19. Police recruitment and training in democratic societies: a socio-legal comparative perspective

Eduardo Ferreira, Sília Gomes and Núria Perez

As social complexity in democratic societies increases, informal and formal relations among individual and collective social agents tend to become regulated by an also increasing number of written laws and rules. The effective enforcement of such laws and rules, especially of those assuring fundamental rights for all individual and collective social agents, is one of the cornerstones of governance legitimacy.

Policing, understood as being the enforcement of fundamental social laws and rules, is today and more than ever expected to be performed with high degrees of legitimacy, transparency and accountability. This chapter aims at giving an overview on how countries, across the world, are adapting police recruitment and training policies in order to cope with ongoing societal changes. Incompetent or ill-conceived policing policies or practices decrease governance legitimacy and contribute to more or less serious and periodic outbursts of strong mistrust in police and in other governance agencies. How to recruit and train officers able to enforce an increasing number of formal laws and rules and, simultaneously, to avoid the illegitimate use of violence or class, gender, age or minority-biased enforcement of the law, as well as corrupt behaviours, is a major challenge for today’s governments and agencies.

Police agencies and officers are not and have never been blind to individual and collective social agents’ expectations or demands. What seems to be new, in this 21st century, is the growing empowerment of social groups that previously could not be heard in the political and media arenas and, therefore, to influence decisively general governance and policing, in particular. Shifting from complying with expectations and demands from just a few powerful social groups is certainly one of the most challenging tasks agencies and police officers face today.

Recruiting better educated and more socially differentiated officers and training them for longer periods of time is generally assumed to be one of the solutions for assuring higher policing legitimacy, transparency and accountability. Better educated officers are, at least theoretically, more capable of absorbing and applying, in practice and without social bias, the immense volume and continuously evolving body of laws and rules that frame most of today’s social relations. Also theoretically, better educated officers are more capable of continuously acquiring and developing the knowledge and the skills new policing technologies require, in order to become familiar with efficacy and, again, without any sort of social bias. Longer training, in-school and on-the-job,¹ is also believed to increase not only the internalization of sounder policing values and practices, but also the ability to transfer, into practice, the knowledge and trained skills acquired in-school.

¹ Throughout this chapter ‘in-school’ will stand for learning and training activities, such as lectures, discussions or simulations, taking place at police colleges, academies or schools. ‘On-the-job’ will stand for mentored learning or training taking place during traineeship or probation periods at police stations, units or departments.
How the design and implementation of new recruitment and training policies are evolving across the world will be subject to an overview in this chapter, while taking recourse to a sample of countries from different geographic areas. Countries were selected taken into consideration that governance and policing policies tend to be strongly shaped by constitutional regimes, legal systems and policing structures. Having such in mind, seven countries with a federal constitutional and democratic regime and/or strong constitutionally protected local law enforcement autonomy, were selected – Brazil, Canada, Germany, England and Wales, India, Pakistan and the United States. These countries, with the exception of Brazil and Germany, follow the common law system. Five countries having a non-federal democratic constitutional regime and a dual or plural policing structure were selected – France, Italy, Portugal, Spain and Turkey. Finally, six countries, having a non-federal (except for Austria) democratic constitutional regime and a unified policing structure, were selected – Angola, Austria, Egypt, Finland, Japan and Sweden. All countries grouped in the second and third ‘clusters’ mainly follow the civil law system.

For the sample selection and for the characterization of national policing structures (section one of this chapter) data was collected through the consultation and analysis of primary sources (national constitutions, laws, regulations and other legal instruments) but also through secondary sources (literature) when primary sources were not available or when a better understanding of the available primary sources was needed. A similar data gathering and analysis methodology was used for the description of past and current national recruitment and training policies. Analysis of current patterns focused on the similarities and dissimilarities, between ‘clusters’ or between countries when found necessary, of recruitment and training policies in force for the lowest (entry) ranks (section 2 of this chapter) and for the entry level leading to senior ranks (section 3). Required (pre)education levels and mandatory in-school and on-the-job training periods and curriculums are given particular attention in sections 2 and 3. A final section addresses and discusses international inputs towards enhancing policing legitimacy, transparency and accountability through training.

NATIONAL POLICING STRUCTURES

Police recruitment and training cannot be fully understood outside the constitutional regime, the legal system, the policing structure and even the history of the country where it takes place. As summarized in Table 19.1, the countries surveyed follow one of three types of policing structure. Countries grouped in the first ‘cluster’ have a federal constitutional regime and strong local autonomy when it comes to law enforcement (as Brazil, Canada, Germany, India, Pakistan).

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2 Federal Constitution of Brazil 1988 (rev Constitutional Amendment 93 from 8 September 2016) and for example Estado de São Paulo Law 616/1974, 17 December.
3 Constitution of Canada 1867 and for example the Ontario Police Services Act RSO 1990, last revised by the Police Record Checks Reform Act, 2015, SO 2015, c 30 – Bill 113.
6 Constitution of Pakistan 1973 (rev 2015) and the Police Act 1861. The Police Act 1861 was replaced...
Comparative policing from a legal perspective

Table 19.1  ‘Clusters’ of policing structures

<table>
<thead>
<tr>
<th>Policing structure</th>
<th>Main tasks</th>
<th>Main direct supervision</th>
<th>Agencies origin and nature</th>
<th>Countries</th>
</tr>
</thead>
<tbody>
<tr>
<td>Several state or local agencies and several specialized national agencies</td>
<td>General law enforcement (local agencies); border, customs, internal transportation and wildlife control; serious and organized crime investigation (national agencies)</td>
<td>Local governments and police authorities (local agencies) and federal parliaments and governments (national agencies)</td>
<td>Mainly of civilian nature; some of military origin</td>
<td>Brazil, Canada, Germany, England and Wales, India, Pakistan, United States</td>
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<tr>
<td>Two or more national policing agencies and several local agencies</td>
<td>General and specialized law enforcement usually divided by urban, rural and border areas (national agencies) and enforcement of local rules (local agencies)</td>
<td>National parliament, Ministry of Interior, Defence or Justice (national agencies) and local governments (local agencies)</td>
<td>‘Urban’ agencies are mainly of civilian origin and nature; ‘rural’ agencies are mainly of military origin and paramilitary nature</td>
<td>France, Italy, Portugal, Spain, Turkey</td>
</tr>
<tr>
<td>One national agency with some specialized or local departments or agencies</td>
<td>General and specialized law enforcement</td>
<td>National parliament and Ministry of Interior</td>
<td>Mainly of civilian nature but military origin</td>
<td>Angola, Austria, Egypt, Finland, Japan, Sweden</td>
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</table>

and the United States) or just a strong local autonomy when it comes to law enforcement (as England and Wales). As law enforcement is constitutionally vested solely with the federal states, policing is assured by state or local agencies, supervised by state or local parliaments, governments and police authorities and having a high degree of local autonomy. Almost as a rule, one or more than one national agency, supervised by the federal parliament and government, deals with more serious, organized and trans-state, or trans-local, offences, as well as

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9 Austria is a federal republic, but the states do not maintain any police competencies. Hence, it was decided to include this country in the third ‘cluster’. See n 27.
with serious public disorder events. Examples are the Brazilian Federal Police, the Royal Canadian Mounted Police, India’s DSP and Pakistan’s Federal Investigation Agency.

Although countries belonging to this ‘cluster’ are grouped accordingly to their common constitutional regime, policing structures do present dissimilarities. England and Wales, Canada and the United States follow the common law system and their policing structure is influenced by this system and by the 19th century Peelian Principles. State or local agencies, as well as officers, usually enjoy high levels of discretionary autonomy when enforcing the law.

