Complaints against the Police:
A 'Community Policing' Perspective[1]

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Recent events have identified a range of attempts to strike a balance in police accountability between citizen demands for effective, external police accountability mechanisms and a police preference for internal forms of accountability, in other words, for self-regulation. The quest for this balance has emerged from the failure of the police in recent years to convince many segments of the community of their ability to investigate and prevent misconduct and corruption within their own ranks (cf. Scarman 1982). Demands for 'independent' or 'external' elements in the investigation and review of citizens' complaints against the police, while discernible over the last thirty years, have increased in recent times and indicate something of a malaise in police-community relations. In other words, the demands for changes to complaint mechanisms are linked to changes in police relationships with the community. It would therefore seem sensible to understand what has gone wrong with police investigation of complaints and to seek ways whereby police-community relations can be put on a more trusting footing.

Traditionally, citizens' complaints about police conduct have been treated by the police (at best) as manifestations of individual officer excess, to be dealt with in an ad hoc and usually disciplinary manner. This view has not been challenged in many publications on the topic of complaints. The capacity and inclination of complaints mechanisms, however, to serve as bureaucratic monitoring systems (Hill 1981) or negative feedback systems (Dunsire 1986) have been insufficiently considered by the police and in the police complaints literature. This reflects a failure by police and others to view citizens' feedback via complaints as a necessary and valuable resource for the purpose of self-regulation. Complaints against police inevitably raise issues and problems of a prospective and systemic kind, as well as requiring a retrospective focus upon individual acts of alleged police wrongdoing. The relationship between citizens' complaints and the organisational needs of police forces is therefore just as important as the need to respond to individual complaints. Put slightly differently, it is just as important to consider the lessons gathered from complaints viewed in the aggregate as it is to deal with the problems raised by individual complaints.

Complaint mechanisms which address these **two** aspects will, it is argued, contribute to the development of **responsive** police forces:

> A responsive institution retains a grasp on what is essential to its integrity while taking account of new forces in its environment. To do so, it builds upon the ways integrity and openness sustain each other even as they conflict. It perceives social pressures as sources of knowledge and opportunities for self-correction (Nonet & Selznick 1978, p. 77).

Citizens' complaints against the police therefore are 'sources of knowledge' and 'opportunities for self-correction'—resources in the pursuit of responsive policing.

In making this case, this paper will propose to draw attention to the **inevitability** of complaints in police work and indeed in social relations, and then to show that complaints are also **healthy**, by identifying areas of police practice which require further consideration and on occasions improvement. This is followed by an examination primarily of the reasons why police-controlled complaint mechanisms have failed as community relations mechanisms. In the final section, the paper deals more directly with the links between complaints and a commitment to the community policing philosophy, and expands upon the organisational utility of complaints mechanisms which adopt a prospective (as well as retrospective) view.

Why Do Citizens Complain?

Some level of complaints against police is unavoidable for a number of reasons. Firstly, there is the inevitability of police discretion. Many areas of police work are not subject to specific rules, regulations or policy guidance. Smith and Gray (1983) have described these areas of discretion as 'policy vacuums'. Secondly, rules tend to be general in character and exhibit problems of ambiguity and uncertainty of meaning. They can also be accidentally or even deliberately vague (Hart 1961). This causes problems in the exercise of police discretion, making conflicting perceptions of 'appropriate' police work possible and even likely between police and citizens. Thirdly, much policing is of the 'order maintenance' kind (Packer 1968). Operational decisions in this kind of policing are rarely clear-cut and often require the exercise of personal judgment by individual street-level officers. The decision-making milieu of street-level officers is fraught with risks and constraints of various kinds:

> Street-level officials are exposed to litigation-related risks that flow from systematic features of their work. These features include: the character of their interactions with the public; their ambiguous and conflicting goals; their duty to act; the risk of harm from official decisions; their risk of error; the scope of their discretion; and the external constraints upon their decisions (Schuck 1983, p. 60).

