It proved at times quite difficult to prevent the interviewee dominating the interview with unhelpfully long answers. It was also not entirely appreciated by some participating officers that the survey was a piece of scientific research and not an opportunity to 'sell' the organization to the international community. To counter this, the research examined these responses as illustrations on how the Police Directorate wishes to portray itself to the outside world. The greatest limitation during interviews however concerns the rigid hierarchy of the Police Directorate where it was clear that lower ranking employees were uncomfortable airing opinions. On a number of occasions relatively benign questions did not receive a reply. On other occasions participants informed us that their authorisation to speak was limited to certain matters. Such statements reveal a great deal about the culture of the Police Directorate and are included in the findings of the research. A final and unfortunate limitation concerns the sudden announcement of public holidays around the national holiday held on 13th July. This meant that interviews had to be cancelled or shortened and consequently a number of research questions could not be satisfactorily explored.

¹ The researcher does speak and understand the Montenegrin language but not at a level adequate to conduct interviews.

FINDINGS

Forensics

The Forensics laboratory, located in Danilovgrad, is a product of police reform. Reform blueprints saw its development as axiomatic to a more scientific and rigorous response to the investigation of crime. Prior to its construction in Danilovgrad, the forensics capabilities of the Montenegrin police had been since the early 1970's located in the Criminal Technical Centre (CTC) in Podgorica. The limited resources at the disposal of forensics experts at the CTC laboratory prompted reformers to envisage a better equipped laboratory with well trained staff. It was anticipated that the laboratory, as a national institution, would provide services to both the police and to customs.

Thus the laboratory in Danilovgrad did not exist prior to the commencement of reform four years ago. Its existence bears testimony to the most successful aspect of police reform in Montenegro. Developed by Montenegrins and by the international community, its employees hold positive perceptions about police reform. The laboratory has very quickly conformed to European standards and is recognised being of sufficient standard to be certified by the European Network of Forensic Science Institutes. It joins Slovenia, Serbia and Croatia in this regard. The Unit has received a great deal of support in terms of training from German and from Slovenian counterparts. Another reform mentioned at interview was the separation of the Forensics Unit from the criminal and uniform police divisions. Such a position of independence is, according to those interviewed, a European norm and protects the unit from potential bias in its analysis and presentation of evidence. Despite these achievements, reform continues within the field of forensics. This survey aimed to record the perceived trajectory of these reforms.

Forensics is an expensive element of crime investigation. It is so expensive that small countries, such as Malta and Luxembourg, often decide to import forensics capacities. Supported by the international donors, who wished to enhance Montenegro's role in prohibiting the activities of regional organised crime, it was decided to establish a full laboratory. Thus the laboratory currently has the capacity to undertake analysis, including DNA analysis, in all aspects of forensics, except fibre analysis, IT forensics and speech and audio analysis. The high cost of maintaining the laboratory is justified by its use as a 'national' institution, and during interview allusions were drawn to it being a symbol of Montenegrin independence. Moreover, it was referred to in terms of being an example of Montenegro's willingness to contribute to international security. Further, interviewees referred to the unit as a visible representation of the

future of policing – embodying a scientific approach to criminal investigation that creates efficiency in police work, judicial processes and the ‘fight against organised crime’.

In terms of reform, interviewees at the Forensics Unit have identified a need to align and consolidate the number of officers with technical expertise with the number of field units. This would mean concentrating crime scene management expertise around the Police Directorate structure, which is currently organised around 8 security sectors. It was emphasised at interview that the Forensic Units process approximately 400 requests per month (and about 5000 per annum). This figure illustrates a gradual increase in the number of requests from previous years. At present the unit has sufficient resources to handle this volume but concern was expressed that an increase in requests would stretch the capacity of the unit. This spurred interviewees to remark upon how dependent they are upon the expertise of crime scene technicians in the field. Organising crime scene expertise around 8 sectors, it was explained, would facilitate an upgrading of field office resources and expertise. Doubtless the future reform of forensics is perceived to need to occur at the field level.

The need for sufficient resources to process an increasing number of requests also raises the issue of who has access to the Forensics Unit. Despite its independence from criminal and uniformed police divisions, the Unit remains a police resource. Interviewees were quick to point out that they were currently holding discussions concerning requests for analysis emanating from Customs. The need for Customs to have access to better forensic analysis has been long identified. However Customs laboratories have not benefitted from reform and so look to the Forensics Unit for assistance. The attitude of the Unit is that they are willing to put themselves at the disposal of Customs but that a formal agreement is required to specify what the Unit can and cannot analyse. The perception is quite strong that Forensics belongs to the police and that access to its facilities is subject to the permission of the Directorate. It is doubtful that Customs will manage to construct and develop another expensive forensics laboratory. One can imagine that the territorialisation of forensics is quite frustrating to Customs officials confined to antiquated laboratories.