India and Pakistan follow a hybrid legal system, incorporating aspects of the common law and civil law systems and also of traditional-religious law. India and Pakistan present other particularities, arising from their colonial past. The 19th century British policing model was only partially replicated in both countries since the main objective was to fiercely assure social order and control in the Indian colony. As a consequence, policing was more centralized and designed to be a public-scaring service, not a public-oriented and friendly service. The Police Act of 1861 shaped profoundly policing in both countries. Brazil and Germany follow the civil law system but states’ agencies have a strong and constitutionally protected autonomy.

Countries ‘clustered’ in the second group (France, Italy, Portugal, Spain and Turkey) distinguish themselves by having a centralized policing structure but also at least two national agencies, being one of civilian nature and the other of paramilitary nature. The civilian agency is usually in charge of urban law enforcement and of some types of serious and organized crime investigation, while the paramilitary agency is usually in charge of rural law enforcement and, but not necessarily, of internal transportation, border, customs, immigration and wildlife law enforcement. The existence of a paramilitary agency is rooted in the Napoleonic tradition of having an armed force capable of defending the political regime without resourcing to the regular armed forces, which were supposed to solely defend the country against...

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10 Brazilian Constitution 1988, Article 144, Paragraph 1.
15 R Mawby and A Wright, Police Accountability in the United Kingdom. Written for the Commonwealth Human Rights Initiative (Keele University 2005).
17 H Abbas, About the Report Reforming Pakistan’s Police and Law Enforcement Infrastructure: Is It Too Flawed to Fix? – Special Report (United States Institute of Peace 2011); P Kumar, Indian Police (PublishAmerica 2009).
20 Constitution of Italy 1947 (rev 2012) and Law 121/1981, 1 April, last revised by Law 668/1986, 10 October.
external enemies and, at the same time, of performing border control and other minor policing
duties in the countryside.24

Some countries, in this second ‘cluster’, also have local agencies supervised by local gov-
ernments, which are in charge of enforcing local regulations and with dealing with minor local conflicts, minor public disorder events and minor offences.25 All countries follow the civil law
system and laws, regulations and other legal instruments, enacted by national parliaments and
governments, provide a complete and comprehensive set of provisions according to which policing activities, regardless of local particularities, must be performed.

Countries ‘clustered’ in the third group (Angola,26 Austria,27 Egypt,28 Finland,29 Japan30 and Sweden)31 distinguish themselves by having only one national agency. Austria32 moved, in 2005, from the second ‘cluster’ when the paramilitary agency (Bundesgendarmerie) and the crime investigation agency where merged in the Federal Police, which was structured in nine province commands.33 After a long centralization process initiated in 1965, Sweden moved from the first ‘cluster’ and has today a sole national agency34 In some countries, as in Finland35 and Japan,36 border, customs and internal transportation controls are still in charge of special-

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25 The Spanish autonomous communities are unique in the sense that they enjoy high levels of auton-
omy in several governance areas, including policing. Under their Statutes of Autonomy, the autonomous communities have authority to form their own regional police agencies, although only Aragon, Catalonia and Navarre have done this so far. However, policing, at national and local level, is still entrusted to na-
tional police agencies, such as the National Police and the Guardia Civil, which means that local police agencies have delegated police powers, not complete autonomy – Royal Decree 221/1991, 22 February.
35 Border Guard Act (578/2005).
36 Legal Act 28/1948.
ized agencies. All countries, with the exception of Japan, follow the civil law system and similarly to countries belonging to the second ‘cluster’, laws, regulations and other legal instruments, enacted by national parliaments and governments, provide a complete and comprehensive set of provisions according to which policing must be performed. In general, policing is supervised by the parliament, by the government (usually by the Minister of Interior) and, in some cases, by independent police authorities.

Japan stands out because policing incorporates features from the civil and common law systems, as well from traditional law. Another interesting particularity is that policing is supervised by the National Public Safety Commission, which is composed by business agents, scholars and members of the judicial and media systems. Angola and Egypt also stand out but because of the particularities of their former non-democratic regimes. Angola still struggles with very low levels of fundamental rights and of governance and policing transparency and accountability. Although the legal system was almost entirely replicated from the former colonial ruler (Portugal), the policing structure is different since it was heavily influenced by an after-independence communist-style regime as well as by a long-lasting civil war. After the implementation of the current democratic regime, at the end of the 20th century, maintenance of the rule of law and of public order, not the oppression and suppression of political enemies, became the main moto for policing and agencies started being monitored in order to assure a new policing legality. However, low levels of fundamental rights and of political and policing transparency and accountability, low law-abiding policing behaviours, as well as excessive use of force and corrupt practices, remain huge, concerning issues. Egypt’s short democratic history also contributes to low standards of fundamental rights and of political transparency and accountability. Police disregard for fundamental rights, excessive use of force and corrupt practices among officers were one of the drives for the 2011 revolution and the situation did not improve significantly until 2015.

RECRUITMENT AND TRAINING FOR THE LOWEST RANKS

Constitutional regimes, law systems and policing structures apparently do not significantly influence recruitment policies applying to the lowest (entry) ranks. With few exceptions, recruitment of officers with average or below-average educational levels is a common pattern across all surveyed countries. However, differences appear when the duration of the in-school and the on-the-job training are considered (Table 19.2).

At a first glance, recruitment and training policies appear not to have detached significantly from the standards adopted by the first modern police agencies in the late 19th century and the early 20th century. The first police schools, namely in France and in Germany, offered brief training to recruits having low or no formal education at all. Law and basic policing methods

38 Law 162/1954, 8 June, Chapter II.
### Table 19.2 Required minimum education level and training duration for the lowest (entry) ranks

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<th>National agencies (i.e. RCMP)</th>
<th>State/local agencies</th>
<th>National agencies (i.e. FBI)</th>
<th>Germany (state agencies)</th>
<th>Spain</th>
<th>Portugal</th>
<th>Turkey (national police)</th>
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<td>Required minimum education level</td>
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**Notes:**
and techniques made up most of the training curriculum, and recruits were expected to develop further, if needed, knowledge and skills on-the-job, that is, by observing and mimicking older and more experienced fellow officers.

One hundred years later, an average or below-average formal education level is still required in most of the countries surveyed. New recruits also still undergo a very basic training on law, policing methods and techniques, information technologies, self-defence and weaponry. Training is still mostly aimed at technical and mechanical aspects of policing.

Although the length of the in-school training increased in most of the countries surveyed, requiring an average or below-average education level and giving recruits as short a training as possible remains a common pattern. Training remains mostly about knowing the rules, doing things the approved way and arriving at the prescribed right solution. Most trainees are still not expected to learn how to observe, analyse and question, to formulate hypothesis and draw conclusions and then to act and modify their actions according to these conclusions. Training is, in general, still focused on acquiring very basic policing skills, which is understood to require little previous educational knowledge.

These recruitment and training policies are rooted in several long-lasting assumptions. The first one derives from a military-authoritarian tradition. Soldiers were usually drafted from poorly educated citizens and given a very short training in physical fitness and basic military skills. They were mostly trained to obey orders from much better educated and trained senior officers. Lacks of knowledge or skills would be compensated by orders from above and thus was thought to be better than having critical reasoning soldiers that could risk military operations by not following mechanically command decisions. This assumption was transposed to the first police agencies and still persists. As Birzer summarized, qualities of a suitable police recruit included and still seem to include a good physical condition and the ability to follow command decisions without hesitation.