While the appropriateness of police responses to particular situations is open to different interpretations, their significance is exacerbated by disparities of power which typically characterise relations between police officers and citizens. The police officer has at his disposal the ability to embarrass, humiliate and even harm the citizen. In addition, a police tendency to use stereotypes in carrying out their duties naturally inclines police patrols to focus their attention upon those groups within the community which are the subject of negative stereotypes. Unfortunately, stereotypes inevitably result in a significant number of 'false positive' interactions, that is, police-initiated contacts with citizens in which the police officer's reason for initiating the contact proves groundless. The risks to police-community relations from wide-scale negative stereotyping have been amply demonstrated in recent times by the Brixton riots in London (cf. Scarman 1982). For obvious reasons therefore, such interactions can give rise to complaints by citizens.

Another explanation for complaints is to be found in human nature. Hirschman has suggested that 'disappointment is a central element of the human experience' (1982, p. 11).

If this is even partly true, it is quite unfair and pointless to blame the police for all citizen dissatisfaction with their behaviour. Human nature and the 'social distance' arising from the use of bureaucracies for the delivery of public services are sources of human dissatisfaction and grievance for which the police must be held largely immune from responsibility. 'No matter how well a society's basic institutions are devised, failures of some actors to live up to the behaviour which is expected of them are bound to occur, if only for all kinds of accidental reasons' (Hirschman 1970, p. 1).

There is also the view, that needs to be challenged, that complaints are in some way pathological and that the ideal system of policing would generate no complaints. Instead, it is suggested that, complaints should be seen as profoundly normal and democratic, involving the expression by citizens of preferences for one state of affairs over another. On this analysis, 'disappointment is the natural counterpart of man's [sic] propensity to entertain magnificent vistas and aspirations' (Hirschman 1982, p. 23). Complaints, in microcosm, are 'unsolicited' suggestions about how police practices might be improved. Given that policing is likely to remain a relatively visible as well as contentious topic, complaints need to be seen not simply as **threats** to existing policies and procedures or individual officers, but more importantly as **opportunities** for re-examination of organisational policies and practices, particularly in terms of their implications for good community relations. The issue then is not whether or not complaints should be discouraged or tolerated, but whether there are adequate mechanisms and resources to ensure that citizens' complaints are fully stated, and systematically collected and analysed for the administrative lessons they provide for the future organisation and conduct of police work.

Why Has Internal Review Failed So Far?

The widely attributed failure of internal complaints mechanisms reflects a loss of public confidence in the way in which the police have responded previously (or more to the point, **not** responded) to citizen's complaints and to evidence of misconduct within their own ranks. As the Fitzgerald commission of inquiry into official corruption and police misconduct in Queensland observed recently, this phenomenon has taken on global proportions:

> To a large extent, attempts all over the world to combat police misconduct locally [i.e. internally] have revealed similar and recurrent problems: police culture, lack of effective control of internal investigative procedures, lack of investigative resources, organisations and procedures which inhibit honest police, and lack of public confidence in the police force's ability to investigate complaints against its members (Queensland 1989, p. 285).

The citizen's predicament has been compared to the situation of a chicken obliged to complain to 'one fox about the treatment he has received in the chicken coop from another fox' (Victoria 1978, p. 102). This lack of public confidence in police self-regulation is observable and significant at each of the four principal stages of processing a complaint against the police:

- the **making** of a complaint by a citizen;
- the **recording** of the complaint by police;
- the **investigation** of the complaint by police;
- the **response** by the police or other authorities in the case of a substantiated complaint.

Why are Complaints not made?

Systematic evidence of the scale of non-reporting of complaints against police and the associated reasons is, not surprisingly, difficult to obtain. However in a recent public survey in London, in which evidence of widespread underreporting of complaints about police use of stop-and-search powers emerged, the 'most common reason given for not complaining . . . was a lack of faith in the police complaints system' (London Policing Strategy Unit 1987). In many, if not even most, instances these perceptions held by citizens are based on personal experience or local knowledge and cannot simply be dismissed as the misperceptions of isolated crackpots and 'anti-police' elements (cf. Freckelton 1988a). This interpretation has been borne out by the findings of numerous official inquiries into police misconduct (for example, Victoria 1978, p. 103; Queensland 1989, p. 289; Scarman 1982).