The Forensics Unit is currently building a DNA database. Officials at the Unit explained that currently the database only stores the DNA of individuals who have been convicted of a crime. A Bill is currently being prepared to regulate the storage of this data. For those interviewed this was a technical issue. Questions that human rights activists might pose concerning the length of time DNA can be stored, or the circumstances in which samples might be taken, are currently under discussion in the Ministries of Health, Justice and Police. Interviewees did not comment on how

engaged Montenegrin civil society and the international community should be in the drafting of legislation for the collection and storage of DNA

In sum, police reform for those at the Forensics Unit concerns increasing efficiency in response to an increasing volume of work. It means re-organising and managing the supply of evidence to the Unit so that it functions better. It means infrastructural improvement at the field level. Maintaining expert staff at the Unit on relatively low salaries was also observed to be a challenge. However the primary challenge and object of future reform concerned the Unit's ability to manage the number of requests that emanate from the judiciary, the police and from other law enforcement agencies. Suggestions for the future reforms included the establishment of a crime scene technician courses to certificate level at the Police Academy where the Unit is co-located.

Education

The Police Academy is also a direct result of police reform. It did not exist prior to the commencement of the reform process. As an entirely new institution and a primary agent of police reform, the Academy represents a key lever for the future of policing in Montenegro. Pedagogy goes to the core of police reform and the proven ability of the Academy to establish and run courses, incorporate new pedagogical techniques and provide training to large numbers of police officers is impressive. As a centre of police reform the Academy has hosted numerous specialised training courses that aim to spread the values of reform to the furthest reaches of Montenegrin policing. It has, in addition, trained 66 new recruits over the last four years in basic policing skills.

The Police Academy from its inception has been heavily supported by the international community, especially the OSCE, ICITAP, the Swedish National Police Board and the European Union. It has profited from its proximity to international reformers and has retained a spirit of openness to international support. Throughout the research, police officers at interview who had attended the Academy for specialised training courses were wholeheartedly positive about its role in the upgrading of police skills.

The Academy is a small institution manned by 16 lecturers whose work is supplemented and assisted by external lecturers. It is currently building its capacity to host more specialized courses and would appear to be developing in-line with expectations that it would become a site for in-service training. Interviews with staff at the Academy revealed a dilemma which concerns the future development of the Academy and the role to be played by the Academy in the overall

reform process. The Police Academy was established as an independent institution. This independence provides the institute with a good degree of academic freedom and enables it to operate without being subject to potentially cumbersome authorization procedures. Although consulted, the Police Directorate is not involved in sanctioning curricula. Independence also liberates the Academy from being subject to the Directorate budget and facilitates the self-development of the Academy. It creates the appearance of a civilian institution that can effectively combine the normative aspects of police training with more traditional skills, such as in the use of force.

On the other hand this independence, it ought to be pointed out, has been sponsored by the time and resources invested by international donors. So the question needs to be asked about what happens when this international support peters out? Has independence isolated the institution from the Directorate? In their 2006 assessment, the OSCE Mission to Montenegro pointed to evidence of an 'at times problematic' relationship between the Directorate/Ministry of Police and the Academy (p131). It was difficult at interviews to probe the persistence of this problematic relationship and the Director of the Academy was confident that the Directorate was entirely supportive of the Academy. The problematic might therefore be traced in a tension that sees the Academy caught between two ostensibly competing objectives of reform – the requirement to reduce the number of police officers and the need to introduce freshly trained recruits as agents of change. According to one source only five graduates of the Academy's last batch of trainees had been hired by the Directorate. Consequently, the Academy was not recruiting for its basic training course this year due to the diminished demand for police officers. The gap between the Directorate and the Academy is quantifiable in terms of the cost of providing police training to individuals who are not guaranteed posts as police officers upon graduation. It needs to be said that the entire *raison d'être* of the Academy is undermined if successful candidates are not being selected by the police. This research found evidence formally (in terms of evaluation reports supplied to the Academy) and informally (as expressed countless times during interviews with uniformed police), that graduates of the Academy have excelled as police officers. It therefore struck the researcher that this situation reveals a lack of institutional collaboration between the Directorate and the Academy which corrodes the normative goals of police reform. It needs to be stated that less than 0.1% of the Montenegrin police force have received basic training which incorporates the normative policing modules, (such as human rights, community policing etc.) that are considered so essential to changing the public perception of policing in the Republic. There was a perception among some (ex-police) members of staff that the Academy would be better off if placed under the authority of the Directorate. Civilian members of staff, relishing their academic autonomy, vigorously disagreed.