A second assumption is that low-rank officers deal almost exclusively with minor conflicts, minor public disorder events and minor offences. To deal with these, higher education, sound knowledge in law and sophisticated policing skills are not seen as being critically needed. Some knowledge of the law that officers are required to enforce is certainly

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needed, but common-sense and the skill to solve problems as they arise, eventually without resourcing to law and legal prosecution, are still considered as being the most critically needed competencies.

A third assumption is that when more serious conflicts or public disorder events arise, or when more serious offences are at stake, they will be dealt and solved by more experienced officers, with better knowledge and skills acquired through experience and specialized training.

These three assumptions still shape most national recruitment and training policies, regardless of the constitutional regime, the law system and the policing structure where the agencies operate. There are, however, differences between countries with a federal constitutional regime that mostly follow the common law system, and countries that follow the civil law system but have dual or unified policing structures.

In the first ‘cluster’, some countries, as Canada, England and Wales and the United States (US) understandably do not have nationally standardized norms stipulating conditions that recruits have to meet in order to join state or local agencies. Due to the particularities of their law systems, the same partially applies to India and to Pakistan, as well as to Brazil and Germany.

In countries following the common law system, in-school training curriculums and duration, as well on-the-job training curriculums and duration, are also designed with a high degree of local autonomy. However, in-school training is becoming increasingly nationally harmonized where it follows, for example, the standards suggested by the Central Police Training and Development Authority (CPTDA) in England and Wales, by the States’ Commissions

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50 Guidance on recruitment eligibility is available at the NPIA 02/2011, 31 May (Recruitment Eligibility Circular for Police Constables).

51 For example, the Austin Police Department requirements <www.austintexas.gov/sites/default/files/files/Police/Additional_Applicant_Information.pdf>, City of Sacramento Police Department requirements <www.cityofsacramento.org/Police/Join-SPD/Hiring-Process> or the New Jersey State Police requirements <www.njsp.org/recruiting/selection-process.shtml> accessed 3 July 2017.

52 CA Déverge, Police Education and Training: A Comparative Analysis of Law Enforcement Preparation in the United States and Canada (The University of Southern Mississippi 2016).

53 From 2006 states were invited to follow the Model Police Act 2006, Chapter XI, and are currently invited to follow the Indian Police Service (Recruitment) Rules 1954, last revised in 2007 and, for example, the Rajasthan Police Constable Recruitment 2017 Notification <www.indgovtjobs.in/2016/02/Rajasthan-Police-Recruitment.html> accessed 24 October 2017.

54 Police Act 1861 and Police Order 2002 and, for example, the Punjab Police requirements <https://punjabpolice.gov.pk/jobs> accessed 24 October 2017.


56 Landesbeamtengesetzes § 185 Abs 2, of § 187 Abs 1 and 2, and of § 238 Abs 1 and 2 (Country Civil Service Act 1 May 1981 – GV NW S 234) revised 17 May 1994 (GV NW S 270).

on Peace Officer Standards and Training (POST) in the United States,\(^\text{58}\) by the Indian Police Service or by the Police Service of Pakistan.\(^\text{59}\)

In these countries, training can happen either pre- or post-employment.\(^\text{60}\) In-school training is usually rather short. Recruits are expected to gain more from on-the-job learning of sound policing values and how to pursue results than from learning, in-school, law enforcement rules.\(^\text{61}\) Recruits are, of course, expected to have a comprehensive knowledge of their powers, rights and duties, as well as of the rules that citizens have to obey and when and how to intervene when such rules are violated. The main aim is, however, that such knowledge arises mainly from on-the-job learning and training. Learning from observing more experienced colleagues and from personal experience remains, in this ‘cluster’, the cornerstone of training and recruits are encouraged to use discretion and professional judgment, as well as to learn, with the help of their probationers, from success and failure in order to achieve better policing results.\(^\text{62}\)

Training in countries grouped in the first ‘cluster’ but following the civil law system follows different models. In Brazil, states are, since 2014, invited to incorporate a national curricular matrix in the training delivered by their police agencies.\(^\text{63}\) Training curriculum and duration is, however, still far from being nationally standardized.\(^\text{64}\) In Germany basic police training follows a standardized national common curriculum plus adapted curriculums for each police agency.

Countries grouped in the second ‘cluster’ (France,\(^\text{65}\) Italy,\(^\text{66}\) Portugal,\(^\text{67}\) Spain\(^\text{68}\) and Turkey)\(^\text{69}\) usually have national laws or regulations, enacted either by parliaments and or by governments, stipulating the conditions new recruits need to meet in order to join the lowest (entry) ranks. As laws and regulations also prescribe (almost) all police powers, rights, duties and activities, as well as the conduct of officers, on and off duty, it is not surprising that in-school training tends to be longer and to devote more time to the legal knowledge required to perform

\(^{58}\) See Déverge (n 54) and MR Haberfeld, *Police Leadership: Organizational and Managerial Decision Making Process* (Pearson Higher 2013).


\(^{60}\) See Déverge (n 54).

\(^{61}\) See Déverge (n 54).


\(^{64}\) For example Minas Gerais State Law 5.406/1969, 16 December, last revised by Complementary-Law 129/2013, 8 November.

\(^{65}\) Decree 1439/2004, 23 December, last revised by the Decree 359/2017, 21 March and Decree 952/2008, 12 September, last revised by Decree 2017–1024/2017, 10 May.


\(^{67}\) Regulation (Portaria) 236-A/2010, 28 April and Law-Decree 30/2017, 22 March.


\(^{69}\) See Gul, Dolu and Dogutas (n 64).
policing duties. Training is normally designed and implemented by agencies’ internal ordinances or orders, which follow applicable national laws or regulations.\(^70\)

In this second ‘cluster’, national agencies of paramilitary nature still follow a military-authoritarian model. Recruits already have military training and experience before joining the agency or undergo an initial training that closely resembles basic military training. As Birzer pointed out, former military personnel fit better in this paramilitary model because training is intended to promote a warrior-like mentality and bonds recruits against a common enemy, helping them, through feelings of fear, hate and aggression, to develop a ‘us versus them’ mentality.\(^71\) Not surprisingly, most of the curriculum is devoted to law and military skills. Basic policing methods and techniques are also taught, but the training time devoted to them is not very long. In this second ‘cluster’, Turkey stands out, not only for delivering long in-school training, but because such training gives equivalence to a bachelor’s degree.\(^72\)

National agencies of civilian nature tend to follow a dual training model. As most agencies are, in fact, of military origin, training still includes basic military knowledge and skills, especially values and practices stressing command obedience. The remainder of the curriculum is mainly devoted to law and basic policing methods and techniques. The National Police of Spain stands out in this ‘cluster’ because it recently started requiring recruits to already have a university bachelor’s degree.\(^73\) As mentioned before, Turkey also stands out for delivering training that gives equivalence to a bachelor’s degree.

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\(^71\) Birzer (n 49).

\(^72\) Such applies only to the Turkish National Police since data on the Turkish Gendarmerie could not be obtained. Training curriculums follow standards established for national higher education, in particular those established for law study programmes. See also <www.egm.gov.tr/en/dkmanlar/tnp.pdf> accessed 22 July 2017. See also note 64.