A variety of other factors help make sense of underreporting, and also point to the sorts of issues complaints mechanisms must address if they are to operate meaningfully. While undoubtedly some people consciously decide not to report certain negative experiences to authorities, it is also the case that objective grounds for grievance will not always be perceived by their 'victims' as cause for complaint. Perhaps due to ignorance, limited intelligence or fraud, 'victims' will not interpret their experiences negatively so as to activate a 'sense of entitlement' (Felstiner, Abel & Sarat 1981, p. 643). Others will make a conscious choice not to complain, instead deciding to 'lump' it, for reasons of cost (Best 1981, p. 39; Galanter 1974), convenience, embarrassment, frustration with the system or fear of recriminations (Felstiner, Abel & Sarat 1981; Hood & Sparks 1970).

The 'costs' of non-receptivity to complaints from the police can be measured in terms of loss of public co-operation, trust and confidence. The scale of unreported grievances is therefore highly significant. The evidence from the area of consumer behaviour (Best 1981) and the anthropology of disputes (Nader 1984) points to underreporting as a pervasive phenomenon. Given the legal and quasi-legal resources available to police officers to deter would-be complainants from filing complaints (for example, threats and use of 'verballing', 'fit-ups'), it seems likely that underreporting of police-related grievances is significantly greater than in the case of consumer grievances. A failure by complaint handling mechanisms to address these issues will not only affect the mechanism's ability to deal with citizen dissatisfaction and collate information of systemic significance, but also do little or nothing to address the public legitimacy problems faced by the police. Ironically, it seems probable that citizens least often complain directly to the police when public confidence in the police is low; in other words when there is most **need** for complaints to be gathered and analysed systematically. In such circumstances, external agencies constitute an alternative means for receiving complaints for the purposes of remedying complainant injustices and addressing issues of systemic reform.

Why are Complaints not Recorded?

Police forces have long exhibited a degree of laxity towards the recording of complaints (Littlejohn 1981). Part of the explanation almost certainly is that police probably make better law enforcers than desk clerks. But the causes of this laxity are much more entrenched and it would seem to reside largely in the organisational practices and culture of police forces (Shearing 1981; Punch 1985). It is difficult otherwise to account for either the persistence or the pervasiveness of police resistance to recording complaints.

An example is provided by events in the state of Victoria. A report on the state of the Victoria Police in 1971 by a visiting English police inspector, Sir Eric St Johnston, revealed that at that time systematic records of complaints were not compiled by the police, and that at the district level, superintendents exercised wide discretion in reporting complaints to headquarters, and many so-called minor ones were routinely not notified (Victoria 1971, p.

170). A tightening up of recording and reporting procedures was recommended, including the keeping of a complaints record book at each district office. Yet in 1976, only five years later, recording procedures were again attacked in the Report of the Beach Board of Inquiry (Victoria 1978), which found that 'there was no satisfactory avenue through which a citizen could lodge a complaint against police misbehaviour (1978, p. 106). Damningly, the Report stated:

> The Board's inquiries revealed that police not only fail to record complaints when complaints are made, but go further and insert a direct 'no' in the column appropriate to the recording of a complaint when one has been made; further, false entries are made in the register (1978, p. 101).

Despite various administrative and legal changes since 1975, one can question how much things have altered since then in the light of recent criticism in the *Richardson Report* (Victoria 1987) and even more recently, the discovery by a team of investigative journalists anonymously polling suburban police stations in Melbourne that very few police officers approached indicated any familiarity with complaint recording procedures (Melbourne *Age* 1989).

This institutionalised reticence towards would-be complainants is perhaps explicable in terms of the 'police culture', particularly the group loyalty police officers show towards other officers (Reiner 1985), and a consequent reluctance to assist citizens in the filing of complaints against fellow officers (e.g. Queensland 1989). Both the Fitzgerald (Queensland 1989) and Beach (Victoria 1978) inquiries discovered evidence of a 'them against us' syndrome, 'an attitude of police mind, which is affronted by the impertinence of the civilian in making a complaint at all and which then in a defensive reflex classifies him as a trouble-maker, or as being anti-police, or motivated by malice or ill-will' (Victoria 1978, pp. 106-107). Evidence from the United Kingdom points to the existence of a similar phenomenon there (Box & Russell 1975; Russell 1976).

Significant here is the systemic nature of police attitudes and responses to would-be complainants and what they indicate about relationships with the public. As discussed earlier, the nature of police work undoubtedly does cause police officers to be more exposed to the risk of complaints, perhaps more than any other occupation. But what is regrettable specifically about the police response is its consequences for police-community relations. The police need to 'cease thinking of themselves as a brotherly band beleaguered by citizens (and, of course, other hostile forces) and start thinking of themselves as public servants within a specialised law-administration organisation' (Gelhorn 1966, p. 205).