It should be noted that while the Academy is an independent institution, its income would seem to be very dependent upon the amount of money allocated by the Directorate for in-service training. With budgets decreasing and intakes subsequently diminishing, the Academy would seem to be looking beyond the police. According to the Director the Academy wishes to become a Regional Centre of Education. It sees reform occurring through the diversification of its training activities to other law enforcement agencies and establishing its credentials as a specialised educational institution. While continuing its function as a site for Police Directorate in-service training, the Academy has also provided, or is planning to provide, in-service training to prison officers, customs officers and certified security guards. Impressively, it has developed a close relationship with the Law Department in the University of Podgorica, which is accepting Academy graduates into the third year of its undergraduate law degree programme.² In the longer term the Academy hopes to build up its library, increase its research and publishing activity and offer distance learning courses. Discussions concerning reform did not include any plans to establish field training events. The perception is that trainees, not matter how far they must travel, should come to the Academy.

Uniformed Police

Uniformed police constitute the public face of the Montenegrin police reform process. Changes made to the working practices and attitudes of uniformed police are therefore viewed as having an important effect on the relationship between the Police Directorate and the general public. In a previous study, taken at the outset of reform, it was found that the public expressed dissatisfaction with the work of the police.³ The reasons for dissatisfaction included the slow reactive capacity of the police; poorly trained officers, unmotivated officers; and a perception that police were not properly authorized by legislation to adequately react to certain circumstances.⁴ The same survey asked police why these public attitudes exist and found a demoralized, ill-equipped, inadequately trained police dealing with a mistrustful public which held unrealistic expectations of police work.⁵ It must be said that reforms that seem revolutionary to police officers are not always appreciated or even perceived by the public. Nonetheless, this research sought to gauge how police officers gauged the effect of the reform process on public opinions. Did they believe that reforms so far instituted would change public opinion? How had reform

² Graduates are admitted on condition that they pass an entrance examination.

³ See CEDEM/OSCEMSM Survey on Community Policing in Montenegro: Public and Police Perception Surveys 2004 pg 6.

⁴ Ibid. pg. 8.

⁵ Ibid.

changed perceptions that the police were slow to react, unmotivated and inadequately trained to do their job?

The first question asked at interview to all uniformed police, in all divisions and at all ranks, concerned their perception about the pace and trajectory of reform. Interviewees were asked to rate the reform process along a scale of one to five. On the scale the number one indicated a baseline (2004) situation while five represented the perfectly moulded modern democratic police force which constitutes the ultimate aim of reform. The reply to this question was that uniformed police should be located as a three on such a scale.⁶ Consequently most police agreed that a public perception survey would record increased levels of satisfaction with police work. Thus the general police perception is that reform has been effective and has impacted upon the relationship between the police and the public. It also reveals that police are aware that the process of reform is unfinished.

The rank of the interviewee largely dictated their attitude to reform. Higher ranking interviewees mostly responded positively to reform. They were cognizant of its strategic function and spoke about it in a relatively uncritical fashion. Middle management was relatively ambiguous, seeing both the costs and the benefits of change. Rank and file officers were largely resentful of many reforms which, they believed, were imposed without due consideration of their everyday life as police officers. This pattern is replicated with border police and evidently reveals that the sense of burden caused by a top-down reform agenda varies depending on one's rank in the organization. Certainly it implies that the hierarchy of the Police Directorate, articulated as the reason behind the perception behind unmotivated, demoralized police officers during our 2004 survey, has not altered very much. The rigid hierarchy of the Police Directorate manifested itself in various guises and significantly affected the conduct of the research.

Senior management at interview were keen to present the Police Directorate as an institution actively reforming. The Director of Nikšić pointed out that he was very happy with the progress of the community policing programme which had led to an increase in the number of reported crimes. At all interviews it was stated that an initial organizational reluctance to implement community policing had entirely dissipated. It was stated that the programme was universally acknowledged as a successful reform that had led to an increase in police legitimacy among the population. Another consistent statement is found in the perception of a distinction between old and new police officers. Younger, better trained, reform-prone officers, according to some management, were important for the future of the organization. Older officers, it was explained,

⁶ Some officers rated it as a -3 and others a 3+ but the average answer was 3.

often tended to harbour old ways of policing and are less inclined to be conducive to societal oriented methods of policing.