\(^73\) Organic Law 9/2015, 28 July.
Countries grouped in the third ‘cluster’ (Angola, Austria, Egypt, Finland, Japan and Sweden), share strong similarities with countries grouped in the second ‘cluster’, but Finland and Sweden stand out for delivering long in-school training with a diversified curriculum. In Finland, training takes 72 weeks and gives 165 ECTS. Following the 2013 reform, all future recruits will undergo a three-year training programme giving equivalence to a Bachelor of Policing degree. Sweden also delivers a long in-school training programme which is contracted with civilian colleges and universities and is currently being adjusted in order to give equivalence to a higher education diploma. Egypt also stands out, but for retaining a strong military-authoritarian-oriented training model.

How these long-lasting policies of requiring average or below-average educational levels and of delivering relatively short training periods negatively affect policing legitimacy, transparency and accountability has been a long-lasting debate. The persistent conviction that low-rank officers take no leverage from higher education, that is, from increased knowledge and skills acquired during their civilian education, has been often challenged by scholars and researchers, who argue that under-education and under-training neither enable officers to perform adequately nor to keep up with societal changes and growing social expectations and demands. The conviction that only university-level educated officers are in position to address the demands of complex democratic societies was already present, for example, in the 1967 US President’s Commission on Law Enforcement and Administration of Justice Report, as well as the conviction that the length of basic training remained dangerously shorter when compared to the length of training for most other professions.

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80 ECTS stands for European Credit Transfer System and is part of the Bologna Process, as it will be described in the last section of this chapter.
82 See Abdelrahman (n 41).
Why so many recruitment and training policies are still based on average or below-average-educated recruits and in as short as possible in-school training is certainly puzzling. One explanation can be found by taking into consideration that education is a complex process that starts within the family and the community, where language, social values and norms and basic reasoning skills are acquired. Later on, education is complemented, in a first formal (school) stage, by the acquisition of the fundamental concepts of time, space and causality and basic reading, writing and logical reasoning skills. In final stages, formal education is expected to enhance learning of more complex values, concepts and theories, the ability to conceptualize more complex realities through theoretical and analytical reasoning.\footnote{P Kratcoski, \textit{Correctional Counselling and Treatment} (Duxbury Press 1981).} Longer processes, that is, more years of formal education in regular schools, are believed to be linked to increased knowledge and critical reasoning skills, which, in turn, are linked to an increased competency to identify, analyse and manage different problems and situations arising from everyday life.\footnote{R Christmas, \textit{Canadian Policing in the 21st Century: A Frontline Officer on Challenges and Changes} (Mcgill-Queens University Press 2013).} The issue, as it seems, is that longer education processes provide knowledge and skill levels that are not considered necessary by policy-makers, governments and police agencies – not to mention that better educated and better trained professionals have the ‘bad habit’ of demanding better salaries and better career opportunities.\footnote{R Roberg and S Bonn, ‘Higher Education and Policing: Where Are We Now?’ (2004) 27 Intl J Pol Strategies & Mgmt 469.} A second possible explanation is rooted in the persistent assumption that recruits benefit more from observing and mimicking older and more experienced fellow officers than from longer (pre) education processes and from longer in-school training.

Another puzzling issue is that, theoretically, average or below-average education levels could be maintained as a policy option provided that this was taken into account when designing training. The main problem here seems to be that education and training are well known to interact in several ways. They can complement each other, when a (pre) higher education level facilitates the acquisition of complex knowledge and skills required by also complex professions, but they can also conflict, when educational knowledge and skills levels are higher than what is needed to perform a given job. Over-education can be a demotivating factor in less-complex and/or poorly-paid jobs, which the lower police ranks are, and such demotivation can start even during training. Training, understood as a post formal education period aiming at the acquisition and development of the knowledge (including values, norms and attitudes) and of the skills required to perform a given job,\footnote{See Déverge (n 60).} needs, therefore, to be carefully designed and implemented in order to avoid future conflicts and performance deficits.

Although the combination between low education and insufficient training continue to appear to be linked to undesirable police performance,\footnote{FE Spangenberg, \textit{Characteristics of Newly-hired Members of the New York City Police Department as Predictors of Subsequent Job Performance} (City University of New York 2016).} policy-makers, governments and police agencies seem to be well aware that over-education and over-training can have more costs than benefits. As most police agencies are currently designed and operated, low-rank officers are simply not supposed to perform too critically or creatively in their daily duties.
Most recruitment and training policies seem to be stuck in a contradiction. Societal changes and social demands for increased policing legitimacy, transparency and accountability require low (pre) education levels to be compensated for by more in-school training time for the acquisition of increased knowledge and skills, as well as longer on-the-job training time for the transferring into practice of sounder policing values, knowledge and skills.\(^{90}\) But this contradicts the option to keep under-educated and under-trained, but motivated and obedient, low-rank officers.\(^{91}\)

This contradiction and the discussions on the advantages and disadvantages of increasing (pre) education and training levels are taking different directions. In the surveyed countries following the civil law system, movements towards augmenting the required (pre) education level are still as rare as movements towards augmenting the in-school training time. A more common response has been the introduction, in the existing training curriculum, of short modules addressing human rights or civil rights, as well as policing codes of conduct.\(^ {92}\) This additional training, mostly delivered through theoretical lectures, has been encouraged by international institutions and by public opinion, but still has to prove its efficacy.

Furthermore, how such (short) exposure to theoretical knowledge interacts with what is still in fact learned in-school and on-the-job remains a matter of discussion. What is really taught and learned in-school and on-the-job is normally absent from legislations regulating training. The hidden curriculum, as Prokos and Padavic termed it,\(^ {93}\) persists in most police schools and agencies and seems to shape police knowledge and skills more decisively when recruits have low (pre) education levels and short and very basic in-school training.\(^ {94}\)

In the countries examined here that follow the civil law system, movements and even scholarship that support augmenting the required (pre) education level are also still as rare as movements towards augmenting the in-school training time.\(^ {95}\) A more common response has been the introduction of more frequent auditing enquiries as well as of technologies (such as police station, vehicle or body-worn cameras) aimed at improving policing legitimacy, transparency and accountability.\(^ {96}\)

The assumption that higher (pre) education levels and longer and better training can give low-rank officers an increased ability to respond to the changes, expectations and demands of society is certainly still not making its way in the countries examined here. Only Finland, Spain and Turkey have already incorporated such an assumption in their recruitment and training policies. These countries moved or are moving towards the recruitment of new officers

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\(^{90}\) See Haberfeld (n 85).

\(^{91}\) In-school undertraining should not be associated with lack of adequate knowledge and skills since all overviewed police agencies carefully provide, formally or informally, for adequate on-the-job learning and training.


already holding university degrees or towards equipping them with a university-equivalent education and training before they take office. As with the rest of the countries surveyed, most recruits still come from average or below-average-educated citizens and then undergo basic training aimed at technical and mechanical aspects of policing.

The trend towards socioeconomic and cultural globalization is expected to increase local demands for better governance and for better policing, and it is becoming clearer that the 21st century will need a better educated and better trained police officer.97 How national recruitment and training policies will address the contradiction between what governments and agencies still want and expect from the low-rank (‘beat’) officer and what other social groups expect from the same ‘beat’ officer, the one that actually performs the majority of the police duties, will certainly need to be closely observed in the near future.

RECRUITMENT AND TRAINING FOR SENIOR RANKS

Senior ranks – those ranks whose main function is to lead and manage officers, teams, stations or departments – have been traditionally recruited among high-educated officers or citizens. Training of senior ranks was not regarded as a priority in the first police schools,98 since they were already magistrates, prosecutors, senior public servants or highly educated citizens or, as in the case of paramilitary agencies, armed forces officers educated and trained at military academies. The majority of senior officers had, almost from the beginning of the modern police agencies, higher-than-average education levels, acquired at military academies or at civilian universities.