Inevitably in the course of their work, the police offend far more citizens than those they justifiably investigate and charge. While the complaints of the latter should never be ignored, the police certainly ignore the complaints of the former group (i.e. law abiding citizens) at their peril. Moreover, if police officers fail to record complaints, the opportunity for police forces to respond systemically to the actions giving rise to complaints is lost. The consequences of organisational inertia, consequential upon this lost opportunity, for police-community relations scarcely require comment. Where this is the situation, alternative recording arrangements outside the police organisational structure become inevitable.

What is Wrong with Internal Investigations?

The Fitzgerald Inquiry could find virtually nothing positive to say about the role played by the Queensland Police Internal Investigations Section:

> The Internal Investigations Section has been woefully ineffective, hampered by a lack of staff and resources and crude techniques. It has lacked commitment and will and demonstrated no initiative to detect serious crime . . . The Section's efforts have been token, mere lip service to the need for the proper investigation of allegations of misconduct. The

Internal Investigations Section has provided warm comfort to corrupt police. It has been a friendly, sympathetic, protective and inept overseer. It must be abolished (Queensland 1989, p. 289).

Internal investigations have been the target of sustained criticism across a range of police forces in different jurisdictions (Terrill 1980). The evidence considered so far points to the difficult problems associated with setting up an internal investigation process which can be relied on to be fair and effective. Its resolution, however, is critical, for as Terrill points out: 'The investigatory stage of any complaint procedure is central to reducing the criticism of the entire process, because it does influence both the integrity of the steps that precede it and those that follow' (1983, p. 620). Smith and Gray startlingly concluded, following their extensive observational study of police work in London 'we believe that police officers will normally tell lies to prevent another officer in London from being disciplined or prosecuted, and this is the belief of senior officers who handle complaints and discipline cases' (1983, p. 581). In Queensland, the Fitzgerald Inquiry found that the state police force was 'debilitated by misconduct, inefficiency, incompetence, and deficient leadership' (Queensland 1989) and that 'both honest police and citizens who report police misconduct risk serious detriment with little prospect of appropriate action' (p. 204).

Police ability to substantiate complaints has scarcely inspired greater public confidence in police internal investigations (for example, Littlejohn 1981, p. 15). Lustgarten examined the substantiation figures for the London Metropolitan Police:

> In 1984, 8 per cent of all complaints were substantiated. **Not one** complaint involving harassment, racial discrimination, false evidence or perjury was found substantiated; the same was true in 1983. Only 20 of 1410 complaints of assault—1.5 per cent—were substantiated (1986, p. 154).

As he goes on to suggest, 'Either those who do bother to complain are all liars, or there is something wrong with the system'. Similarly, the Richardson inquiry into internal investigations in the state of Victoria considered the substantiation figures and observed:

> From a complainant's stand point I have not heard of a lower success rate anywhere [2.3 per cent]. Were the results to be understood publicly, it would add fuel to the argument that it is a waste of time to make a complaint of assault against the police in the absence of substantial, independent, corroborative evidence (Victoria 1987, p. 22).

Low substantiation rates can be explained in a number of ways. The system of criminal procedure in common law countries is perhaps partly responsible, premised as it is upon police-controlled investigations of crimes, and even police-controlled prosecutions in some countries (e.g. Australia). The fact that police-citizen contacts outside the police station environment are frequently 'low visibility' encounters (Goldstein 1960), presents many complainants with insuperable evidential difficulties if they file a complaint. The pressures at this stage either to withdraw the complaint or to accept the inevitability of an 'insufficient evidence' determination to the investigation, are very strong, and are reinforced by the situational ability of police to 'set up' or in other ways 'neutralise' the complainant. It has to be remembered that very often, the complainants are 'one-shot players' (Galanter 1974), while inevitably the police are 'repeat players' in systems in which they have tended to be prosecutor, judge and jury.