No negative comments were made concerning the process of reform. One manager did however allude to a perceived discrepancy between the goals of the international community and the security needs of urban areas in Montenegro. He suggested that the international community's preoccupation with organised crime detracted from his capacity to respond adequately to the everyday criminal activities that plagued urban residents. The issue was framed as being determined by resource allocation and capacity. For residents, drug dealing on the street manifests insecurity but police efforts were more directed at addressing 'big crime', where results take longer to permeate to the public and lead to a more positive perception of police work. He pointed out that while organised crime was a problem that needed to be addressed, the reform process ought to be aimed at increasing the legitimacy of the Montenegrin police locally rather than internationally. This perception was tested at other sites where officers were asked who, in their opinion, directs police reform. The question was generally evaded but a number of interviewees stated that reform is driven by the conditions imposed for membership of the European Union. It is therefore seen to be an extrinsically driven process. Consequently, as we shall see with rank and file police, the trajectory of reform was largely seen as something imposed by senior management who were implementing wider political goals.

Middle management was less circumspect at interview. Generally the perception was positive concerning reform. According to one deputy commander the Montenegrin police 'look like any other modern police service'. He explained that organizational restructuring had made an impact and that 95% of the systemization process had been completed.⁷ While careful to articulate their support and enthusiasm for the process they were made it clear that 'downsizing' policies had created difficulties. Again it was explained in terms of local legitimacy – less police on the street meant a less visible presence. While middle management was aware of the strategic rationale behind the reduction of police numbers, they expressed reservations about the immediate effect of downsizing on public perceptions about security. In general most went to great pains to emphasise that increased training and organizational re-structuring meant that training and organizational restructuring would eventually offset the effects of downsizing on public perceptions. Time and time again the survey was informed that it was a matter of the quality rather than the quantity of officers. However, when asked if public satisfaction would increase, middle managers almost uniformly hesitated in saying 'yes'. It would appear that the process of substituting quality for quantity is not complete. Therefore if a rise in public satisfaction is not

⁷ 'Systemization' was a term directly (mis)translated from Montenegrin to English to refer to the redefinition of contractual duties and roles of Police Directorate staff.

recorded this is due to the fact that the quantity of police have decreased in some sites without a reconciling increase in the effectiveness of remaining officers.

At sites in which it has been implemented, community policing is viewed as the operational bridge to span this quantity/quality dilemma. Community policing was favourably regarded by all interviewees as an effective way to gather intelligence, construct legitimacy and improve police access to the general public. All managers at interview exhibited a very good knowledge of the tactic. Community policing was, in addition perceived as a key process of reform and was spoken about as a means of getting more work from less officers. For deputy commanders at all sites, it embodied the objective of uniformed police reform efforts. Embodying the will to move from repressive to consensual oriented policing, community police officers claimed that it represented the future of policing in Montenegro. It was anticipated that public attitudes to the police would show a significant increase at sites where community police officers were working.

A community police officer is located at approximately 122 'contact sites' throughout Montenegro. According to one deputy commander, each site aims to cover around 2.5-3km² and contain about 2500 to 3000 inhabitants. It is claimed that one quarter of the Montenegrin population has access to a community police officer and that 40% of Podgorica is covered by the programme. The stated objective is to cover the entire country and to export the programme from uniformed police to other branches of the Directorate, including traffic police and criminal police. As we report below, community policing has already been introduced to border policing. Community police officers at interview spoke of their capacity to gain intelligence, publicise police reform and build relationships with residents around crimes such as graffiti. However links with criminal police in the field of drugs have not been developed. There would seem to be very little linking the work of the community police officer at the level of the playground/basketball court with the wider efforts of criminal police to counter the sale of drugs and other illicit substances. The relative banality of the intelligence gathered by community police officers might be an indicator of the work yet to be undertaken to build a relationship of reciprocal trust between police and society.

It proved difficult to elicit deeper data from middle management about sites where community policing is not being implemented. For instance, there is no community police officers in residential areas predominantly inhabited by members of the Roma community. Informal sites on the outskirts of Podgorica do not yet have access to a community policing officer. In tracing this phenomenon during interviews a specific attitude held by police concerning groups such as the

Roma was distinctly evident.⁸ Moreover, during interviews with community police officers no mention was made of any work with societal interest groups. While officers spoke about meetings and education seminars very little was spoken about collaboration with local NGOs. It was not possible to adequately ascertain the level of cooperation received from local government bodies.