Most agencies followed, initially, the assumption that special training for senior ranks was not necessary because they already had sufficient knowledge and skills in law enforcement or in military or command sciences. The few agencies recruiting senior officers from the ranks also assumed that self-acquired (through experience) leadership and management knowledge and skills rendered further in-school training almost useless. Knowledge or skills gaps, when they existed, were normally solved by sending senior officers to short, specialized police seminars, conferences or workshops, some of them with an international dimension. Sharing each other’s experiences in the field of police leadership and management, in order to improve specific knowledge and skills, was, and still is, to a certain extent, a common worldwide pattern in senior officers’ training.99

In the countries surveyed here, and especially in countries following the civil law system, special training for senior officers began to be a necessity when some agencies started closing external entries to their senior ranks and when former paramilitary agencies discovered that they needed an alternative to the established military academies where their senior officers had been traditionally trained. As most military academies had become recognized as universities or colleges, entitled to award university degrees,100 agencies of civilian nature and, especially,

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97 See Haberfeld (n 85) and Spangenberg (n 91).
99 Népote (n 100).
100 See, for example, the Portuguese Law-Decree 27/2010, 31 March.
their senior officers, started demanding an education and training that could also be recognized as being university-equivalent. Needless to say, that comparative social status was one of the major drives to obtain a university degree, either in police colleges or in cooperation with civilian universities.\footnote{101}

Factors such as social and professional status, salary level, societal complexity and the option to maintain below-average-educated and under-trained low-rank officers contributed to significant changes in the in-school education and training. Today, such training is much longer and complete, embracing a diverse university-level body of knowledge and skills. Variations in training are still influenced by constitutional regimes, law systems and policing structures, but most candidates are now, especially in countries following the civil law system, required to have a university-level education before taking office.

The surveyed countries having, at least, a dual national policing structure and following the civil law system share strong similarities. The French National Police requires its future senior officers to have a master’s degree, which can be acquired, by internal candidates, by completing a training programme that is delivered in cooperation with Lyon University,\footnote{102} while the Gendarmerie requires a master’s two-level degree delivered in cooperation with the Paris II Panthéon-Assas University.\footnote{103}

The Spanish National Police requires a master’s degree that was delivered in cooperation, until 2017, with Salamanca University.\footnote{104} The Guardia Civil also requires a master’s degree, delivered at several Guardia academies.\footnote{105} The Portuguese Public Security Police requires its senior officers (sub-commissioners) to attend and complete, at a Police University, a training programme awarding a master’s degree,\footnote{106} while the Guarda Nacional Republicana requires its future senior officers to attend and complete, at the Portuguese Military Academy, a programme also awarding a master’s degree.\footnote{107} The Judiciary Police requires its investigators to have a bachelor’s degree before entering a training programme.\footnote{108}

The Italian Carabinieri requires its officers to attend and complete a programme that, in cooperation with Modena and Reggio Emilia University, awards a master’s degree.\footnote{109} The

\begin{footnotes}
\item See, for example, the preamble of the Portuguese Law-Decree 129-B/84, 27 April.
\item Decree 946/2008, 12 September, revised by Decree 1290/2015, 14 October. See also the École des Officiers de la Gendarmerie Nationale web portal <www.gendarmerie.interieur.gouv.fr/eogn/> accessed 2 August 2017.
\item Regulation (Portaria) 101/95, 2 February and Law-Decree 275/2009, 2 October. See also the Instituto Superior de Ciências Policiais e Segurança Interna web portal <www.iscpsi.pt/Inicio/Paginas/default.aspx> accessed 3 August 2017.
\item Law-Decree 215/2001, 8 May, Law-Decree 298/2000, from the 5 October, revised by Law-Decree
\end{footnotes}
Comparative policing from a legal perspective

Guardia di Finanza also requires its future senior officers to attend and complete, at one of the several Guardia academies and in cooperation with Italian universities, a master’s degree,\(^{110}\) while the Polizia di Stato recruits candidates having already a bachelor’s degree and requires them to attend and complete a programme awarding a master’s degree in cooperation with Rome University.\(^{111}\)

Outside the European Union, the Turkish National Police recruits senior officers internally, which means that they already have a bachelor’s degree, and requires them to attend and complete successfully, at the College of Security Sciences, a 48-week training programme.\(^{112}\)

Candidates for senior ranks are generally required to have a university-level degree in the surveyed countries with a unified policing structure and following the civil law system (Angola,\(^{113}\) Austria,\(^{114}\) Egypt,\(^{115}\) Finland,\(^{116}\) Japan\(^{117}\) and Sweden).\(^{118}\) However, and contrary to the majority of the countries having at least a dual policing structure, most agencies recruit only internal candidates, that is, already experienced officers. The Austrian National Police recruits only internally and requires candidates to the lower senior ranks to attend and complete successfully a training programme that awards a bachelor’s degree in Public Administration, while candidates for the higher senior ranks have to attend and complete a training programme that awards a master’s degree in Public Administration and Management.

Internal recruitment is also followed by the Swedish and Finnish national agencies, so candidates already have or will soon have at least a bachelor’s degree. In Finland candidates are required to attend and to complete successfully a training programme that awards a master’s degree.\(^{119}\) In Sweden, a university-equivalent degree is awarded by civilian universities.

Outside Europe, the Angolan National Police requires candidates to complete a training programme that awards a bachelor’s degree, although a variable but usually large number of candidates attend master’s programmes abroad, that is, programmes implemented by foreign agencies, like the Portuguese National Police, or by foreign universities. The Egyptian National Police also requires candidates to attend and complete a training programme, delivered by the Police University, awarding a bachelor’s degree. The Japanese National Police allows

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\(^{112}\) See Gul, Dolu and Dogutas (n 64).


\(^{115}\) See Abdelrahman (n 41).

\(^{116}\) See n 79.

\(^{117}\) See n 80.

\(^{118}\) See n 81.

candidates to have just a high school diploma, but requires them to complete an 84-week training programme, while candidates having already a university-level degree only have to complete a 60-week training programme.\footnote{See n 80 and also <www.keishicho.metro.tokyo.jp/multilingual/english/about_us/graph_keishicho/index.files/16.pdf> accessed 12 August 2017.}

The surveyed countries having a federal constitutional regime and following the common law system usually do not require a (pre) university degree or the completion of a programme awarding a university degree. As a matter of fact, recruitment and training roughly follows the same model used for the lowest-rank officers. Candidates, coming from ranks, can, therefore, have an average or below-average formal education level. In England and Wales, for example, inspectors are recruited internally and externally and only need to prove their leadership and management potential (knowledge and skills) through testing before being admitted to a 20-week in-school programme, followed by a long (84-week) on-the-job (probation period) programme.\footnote{The need for higher-level education is addressed in the Anti-social Behaviour, Crime and Policing Act 2014, with amendments to the Police Act 1996 and Policing and Crime Act 2017. See also the College of Policing web portal <www.college.police.uk/Pages/Home.aspx> accessed 12 August 2017.}

In the US and in Canada, most police chiefs are recruited and trained in a similar way.\footnote{See n 53 and Déverge (n 54).}

In India, candidates are usually recruited internally and required to have between seven and nine years of field experience and to complete an 8-week in-school training programme. Having at least a bachelor’s degree is, however, required for the higher senior ranks that are selected and appointed by the Indian Police Service.\footnote{See n 55.}

Similar recruitment and training requirements exist in Pakistan.\footnote{See n 56.}