Another possible explanation is the attributed reluctance of senior officers to investigate complaints against their subordinates for fear of the prejudicial effects upon staff relations and force morale (Australia 1983, p. 570). However, Hugh Selby, former head of the

Victorian Police Complaints Authority (PCA) saw the failure of internal investigations in Victoria as the result of an inadequately defined mandate:

> The fundamental causes of the failure may be found in the lack of any coherent, logical statement of principle by police as to the purposes of police internal inquiries, appropriate methods to achieve these purposes, and obligations owed to interested parties, which include complainant, police complained of, PCA and parliament (Selby 1988, p. 230).

The failure of the same internal investigation department to give sufficient attention to the needs of complainants was also the subject of rebuke by the Richardson inquiry, which observed that the existing internal administrative procedures 'emphasise too much the convenience of the force' (Victoria 1987, p. 32).

The argument so far serves to underline the need for external investigative bodies in many jurisdictions if the integrity of public complaints procedures is to be re-established. The real issue is not merely the **effectiveness** of complaint investigations, but whether such investigations are **credible** precisely to those groups within the community in which police legitimacy levels are low. Hogg and Findlay have argued:

> The real test of police accountability and responsiveness to the community must lie in their relationships with those with whom they have the most frequent contact, groups who currently tend to be the least favoured by police stereotypes and working images (1988, p. 52).

Poor internal investigation of complaints does nothing to restore the police relationship with these groups for whom such investigations remain 'in-credible'. It may be supposed that the credibility of such investigations is not just a product of the activity/inactivity of police investigators in particular cases, but also to some degree is influenced by the failure of typical investigations to see complaints in the context of police organisational and subcultural characteristics (Reiner 1985).

What Follows a Substantiated Complaint?

The substantiation of complaints of itself does not ensure that the relevant officer involved will be formally disciplined or punished. Nor does the typically individualistic focus of these procedures ensure that appropriate systemic changes will be forthcoming. In most police forces where charges of some kind are being considered, internal disciplinary charges are preferred to criminal charges (Goldstein 1977, p. 215; Queensland 1989, p. 289). Yet analysis of available figures, in the case of the Victorian police, would suggest that the disciplinary process fails to deal firmly with charges of misconduct, even the more serious ones. For example in 1986-87, of the 174 charges dealt with by the Victoria Police Discipline Board (that is, the more serious charges), exactly 50 per cent of the charges were either withdrawn or dismissed, while another 10 per cent of charges were 'adjourned', that is no substantive result was obtained. The equivalent figure in 1987-88 was 58 per cent, with another 8 per cent adjourned. In total then, in 1986-87, 60 per cent of all charges referred to the Board resulted in no prejudicial outcome for the police officers charged, while the equivalent figure for 1987-88 was 66 per cent. In 1986-87, of the remaining 69 charges for which some formal sanction was imposed, over half (37) resulted in fines, while nearly a quarter resulted in reprimands. In 1987-88, of the 46 charges which resulted in some form of negative outcome, 18 resulted in fines and 7 in reprimands. Twelve of the charges in that year concerned one police officer, who was dismissed (Walsh-Buckley 1989, p. App. G).

The issue of sanctions in the context of police complaints raises a basic question. What should the philosophy and objectives of the complaints system be? Is it to satisfy the individual complainant through punishment of the wrongdoer or to assist the police administration in monitoring and reforming the conduct of its officers (Hudson 1972, p. 431)?. These philosophical issues have received little express attention in the police complaints literature. Lord Scarman in the report of his inquiry into the Brixton riots specifically commented upon the 'insufficient discussion of policy matters arising from complaints' (1982, p. 182). Commissioner Fitzgerald similarly pointed to the 'ad hoc and reactive' nature of the internal complaint investigation system in Queensland, and to its failure to examine trends and identify particular sources of complaints within the police force (Queensland 1989, p. 289). A leading American police scholar, Herman Goldstein, has also criticised the traditional approach:

> Both police and public become so preoccupied with identifying wrongdoing and taking disciplinary action against errant officers that they lose sight of the primary objective of control which is to achieve maximum conformity with legal requirements, established policies, and prevailing standards of propriety. This objective is far more likely to be attained by fostering an atmosphere in which the police conform because they want to conform, rather than out of fear of the consequences if they do not (1977, p. 160).