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Criminal Investigators

Criminal investigation (CID) was presented to the researcher as being one of the most structurally reformed aspects of the Montenegrin Police Directorate. CID figures prominently in the Directorate's long term strategy that anticipates a 'high degree of efficiency and training in fighting all forms of crime, especially terrorism, organized crime and corruption'.⁹ In April 2006, the OSCE documented an ambiguous and complex chain of command among criminal investigators that emanated from a somewhat opaque organisational structure. The same report lamented the lack of young, educated, well trained staff and the need for specialized training in a number of areas. It recommended that the key areas for reform were criminal intelligence, forensics, special investigative means, witness protection and border policing. Scarce technical resources were also identified as a potential obstacle in the 'fight against corruption and organized crime', which was said to constitute Montenegro's most pressing political issue. The OSCE recommended that a degree of centralization was required to attain a coherent perspective from which CID resources and skills might be effectively deployed.

Many of these issues were spoken about by CID personnel during interviews. A more transparent organizational structure has been created that sees CID functionalized in terms of general crime, organized crime, economic crime, drugs, special investigations and witness protection. While witness protection apparently 'only exists in theory', the placement of an organized crime section at headquarters in Podgorica reflects the OSCE recommendation that a centralized approach be taken. Moreover, interviewees pointed out that personnel changes have been implemented to reflect the new structure and ethos. Visits by Swedish police and to Sweden by CID officers have had a demonstrably influential effect on CID attitudes and work practices. Pilot projects in intelligence led policing practices, such as 'information stream' had been implemented in Bar. Specialized training seminars had been attended by many of the interviewees. At the time of writing a crucial piece of legislation (Criminal Procedure Law) had

⁸ See CEDEM/OSCEMSM Survey on Community Policing in Montenegro: Public and Police Perception Surveys 2004.

⁹ Government of Montenegro Police Directorate (November 2007), *Strategy of Development and Functioning (Draft)*, pg.6. Podgorica.

just been enforced that aimed to radically alter the working practices of investigators. The construction of the national forensics lab also had an impact on CID work. One interviewee presented herself as a product of reform, claiming that a few years ago a woman would never have been considered for a senior position within CID.¹⁰ Asked how their roles had changed over the past five years all interviewees agreed that they training and seminars had a significant positive impact on their work.

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Interviews with CID personnel at various sites revealed consistent perceptions regarding the trajectory of reform. The priority for CID was organized crime and corruption, with anti-trafficking and drugs smuggling articulated as sub-priorities. In general it was recognised that CID had seen a lot of changes since 2004. A number of interviewees spoke about their dissatisfaction with the centralized approach to organized crime, claiming that it left them with insufficient manpower. It was explained that in order to tackle organized crime, trained investigators were required at the level of the field office. This opinion was manifested in a general dissatisfaction with way resources are deployed by the centre. A problem that emerged in the OSCE 2006 survey, ineffective resource distribution, appeared numerous times during the research. It was summed up by one member of CID who complained that urban sites with high levels of organized crime activity are not receiving adequate resources. The call was for a strategy that decentralized CID activities. Other complaints concerned a perceived lack of technical equipment and capacity, the need for younger well trained and motivated officers and the decreasing salaries of CID personnel in relation to other members of the criminal justice system.

All interviews with CID personnel were dominated by concerns regarding upcoming legislation that promised to radically alter the nature of the police relationship to state prosecutor's office. All CID (and all police generally) were deeply dissatisfied with the legislation. This perception relates to aspects of criminal procedure legislation that aims to pass legal authority to the prosecutor's office for the interrogation of suspects. There are a number of aspects that cause police to be unhappy. Firstly, the amount of time between arrest and charging a suspect has been limited to twelve hours. Police say that this is not enough time. It would appear that police are used to spending more time on interrogating suspects that had no/limited access to legal representation. Moreover, the prosecutor's office will be the main authority during investigations and that police will need to defer to the prosecutor's office. According to some at interview, the prosecutors office are not prepared for such a role and insufficient thought has gone into the legislation. Interviewees wondered if the prosecutor would be permanently in the police building.

¹⁰ It should be pointed out that this was the only female police participant in the survey. Her promotion to commander would appear to be an exceptional phenomenon. She is clearly not representative of a change in attitudes to females occupying senior roles in the Police Directorate. Notwithstanding this, it was evident that the role of females in policing had evolved since 2004.

