Book Review

SIOBHAN WILLS*

MAKING POLICE MORE ACCOUNTABLE

Reviewing:


This book deals with civilian oversight of public complaints about policing. Since the 1960s, procedures for handling complaints from the public have emerged as the principal means of ensuring police accountability and of dealing with problems of police brutality, and racial discrimination. But the conservatism of most police departments and their reluctance to engage in public self-examination have hindered the transition from internal oversight of police methods to civilian oversight. Goldsmith and Lewis have gathered a collection of commissioned essays on the progress of civilian oversight of policing in a wide variety of contexts. The range of states and societies examined includes Australia, Canada, the United States of America, Northern Ireland, South Africa, Israel, Palestine, Haiti, Brazil and Columbia.

One of the key concerns of several of the essays is whether the mechanism of civilian oversight of policing can aid the transplant of liberal democratic principles to regions and countries with very different political traditions and experiences. Other essays focus on the problems of police brutality in developed democracies. Amnesty International’s 1996 report on brutality in the New York City Police Department and the Patten Commission’s adoption of “human rights” as the organising principle for restructuring policing in Northern Ireland, are cited as key examples.

The editors have organised the essays into three sections. Those in the first section look at the extent to which civilian oversight has become entrenched as part of police governance procedure and what lessons can be learnt from the successes and failures. Colleen Lewis discusses how the effectiveness of civilian oversight is frequently undermined because

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* LLB (Galway, 2000), LLM (Yale, 2001), Lecturer, Faculty of Law, National University of Ireland, Galway.

in many cases a government’s initial support for the concept gives way to pragmatic politics. Police accountability tends to be given a low priority when set against the pressure to deal with rising crime rates. She argues that governments fail to give independent, external, civilian oversight bodies the necessary powers and resources to oversee effectively complaints against police. She suggests that many governments are not seriously committed to maintaining effective civilian oversight policies and further that the power of the police and the symbiotic relationship between police and government create an incentive for governments to pay mere “lip service” to the idea of police accountability.

Tammy Landau’s essay chronicles the weakening rather than strengthening of police accountability in Ontario as a result of an attempt to return greater responsibility for complaints handling to police officers, a development which she describes as the death of civilian review of public complaints against the police. She is concerned that in the current political climate, government sponsored pro-police, law and order legislation is coupled with an increasingly militant police association. In her view policing culture in Ontario is becoming entrenched in political, legal and moral untouchability – which negates the possibility of any meaningful accountability of the public police.

Cheryl Beattie and Ronald Weizer analyse the reasons behind the collapse of the civilian complaints review procedure in Washington. In 1980 Washington’s Civilian Complaint Review Board was one of a handful of strong, independent review boards in the United States. In 1995 it was abolished. Beattie and Weizer argue that the development of civilian review is shaped not only by conflicts among groups, for example racial conflicts, but also by fundamental tensions between democracy and law. In their view, agents of civilian review are caught between contradictory demands of formal law and democracy. They ask to what extent civilian review should be a means to decide impartially and objectively the merits of specific complaints and to what extent should it represent the interests of community groups, particularly racial minorities that are mistrustful of the police. They suggest that this latter “democratic” aspect of civilian review often has important symbolic value but that the existence of both a democratic function and an adjudicative function create structural tensions that may be difficult to resolve.

Section Two deals with the evaluation of civilian oversight mechanisms. Very little has been published hitherto about this aspect of police complaints mechanisms. Since civilian oversight is a key component in police accountability reforms, research as to the effectiveness and efficiency of such systems is essential. Ineffective mechanisms are likely