The challenge therefore, at the 'sanctions end' of the police complaints procedure is to reorient the current almost exclusive focus on the 'micro-justice' concerns of past wrongdoings by individual officers to include a 'macro-justice' perspective in which the aggregated evidence of patterns of wrongdoing and undesirable behaviour in police focus are analysed and matters of systemic change and policy reforms are expressly addressed. When external complaints mechanisms replace or supplement internal mechanisms, this must become a priority for these external bodies. The concept of a responsive police force requires nothing less.

The Quest For 'Interpolable Balance' In Complaints Mechanisms

> An 'interpolable balance' perspective takes as its starting point a need to identify 'self-policing' mechanisms which are already present in any system, and to build on those; may point to the need to redesign government in a way which will strengthen immanent control rather than taking the existing structure as given and seeking to strengthen formal oversight and does not assume that 'control' is necessarily to be exercised from any fixed place in an institutional system, but can contemplate a network of complementary and overlapping detectors and effectors (that is, 'redundant channels', in information-processing language) with mobility—even lability—in the seat of the checking mechanism (Hood 1986, p. 772).

In the present context, the concept of 'interpolable balance' implies two things. The first is that external complaints mechanisms should assist police forces to self-regulate, by assisting the inherent capacities of police forces for self-control to develop. Aside from the issue of public legitimacy, police self-regulation offers all sorts of organisational advantages over regulation by external bodies, including access and expertise (Bayley 1983). Interpolable balance also implies however that attention should be given to a variety of regulatory devices available in organisations, including 'detectors and effectors'. By this, it is taken to mean that mechanisms for the systematic collection, analysis and response to sources of organisational knowledge need to be put in place.

It has already been argued that there has been a conspicuous neglect by virtually all persons interested and/or involved in police complaints in the bureaucratic monitoring

potential of complaints mechanisms. Some of the intrinsic advantages of so doing have already been suggested, but it must be conceded that external agencies seem to overlook these advantages almost as much as internal agencies. In this respect, the **ex post,** retributive philosophy of police complaints has continued to excessively dominate complaints handling mechanisms of both types. This paper has argued that this has probably been to the detriment in terms of public credibility of both.

Aside from the intrinsic advantages, there are issues of fundamental equity and logical consistency which need to be more clearly identified in making the case for a broader view of complaints and a continued role for external agencies. On the issue of equity, there are clearly limits to the amount of control that can be exerted over or within any organisation. Any control mechanism, be it internal or external, faces real constraints so that there is nothing magical about 'self-regulation' or 'external accountability'. Control problems in policing not only challenge the would-be controllers (police administrators), but can also frustrate those who find themselves the target of police attention (police clients):

> In performance arrangements, where central aspects of encounters between staff and citizens . . . cannot be monitored sufficiently from above or outside, the necessity for supplementary evaluation and control from below, exercised by the institutionally weaker, directly affected clients becomes obvious (Wirth 1986, p. 752).

In view of the recent evidence, an external agency seems more likely to be credible and effective in providing this kind of protection and ensuring that the clients of police are given a voice in matters which directly affect them.

There is also a logical inconsistency between police attitudes to organisational efficiency and effectiveness and their attitudes towards complainants. The stock-in-trade of the police and the public in their dealings with each other, at least substantially, is **information**. Information of relevance to police work comes in two distinct forms: criminal intelligence, that is, information about wrongdoings and suspicious behaviour in the community; and organisational knowledge, that is, information about how the organisation is functioning, including the behaviour of its individual members. Citizens are sources of both kinds of information. There seems to be an assumption by police that the two categories of information are distinguishable for all practical purposes, and that one can be obtained without the other. This view is fundamentally flawed, as Radelet points out:

> As a general rule, in a community where there are numerous complaints against the police and accompanying clamour for establishment of a civilian review board or some other external mechanism for control of police behaviour, there are police-community problems and usually other problems of a serious nature ... **There is an inconsistency between police lamenting, on the one hand, the apathy of the public regarding problems that loom large for the police, and on the other hand resisting the right and obligation of citizens to complain about what they perceive an improper police conduct** (1980, pp. 304-5 author's emphasis).

Complaints procedures widely viewed as ineffective are scarcely likely to allay public apathy or, even worse, defuse public hostility towards the police. Absent in such procedures is any basis for trust in the form of shared information and expertise; in other words, the elements necessary for a reciprocal, politically consensual relationship between the parties are missing. Just as the public requires an effective police force in order to lead more secure lives, the police require consensually provided information if they are to respond effectively and sensitively to law and order issues. If this information in part comes from a publicly credible complaints mechanism, it is at least a preferable state of affairs than the relevant information not being provided at all.