They questioned whether the prosecutor would be adequately knowledgeable to cooperate with police. Some believed that the prosecutor's office could only be distantly involved and that all cases would be treated as exceptional, and thus would progress with limited 'interference'. The perception might be framed in terms of a general anxiety that police autonomy in criminal investigations would be diluted by the presence of a prosecutor. His or her potential as an agent of internal oversight would provide suspects with legal rights that might make investigations more difficult to pursue. Primarily, although not stated at any interview, it would seem that a traditional reliance on interrogation and confession was being challenged by a more technical and procedural approach that required more resources and training than CID currently possesses. Interviewees were sceptical of the reform and most believed it to be, at worst unfeasible and at best, rather superficial. The difficulties with its implementation included a CID field forensics capacity that is considered to be weak and technically not up to standard. Others pointed out that CID had insufficient vehicles. Moreover, the difficulties of utilizing covert police tactics amongst a small population means that evidence is rarely gathered through undercover work. Further, as pointed out above, the links between the information gathering work of uniform officers at the street level and CID are underdeveloped. The introduction of new legislation is therefore perceived to be well intended but unrealistic. Once again, the perception with police was that reform meant more was being asked for less pay without any concomitant increase in resources.

Deleted: One senior interviewee estimated that, if implemented, conviction rates would decrease from 70%-90% to 20%-25% of cases.

Border Police

The replacement of military for police along Montenegro's air, sea and land borders commenced in 2003 with the establishment of the State Border Directorate. Borders occupy a central security preoccupation for Montenegro's neighbours and trading partners and thus the country's borders have been in receipt of a great deal of reformation. The international community (and in particular the United States and the European Union) has long been an advocate of a uniformed police border unit and in 2006 the Montenegrin government accordingly adopted an Integrated Border Management Strategy. The men and women who patrol Montenegro's borders are therefore the product of police reform, many having moved to border policing from military or gendarmerie service. At the national level the unit has four divisions – surveillance, crossing points, immigration and operations. Regionally it has 8 sub-divisions – seven of which are located at green borders and one of which is located at a blue border. According to senior management, the border police can proudly boast to having a 'long list of tasks achieved'. Training is primary among these tasks achieved, according to senior management, with officers in receipt of specialized courses. Furthermore, it was stated, relevant legislation to satisfy Montenegro's compliancy with the terms of the Schengen Agreement has also been passed.

Of all the interviews border police officers seemed most content with the trajectory of reform. When asked to rate reform on a scale of one to five, officers at land and air borders claimed to have reached point four or five. They considered themselves adequately trained and amply equipped to carry out their function. This was particularly the case the Montenegro's airport. Officers at the blue border clearly distinguished their function as having different needs than those at green borders and agreed that on the scale of one to five, they had reached level three. We shall look at green borders officers and blue border officers separately to analyse their perceptions.

Green border officers at interview portrayed themselves as fully trained and competent. Few rank and file officers nevertheless were able to speak about integrated border management and one officer stated that it was not relevant to his job. Pressed to elaborate on their needs, it would seem that many offices have not received in-service training since 2006. Many were unable/unwilling to identify what their exact training needs were but they claimed to have benefitted greatly from training courses that they have received. This would not appear to be the case with police at Montenegro airport who consider themselves the model border police unit. Here, the priority training needs concerned their lack of foreign languages. This issue also arose with border police at crossing points. Watching police at Montenegro airport, the researcher noted frustrated police officers trying to communicate with bewildered air passengers. This, it was explained at interview, might create a negative impression and give rise to a public perception that border police are not as professional or community-oriented.

The most consistent negative aspect of reform, according to all interviewed, is the impact on border security of 'downsizing'.¹¹ At numerous interviews officers warned that they had neither the equipment nor the manpower to secure the entire border and that therefore the risk of illegal crossings was increased. ¹² In response to this issue the OSCE has commenced a community policing programme with border police in order for border police to be more cognizant of their reliance upon the inhabitants of remote villages. Training is being provided by the OSCE to border police on community policing methods. Building trust and relationships with rural dwellers is seen to add a dual value: firstly, border police serve as police more generally, responding to the needs of rural areas which no longer have a dedicated full-time police presence. Secondly, it activates a sense of self-responsibility among rural inhabitants to monitor the border and inform border police of possible incursions. Rank and file border officers were largely disparaging of the solution, arguing that their presence in remote villages was too infrequent and that there was not enough time to engage with community policing while patrolling such large

¹¹ Members of the surveillance unit were vociferous on this issue.

¹² It was observed that border points lack basic equipment such as electricity generators, cameras, hand torches and night vision goggles.

swathes of unsecured territory. It ought to be pointed out that the morale of border officers at rank and file level has been adversely affected by recent cuts in pay and working conditions.

Police at the blue border expressed dissatisfaction at the lack of specific skills and equipment provided to them by the reform process. With some justification, they pointed out that maritime border security is highly dependent on equipment. The deputy commander, at interview, pointed out that while his officers have received adequate police training they lack the crucial basic maritime skills. Border police have not received maritime skills training since 2006 and only a few of the officers interviewed were able to display basic knowledge of navigation and vessel recognition. Together with this lack of education, officers at interview observed that reform had not been focussed on their role. Considering themselves to be essentially a coast guard unit, officers at interview pointed out that their uniforms and equipment were not suitable for working at sea. There was high degree of job satisfaction recorded amongst these officers who argued that the specificity of skills required at the blue border ought to protect them from arbitrary re-deployment to other border units.