In this ‘cluster’, Brazil and Germany follow a different law system and also different recruitment and training policies. In Germany,\footnote{Police Legal Act 85/1989, paras 20 and 21, part 1 (§§ 20 und 21 Absatz 1 Ausschreibungsgesetz 1989 – AusG, BGBl 85/1989 idgF) and the police training curriculums in AUSBILDUNGSPLAN zur Grundausbildung für den Exekutivdienst <www.polizei.gv.at/files_all/Berufsinformation/PGA_Ausbildungsplan.pdf.> accessed 12 August 2017.}

as in Austria, candidates for the lower senior ranks are required to complete a 144-week programme that awards a bachelor’s degree in Police Public Administration or in Public Administration Information Technologies. Candidates for the higher senior ranks are required to complete a 96-week programme that awards a master’s degree in Public Administration and Management. Brazil follows several and rather complex local (state) policies. States’ agencies enforcing urban and rural public order usually require the completion of a 192-week programme that awards a bachelor’s degree in Military Science, while agencies dealing mainly with crime investigation usually require a 144-week on-the-job probation period, followed by a short in-school programme that awards a post-graduation degree. In the Federal Police, which requires recruits for the lowest ranks to already have a bachelor’s degree, candidates for the senior ranks must complete an in-school programme that awards a post-graduation degree in Crime Investigation Management or in Police Intelligence.\footnote{Regulation (Portaria) 516/2008, 30 April. See also the web portal <http://portal.mec.gov.br/cne/arquivos/pdf/2007/pces261_07.pdf.> accessed 21 July 2017.}

However, and in spite of the Brazilian complex policing structure and policies, a
new policy, requiring candidates to have, before taking office, a university-level degree, was recently implemented in several states.\textsuperscript{127}

What stands out from this overview of recruitment and training policies for senior ranks is that few agencies, in the surveyed countries, do not require their senior officers to have at least a university degree (bachelor- or masters-level), complemented by in-school and on-the-job training. These long education and training processes sharply contrast with what is required for the lower ranks but are totally coherent with how most agencies are still designed and operated. That is, under-educated and under-trained low-rank officers are guided by more experienced fellow officers and both are supervised by over-educated and over-trained senior officers. How such national recruitment and training policies will address and solve the contradiction between what governments and agencies still expect from the ‘beat’ officer and what other social groups expect from the same ‘beat’ officer will also need to be closely observed in the near future.

INTERNATIONAL INCENTIVES TOWARDS INCREASED POLICE LEGITIMACY, TRANSPARENCY AND ACCOUNTABILITY

The need for cross-national cooperation and for some cross-national harmonization of policing methods and techniques, and of training in their use, is almost as old as are the first modern police agencies.\textsuperscript{128} In the last decade of the 19th century, French, German, English and several other European agencies were already exchanging information and some training on transnational anarchist groups that were believed to be linked to several bombing and assassination events across Europe.

Along the first half of the 20th century several police conferences and meetings were attended by senior government officials, senior officers or by specialized experts. Senior officers also started to attend courses organized by the then most praised (for their use of cutting-edge methods and techniques) agencies of France, Germany and the United Kingdom.

A major boost in cross-national cooperation occurred during and after the 1923 Second International Criminal Police Congress, held in Vienna, when the International Criminal Police Commission, known since 1956 as INTERPOL, was established. It would later become the first permanent international agency devoted to cross-national cooperation\textsuperscript{129} and not aimed, since 1946, at matters having a political, religious or racial character.\textsuperscript{130}

From almost its beginning, INTERPOL actively supported the sharing of policing methods and techniques, namely through its magazine and working groups on subjects such as drugs, organized crime, forensic science and international fraud.\textsuperscript{131} All the surveyed countries are INTERPOL members and since 2007 this organization included Training and Development as its fourth core function.\textsuperscript{132} Operational training provided or supported by INTERPOL is,

\begin{itemize}
  \item \textsuperscript{127} See Riccio (n 57).
  \item \textsuperscript{128} See Deflem (n 100).
  \item \textsuperscript{129} C Valleix, ‘Interpol’ (1985) 387 Intl Crim Pol Rev 90.
  \item \textsuperscript{130} FS Bresler, Interpol (Viking 1992).
  \item \textsuperscript{131} ibid.
  \item \textsuperscript{132} Constitution of the ICPO/INTERPOL <www.interpol.int/About-INTERPOL/Legal-materials/ The-Constitution> accessed 21 August 2017.
\end{itemize}
however, aimed at already experienced and highly specialized officers, in areas such as terrorism, drugs and trafficking in human beings, as well as investigative support tools, such as forensic techniques, or at officers that use INTERPOL’s network and databases. Non-operational and more tactical or strategic training is also provided or supported but, again, is aimed at senior officers with responsibility for international cooperation.

Some cross-national training harmonization has been tentatively suggested by INTERPOL, namely through the INTERPOL Guide for Effective Training, as well as through specialized manuals that can be adapted and included in the national curriculum, such as the INTERPOL Manual on Disaster Victim Identification. INTERPOL’s initiatives on training have not been systematically assessed on how such training is being transferred into practice, which means that the impact of INTERPOL training on increased global policing legitimacy, transparency and accountability, as well as on overall performance, is unknown.

All surveyed countries are also members of the United Nations (UN), which has been trying to be a major global player and driver in cross-national legislation and in policing harmonization, including in training. The first harmonization attempts were related mostly to drug trafficking and took shape through the Single Convention on Narcotic Drugs (1961), later amended by the 1972 Protocol, by the Convention on Psychotropic Substances (1971), and the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988), which is still in force and is learned by most officers taking specialization training on drug trafficking.

Other major areas of cross-national organized crime prevention and prosecution have been tackled by the United Nations. Examples are the 2000 UN Convention against Transnational Organized Crime. Together with one of its protocols, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, the Convention became effective in 2003 and is also learned by officers taking specialization training on human trafficking.

General governance, as well as law enforcement governance, has been another key area of intervention since the adoption (2003) and entering into force (2005) of the UN Convention against Corruption. This Convention remains the only legally binding universal anti-corruption instrument and was the culmination of a long process that started with the UN Code of Conduct for Law Enforcement Officials (1979), the UN Declaration against Corruption and the UN Protocol to the Convention on the Rights of Children, Child Prostitution and Child Pornography was also adopted but has an ‘optional’ one.

\[133\] Addressing how training needs can be identified and assessed, the steps required to design, to plan and to implement quality training programmes and how the evaluations and the assessments can be conducted.


\[140\] <www.ohchr.org/EN/ProfessionalInterest/Pages/LawEnforcementOfficials.aspx> accessed 22 August 2017.
Bribery in International Commercial Relations (1996)\textsuperscript{141} and the UN International Code for Public Officials (1996).\textsuperscript{142} In the surveyed countries, officers, although usually only the ones dealing with national and cross-national corruption, have some degree of knowledge on these conventions, codes and declarations, as well as on the available online and training-oriented knowledge that TRACK platform provides.\textsuperscript{143}

UNODC also produces and disseminates, online, training-oriented knowledge on a huge variety of other law enforcement issues. Online training or materials are, however, aimed at already experienced and specialized officers, with a good knowledge of English or a few other selected languages, not at officers working in the lowest ranks.\textsuperscript{144}

UNODC is also actively involved in supporting national reforms. Building from the seminal Code of Conduct for Law Enforcement Officials (1979), it is today aiming at assisting agencies to transform themselves into rights-respecting agencies and at promoting training for officers with a focus on human rights principles. Assistance is provided in order to reform national agencies through planning and organizational change management, to give national agencies with the capacity to improve oversight, accountability and integrity systems and mechanisms or to assist national agencies in promoting measures to prevent and respond to violence against women.\textsuperscript{145}