These arguments are surely even more compelling in those police jurisdictions which have expressly adopted the 'community policing' approach to police-community relations.

Bayley has suggested that a key element of 'community policing' is the creation of 'mechanisms for grassroots feedback from the community' (1989, p. 64). Neighbourhood Watch schemes constitute one prominent example of this; complaints mechanisms of the kind advocated here potentially provide another. A strong, systemically oriented complaints system conducted by an external agency would seem to answer a number of the shortfalls identified in existing community policing schemes by Bayley (1989). These include an absence of strategic urgency about community policing inside police forces and a tendency for community policing initiatives to suffer from budgetary constraints, resulting in a marginalisation of these initiatives and a corresponding absence of operational consequences. A prospectively geared complaints system would provide a formula currently 'lacking for incorporating community policing into the traditional activities of policing, especially the work of general duties officers' (p. 86), upon which, Bayley argues, public acceptance of community policing is dependent. From an organisational perspective, the complaints-handling procedures advocated in this paper would provide a focus for the receipt, investigation, and assessment of complaints. Individually and in aggregate, form, these complaints would offer a rich source of information on a variety of police organisational and field practices. Approached in this way, 'community policing' could not be marginalised or isolated from police operations, and because complaints most commonly emanate from street-level contacts with police officers, the reform proposals generated would be particularly directed to police practices at this level (*see* Goldsmith 1990).

The precise nature of the relationship between external complaints mechanisms and internal control will need to be carefully considered and evaluated over time and the balance struck will probably require periodic readjustment. The notion of 'interpolable balance' requires that 'outside' control agencies take adequate notice of the self-regulatory potential of the organisations under scrutiny. Obviously, the ability of police forces to exercise this potential in a credible manner will vary from force to force. This view underlines the important role that external review agencies have to play in improving police accountability, not by claiming 'property' in citizens' complaints by displacing internal mechanisms but by acting as a communication channel and analytical resource for these mechanisms. In large measure, the role of external review agencies is inherently educative. External review agencies should devote greater thought and resources to developing the capacities of police forces in these respects. The more 'success' the external review bodies have in this role, the more likely is a rekindling of public confidence in the police and the ability of police forces to monitor effectively their own organisational 'bill of health'. 'Interpolable balance' implies that there is no ideal trade-off to be struck between external review and forms of internal accountability; there are too many situational factors at work in any given case to justify a particular balance. Rather it behoves police forces and external review agencies alike to re-examine many traditional conceptions of organisational control and responsibility, helping to identify new approaches to these issues as well as bases for the coexistence of external and internal complaints mechanisms.

Conclusion

> The saddest aspect of police abuses is that they defeat their avowed purposes. The rationalisation for street abuses is that they create or at least maintain respect for authority. Punishment for the 'wise guy' is supposed to 'teach him a lesson', but the system of police abuses creates only contempt for authority ... The system within which the police work is evil, for the simplest reasons: because it injures people and destroys their respect for the legal process (Chevigny 1969, p. 283).

The American administrative scholar James Freedman has written that 'the quality of an agency's performance is usually a function of the degree of public support it enjoys for the achievement of its statutory responsibilities – or the degree of public ambivalence towards it

stated mission' (1978, p. 126). It has been argued that a broadly-conceived, publicly credible complaints system for handling complaints against the police is important not only in terms of public confidence in the police generally but also specifically in facilitating the diagnosis of problems in police operations which affect the effectiveness and legitimacy of police practices. This paper has suggested that this function is also rendered important, indeed critical, by the unavoidably **political** nature of policing, warranting processes and procedures which enable matters of mission or mandate to be considered and formulated as much as possible on a consensual basis. In other words, public respect for the police and the legal process generally is best achieved by the provision of complaint mechanisms that are not premised upon a view of police as almost unimpeachable 'experts' acting decisively on law and order issues in a clear-cut social world, but rather one in which differences of perspective can be accommodated and which reflects a broader, less absolute notions of expertise and knowledge in relation to questions of police conduct. It is this view which must permeate our mechanisms for handling complaints about police conduct. When this occurs, our police forces will be more 'responsive'.

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