Structural Capacity: Human Resources

Human Resources

Included in the OSCE 2006 report¹³ as integral to the structural capacity of the police, human resources (HR) goes to the heart of the reform process. The areas identified by the OSCE in that report included: the necessity for renewed job descriptions; a transparent, merit based recruitment system; career development; and staff composition. It should be noted, that according to human resources no reforms can be implemented without accompanying legislation. One reform that has required a great deal of legislation is the process of re-designing the roles and functions of individual police. As pointed out above the process of assigning new job descriptions is almost complete through the process known as 'systemization'. This work, which has preoccupied the resources of the human resource department, is intricately linked to 'downsizing'. As stated at interviews, the Police Directorate is struggling to manage what it sees as its employee surplus. Serving officers (and other employees) who do not satisfy the minimum educational criteria as set out by the legislation undergirding the systemization process will be demoted to an appropriate rank or dismissed. All police are expected at the very minimum to have attended three months (plus) of basic training. Older employees with more experience than

¹³ Ibid.

education are particularly vulnerable to demotion. Seven hundred men and women have been made redundant since 2006. Human resources are actively trying to promote early retirement. The perception about this process among HR staff is that it is very slow, being tied to legislative processes that are ultimately dependent upon political activity. At all ranks, there was a clear tone of frustration with the pace of reform detectable in those who interviewed. Questions posed which aimed to probe this frustration were not answered.

The issue of recruitment is problematic and returns us to our analysis of the role of the police academy *vis a vis* the Police Directorate. Apparently, at the time of writing, a technicality prevents the Police Directorate from recognizing diplomas issued by the Police Academy. This problem is exacerbated by the fact that ‘downsizing’ policy and budget cutbacks have effectively frozen police recruitment. Such issues, it must be said, hardly bodes well for an organization hoping to attract high quality candidates.

‘Systemization’ is perceived to be the solution to all of HR’s problems as it will not only clarify job descriptions, outline recruitment standards and processes, facilitate ‘downsizing’, but it will in addition make career development more transparent. At present the skills and performance of officers are evaluated yearly and attendance at in-service training is a key factor for promotion.¹⁴ Various sources (which will remain anonymous) have told the researcher that key promotions and appointments are still being carried out on a basis that is ostensibly more political than merit based. Whether this is correct or not is immaterial to the research – however, the fact remains that there remains a very strong perception that promotions (and demotions) are not entirely transparent. At interview, HR sources explained that this perception reflects a misunderstanding of new processes that have been developed.

While administrative branches of HR and Finance are currently central mechanisms of reform, there remains a very strong perception among rank and file officers that it is they who bear the burden of reform. No evidence was found during this survey that rank and file officers have been consulted about reform. The OSCE in 2006 recognised the need for a trade union to assist employees through reform. It recommended that the input and representation of police officers throughout ‘downsizing’ was required to guarantee that the process was undertaken in a fair and accountable manner. On the contrary, not only have there been no consultations or negotiations over pay and conditions, rank and file officers see systematization as a threat imposed from above to accept changes. Reform is seen as an overwhelmingly a top-down process. Among rank and file officers, it is described as being unfair and subject to political interference. Officers feel

¹⁴ This undoubtedly explains the universal enthusiasm for in-service training and the constant requests to make it more available.

compelled to accept every aspect of the process. A number of employees spoke about the effect recent large pay cuts had on their ability to feed their families. On top of this officers were often unsure if systematization would result in further pay cuts and demotions. Higher up in the organization there evidence existed that consultation had occurred. Middle managers were able to cite instances of consultation and many of those interviewed were able to discuss recommendations regarding organizational re-structuring they had recently passed to senior management.

All employees were entirely dismissive of the work of the police trade union. A number of employees explained that the union is not representative and that an old pre-reform martial culture pertains in the Police Directorate. The perception is that the trade union is too weak, or that it does not understand its function. Police and other lower ranking employees perceive themselves to be the most vulnerable in an environment of change driven by high level political activity, reform dictates and economic recession.

SUMMING UP POLICE PERCEPTIONS

In order to discuss the findings we shall return to the four main research questions concerning police reform: its purpose; its progress; its effectiveness; and its future.

A What is the purpose of police reform?