Although the UN conventions and protocols certainly impacted national legislations and, directly or indirectly, national policing legal frameworks, their impact on national recruitment and training policies and on policing legitimacy, transparency and accountability remains at best unknown and at worst modest. As was referred in the Independent Quality Assessment of UNODC Evaluation Reports (2016), activities’ outcomes, or impacts, including those aiming at the training of officers, remain largely unassessed and therefore unknown.\textsuperscript{146}

Police agencies in several of the surveyed countries also belong to international networks that support or aim at providing cross-national training. Brazil, Portugal and Spain belong to IBERPOL (Iberian-American Police School), while others have bilateral cooperation agreements or long-standing practices allowing for the joint training of senior officers, such as the ones existing between Portugal, Brazil and Angola, or between England and Wales, Canada, Egypt, India, Pakistan and the US.\textsuperscript{147}

\textsuperscript{143} TRACK (Tools and Resources for Anti-Corruption Knowledge), a platform developed and launched in 2011 by UNODC (United Nations Office on Drugs and Crime), provides online access to the Convention Legal Library, the ACAD (Anti-Corruption Academic Initiative) and other education materials.
\textsuperscript{144} Such a restricted target group is certainly linked to the low number of registered users (24,785, from all over the world, in 2017). Existing learning or training-oriented materials include, for example, handbooks on crime prevention, on policing urban space (for which there is also a training manual), on police accountability, oversight and integrity, and on effective police responses to violence against women (for which also exists a recommended training curriculum).
\textsuperscript{145} Existing learning or training-oriented materials include, for example, handbooks on police accountability, oversight and integrity and on human rights standards and practice for the police, as well as one trainer’s guide on human rights for the police.
\textsuperscript{147} The International Police Association, founded in 1954, also provides cross-national training but membership is not institutional. The same applies to the International Association of Chiefs of Police.
European Union (EU) Member States that were included in the overview (Austria, Finland, France, Italy, Germany, Portugal, Spain and Sweden) stand at a separate level. The 1992 Treaty on European Union established a framework for the development of quality education and vocational training in the Member States by encouraging cooperation among them (Articles 126 and 127). This provision paved the way for the later Bologna and Copenhagen Processes. The 1992 Treaty also established a framework for cooperation in the fields of justice and home affairs (Title VI) and for the creation of the European Police Office (Europol). The annexed Declaration on Police Cooperation included a commitment for, among other issues, further cooperation in training and research.

The Bologna Process was launched by the Bologna Declaration, of 1999, and aims at an increased compatibility between national education systems by introducing a common three-cycle system (bachelor’s/master’s/doctorate), a common quality-assurance system and a standardized recognition of qualifications and periods of study.

In the surveyed countries that are EU Member States, all senior officers are required to already have a university degree or to acquire one during the recruiting and training processes and before taking office. This means that their university-level education is increasingly aligned with the Bologna Process and is becoming very similar in terms of structure, duration and quality, with the only national variations being the learning outcomes – although most study programmes are in security or police sciences. Teaching staffs, curriculums and learning and assessment processes are routinely audited by accreditation agencies that, in turn, ensures high standards.


148 England and Wales, or to be more accurate, the United Kingdom, were negotiating an exit from the EU at the time of writing of this chapter.
150 1992 Treaty (amendments: 1952 Treaty establishing the European Economic Community, 1967 Merger Treaty, 1987 European Single Act, 1999 Treaty, 2001 Treaty) revised by 2007 Treaty. To be noted that dispositions on judicial cooperation in criminal matters and on police cooperation remained under the Union’s principle of subsidiarity. As a consequence, these areas, including national police recruitment and training policies, do not fall within the Union exclusive competence and remain therefore within the national parliament’s exclusive competence.
152 Since 1999 mutual recognition of qualifications follows the Convention on the Recognition of Qualifications concerning Higher Education in the European Region. Since 2005, quality is assured by the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG), revised in 2015; qualifications are defined in terms of learning outcomes; and the European Credit Transfer and Accumulation System (ECTS) is in use. Credits are a standard means for comparing the volume of learning based on the defined learning outcomes and their associated workload. One academic year corresponds to 60 ECTS credits that are normally equivalent to 1500–1800 hours of combined classroom, tutorial and self-study workload.
153 Such as the Agency For Quality Assurance and Accreditation (Austria), the Finnish Education Evaluation Centre (Finland), the High Council for the Evaluation of Research and Higher Education (France), the Agency for the Evaluation and Promotion of Quality in Ecclesiastical Faculties (Italy), the
follow the guidelines provided by the European Association for Quality Assurance in higher education (ENQA), the European University Association and, more specifically, the European Recognition Manual for Higher Education Institutions.\textsuperscript{154}

The increasing harmonization of the education of senior officer’s contrasts with a persistent diversity and uneven quality standards in vocational training, including training aimed at the lowest (entry) ranks. The Copenhagen Process, launched by the 2002 Copenhagen Declaration,\textsuperscript{155} is far less advanced then the Bologna Process. Aimed at the promotion of mutual trust, transparency and recognition of (vocational) competences and qualifications, the main outcome of the Copenhagen Process remains the adoption and implementation of the European Qualifications Framework (EQF), with eight common European reference levels that are described in terms of learning outcomes (knowledge, skills and competences). The European Credit system for Vocational Education and Training (ECVET), recommended by the European Parliament in 2009 to facilitate the accumulation and transfer of credits for learning outcomes and to complement the European Credit Transfer and Accumulation System (ECTS), was not implemented at the time of writing.\textsuperscript{156}

There is, however, one area where training harmonization is developing, in the European Union, at a faster pace. Following the first Schengen Agreement (1985) and Implementing Convention (1990) (see Van der Woude in Chapter 12), enabling nationals, goods and services of six Member States to cross internal borders freely, later incorporated into the legal framework of the Union by means of protocols attached to the 1999 Treaty,\textsuperscript{157} the abolition of checks at the Union’s internal borders, together with the tightening of controls at the external borders, created a strong need for cross-national cooperation and harmonized, as well as for mutual trust.\textsuperscript{158}

For the first time in the EU, cross-national harmonized and quality-assured law enforcement training become a strong and effective necessity in order to assure compliance to a common set of rules applying to people crossing the EU external borders, including: the types of visa needed and how checks at external borders have to be carried out; the conditions of entry and of the rules on visas for short stays; and the use of the Schengen Information System (currently known as SIS II) and the Visa Information System (VIS).\textsuperscript{159} Cross-national harmonized and quality-assured training also become necessary regarding policing rights of cross-border

\textsuperscript{158} The Schengen Area encompasses today most EU Member States, except for Bulgaria, Croatia, Cyprus, Ireland, Romania and the United Kingdom.
\textsuperscript{159} National SIRENE Bureaus (standing for Supplementary Information Request at the National Entries) are responsible for any supplementary information exchange and coordination of activities connected to SIS and eu-LISA is responsible for the operational management of VIS. eu-LISA is the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice, established by Regulation (EU) 1077/2011 of the European Parliament and of the Council.
surveillance and ‘hot pursuit’, as well as for extradition and transfer of enforcement of criminal judgments.