Police at all ranks perceive police reform to be a process that leads to a more effective, efficient and internationally acceptable police institution. All interviewees were willing to acknowledge the distinction between the old police and the new police. The new police is perceived to be coeval to the independence of Montenegro and an important element of the state's aspirations to become a member of the European Union. At interview participants did not exhibit negative opinions regarding the *normative* aspects of this quest. Everyone wanted to work in a liberal democratic police force. Everyone accepted the values associated with police reform and were confident that institutional structures erected to uphold these values were satisfactory. Further, when speaking about reform, there was an expectation that reform leads to an institution that is respected and that this respect in turns increases one's job satisfaction. Thus the normative aspects of reform are taken for granted and considered accomplished. Human rights, community policing, ethical standards of behaviour therefore did not emerge as issues during the survey. The assumption is that these matters are resolved. It was the *pragmatics* of reform that most concerned those at the employees of the Police Directorate.

Economic recession, 'downsizing' and systematization that have become the concepts most firmly associated with police reform. Reform therefore is now more about rationalization than with human rights, democratization and de-politicization. In all of the interviews held only once did any member of the Directorate mention the term human rights. The rule of law was only mentioned in terms of its applicability to systemization. Community policing was seen solely in the light of intelligence gathering and publicity and not as a long-term strategy of legitimacy and reciprocal trust with civil society. The independence of the Police Directorate from the Ministry of Interior and the fact that public buildings do not display political symbols is seen to mean that de-politicization has been accomplished.

All that's left are a few 'bad apples': officers who have not subsumed the new values and expectations. These (older) officers were invariably referred to as obstacles to reform that will be demoted or dismissed. Police can readily draw upon statistics to prove this point. The Ombudsman's office, for instance, received only 25 complaints about the police in 2009— all but

one of which were categorised as either frivolous or rectifiable internally. Systemization, it is believed, will institutionalize the transformation that has occurred over the last four years, and any shortcomings with regards to its relationship to the general public are due to budgetary shortcomings. The perception presented to the researcher was that the Police Directorate is a normatively reformed institution, working hard to limit inefficiencies that it has identified. It is limited in its effectiveness merely by financial shortcomings. For rank and file officers, who express positive views about the normative aspects of reform, systemization was seen in a negative light. For lower ranking employees it is perceived to be solidifying lower pay and conditions, job uncertainty and increased workload.

B What is the progress of police reform? What is the future of reform?

For the participants at interview, police reform is almost accomplished. Most interviewees agreed on a figure of 3 or 3+ when asked to place the progress of reform on a scale of one to five. However participants were either not willing or not able to speak about reform in its wider sense. All interviewees below senior managers only spoke about reform in functional terms, in terms of their own unit or department. This is either due to limitations imposed by senior personnel on what interviewees could say or due to the lack of consultation or education of employees on the direction and objectives of reform. There was a sense that interviewees were aggravated with the pace of reform. The fact that participants were not comfortable discussing these frustrations is evidence that the Police Directorate remains a hierarchical organization. No opinions of police reform *generally* were given, even when repeatedly asked for by the interviewer. In fact, such questions made interviewees visibly anxious.

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All interviewees believed that for police reform to progress to a point four or higher on the scale they required more equipment, more in-service training, better uniforms, more vehicles and better pay. If the public were to exhibit dissatisfaction with police work, it was intimated, it would be due to the lack of political will to pass appropriate legislation or to wider structural economic reasons. Among rank and file, the perception is that if police were adequately equipped, provided with more in-service training and better paid then reform would be complete. The perception among more senior managers is that that police reform will progress to point four on the scale once systemization occurs and the final elements of the organizational restructuring are completed.

The perception amongst police officers is overwhelming affirmative when asked this question. Montenegrin police, it was explained to the researcher on numerous occasions, are now very close to considering themselves to be on par with their European Union counterparts. Corruption has been addressed. De-politicization has been accomplished. Structures have been put in place that address issues of transparency and accountability. Rank and file police claim to be much better at their job than they were prior to the initiation of reform. Middle management claim to be close to supervising committed, resourceful, community officers that are respectful of the needs of society. Border police claim to be familiar with border management and to be adept in so far as resources permit to prevent trafficking and illegal migration. All officers agree that the organization itself has become more acceptable to the general public and that cooperation with residents has quantitatively and qualitatively increased.

In particular, community police officers were quick to document how reform has provided a job satisfaction that did not exist prior to reform. But most officers at the beat level qualified their enthusiasm for reform and the added value it provided to their job with a keen sense of anxiety about the personal economic effects of reform. Many complained that reform meant twice as much work for much less remuneration. It remains to be seen whether such resentment is evincible in police-public relations.