Countries undergo a Schengen evaluation before joining the Schengen Area and periodically thereafter to ensure the correct application of the existing legislation. National staff competencies are key evaluation issues and Union’s agencies, as Frontex and eu-LISA, are now actively supporting staff training in the Member States.\footnote{Frontex is the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, established by Council Regulation EC (2007)/2004.} Frontex assists, among other aims, Member States in training national border guards, including in establishing common training standards, while eu-LISA assists Member States in training SIS II and VIS operators. National or cross-national training usually follow the standards proposed in the SIRENE Manual.\footnote{Commission Implementing Decision (EU) 2015/219, 29 January. Training for operators of Eurodac, a system supporting the comparison of fingerprints for the effective application of the Dublin Convention and the common policy on asylum, including the Common European Asylum System, is also supported by eu-LISA and European Asylum Support Office (EASO). Eurodac was established by Regulation (EU) 603/2013, from the 26th June of the European Parliament and of the Council.}

European Union (EU) support to training was stressed by the 2007 Treaty and other EU agencies, operating in the areas of freedom, security and justice, as the Fundamental Rights Agency (FRA), the European Monitoring Centre for Drugs and Drug Addiction and the European Police College (Cepol) are becoming actively involved in cross-national training.\footnote{Member States cooperation and joint initiatives in police training were mentioned in Title VI, art K.2, 1(c) of the 2001 Treaty and the Union support for police training was mentioned in ch 5, art 69F, 1(b) of the 2007 Treaty.}

Cepol was established in 2000, following a European Council Meeting held in Tampere (1999) and became, in 2005, an entity of the Union with the aim of training senior officers of the Member States and facilitating cooperation between national agencies by organizing and coordinating training activities.\footnote{Council Decision 2005/681/JHA, from 20 September.} In 2016 Cepol was given a renewed mandate and changed its name to the European Union Agency for Law Enforcement Training.\footnote{Regulation (EU) 2015/2219 of the European Parliament and of the Council, from 25 November.}

Cepol operates today with a network of 60 education and training institutions located in all EU Member States, with the exception of Denmark and the United Kingdom. Education and training activities follow standardized contents and intended outcomes, regardless of where they take place, although a common quality-assurance policy is still not fully implemented.\footnote{Cepol Annual Report 2015 <www.cepol.europa.eu/sites/default/files/annual-report-2015.pdf> accessed 28 August 2017.} In 2015 Cepol supported 151 training activities that were attended by 12,992 officers, most of them from middle and senior ranks. Cepol also supported 428 exchange programmes among middle and senior officers, within the framework of the European Police Exchange Programme, as well as 24 online training modules and one online training course.\footnote{Following the ‘Stockholm Programme’, adopted by the European Council in December 2009 <https://ec.europa.eu/antitrafficking/sites/antitrafficking/files/the_stockholm_programme_an_open_and_secure_europe_en_1.pdf> accessed 28 August 2017, set to create a genuine European law enforcement culture through European training schemes and exchange programmes, most training is aimed at enhancing cross-national police cooperation ‘culture’, trust and practices and address, besides serious and organized crime, counter terrorism, special law enforcement techniques, EU police and judicial cooperation and networks, external dimension of the area of Freedom, Security and Justice, maintenance}

\begin{itemize}
\item[161] Commission Implementing Decision (EU) 2015/219, 29 January. Training for operators of Eurodac, a system supporting the comparison of fingerprints for the effective application of the Dublin Convention and the common policy on asylum, including the Common European Asylum System, is also supported by eu-LISA and European Asylum Support Office (EASO). Eurodac was established by Regulation (EU) 603/2013, from the 26th June of the European Parliament and of the Council.
\item[162] Member States cooperation and joint initiatives in police training were mentioned in Title VI, art K.2, 1(c) of the 2001 Treaty and the Union support for police training was mentioned in ch 5, art 69F, 1(b) of the 2007 Treaty.
\item[166] Following the ‘Stockholm Programme’, adopted by the European Council in December 2009 <https://ec.europa.eu/antitrafficking/sites/antitrafficking/files/the_stockholm_programme_an_open_and_secure_europe_en_1.pdf> accessed 28 August 2017, set to create a genuine European law enforcement culture through European training schemes and exchange programmes, most training is aimed at enhancing cross-national police cooperation ‘culture’, trust and practices and address, besides serious and organized crime, counter terrorism, special law enforcement techniques, EU police and judicial cooperation and networks, external dimension of the area of Freedom, Security and Justice, maintenance
\end{itemize}
Common curriculums in 11 specialized areas have been developed and proposed by Cepol, but the extent of their use, by national training institutions, remains mostly unknown.\textsuperscript{167} Worth mentioning is also the Cepol-supported European Joint Master Programme (EJMP), aiming at further qualifying Member States’ law enforcement officers on the implementation and operationalization of EU instruments. This programme is a part-time study awarding 60 ETCS credit points and the level of a master’s degree. The first EJMP was implemented from 2015 to 2017 and the second has been scheduled to take place from 2018 to 2020.

It is, however, evident that even the EU trend towards harmonization and common quality-assurance in training is moving at different paces. Education and training of senior officers are, on account of the Bologna Process and several EU agencies, namely Cepol, becoming remarkably similar across the surveyed Member States, while education and training for the lowest-rank officers remain extremely diverse. Following the dispositions of the several Union Treaties, such training still falls under the exclusive competence of each Member State and harmonization and quality-assurance policies are still far from being achieved.

A BRIEF CONCLUSION

The comparative overview of policies and practices of recruitment and training policies shows that few agencies, in the observed countries, do not require their senior officers to have at least a university degree. Although this policy is not yet followed or implemented in all surveyed countries, it sharply contrasts with the more common policy of recruiting under-average-educated and under-trained officers for the lowest ranks.

Recruiting better educated and more socially differentiated low-rank (‘beat’) officers and training them for longer periods of time is clearly still not assumed to be one of the solutions for ensuring higher policing legitimacy, transparency and accountability. Although some countries are already incorporating this solution, one obvious conclusion is that the majority of the surveyed countries are still following the assumption that policing legitimacy, transparency and accountability can be better assured, among other factors, through the close supervision of highly educated and highly-trained senior officers.

Bearing in mind that most police powers and activities are still vested in the under-educated and under-trained low-rank ‘beat’ officer, another obvious conclusion is that the majority of the surveyed countries are still following the assumption that major current or forthcoming policing challenges, such as those arising from cross-border and cyber activities, will have to be dealt by their highly educated and highly-trained senior officers, not by their ‘beat’ officers. How this paramilitary assumption will enable police agencies to overcome such challenges is certainly one of the most interesting research topics in this 21st century.

\textsuperscript{167} The existing common curriculums are in Counter-Terrorism, EUROPOL, Drug Trafficking, Police Ethics and Integrity, Money Laundering, Trafficking in Human Beings, Domestic Violence, Civilian Crisis Management and Eurojust, Disaster Victim Identification and EU CSDP Police Command and Planning and can be downloaded on Cepol e-Net’s Learning Management System (LMS). Each curriculum proposes standardized learning contents, methods and outcomes and, at request, can be translated into national languages.
The impact of longer in-school and on-the-job training periods will also remain one of the most interesting research topics. Some existing evidence suggests that the quality of the training curriculums, of the trainers and of the training methods and techniques can be far more important than mere training duration.\textsuperscript{168} This may imply that extending the duration of low-quality training will add nothing to policing legitimacy, transparency and accountability. The same may apply to the fact that longer training periods remain unable to take into account that, for example, cross-border and cyber activities increasingly demand involvement from multinational agencies. Integrated training for officers coming from police and non-police agencies, from different countries, will not only demand more training time, it will demand similar (pre) educational levels – and this will pose another interesting test to the persistent paramilitary assumption that still dominates police recruitment and training policies in most of the countries surveyed.

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