

SUMMARY REPORT
2ND MEETING OF THE INTERNATIONAL COMPARATIVE
RESEARCH PROJECT ON THE USE OF FORCE BY POLICE

Vancouver, Canada, April 17th-20th, 2002

Organizer: Philip Stenning, University of Toronto.

Financial and in-kind support from the Ministry of the Solicitor General of Canada, the Department of Justice Canada, and the School of Criminology, Simon Fraser University (Burnaby, British Columbia) is gratefully acknowledged.

Antecedents

This meeting of the international research project was a follow-up to an earlier meeting of the research group held in Merida, Venezuela, in March 2001. At that meeting, the broad outline of a comparative international research project on the use of force by police was discussed and agreed upon. Researchers from the following countries participated in that meeting: Venezuela, Brazil, Peru, Canada, the United Kingdom and Trinidad & Tobago. The researcher from Peru has since had to withdraw from the project, and unfortunately the researcher from Trinidad & Tobago was unable to attend the second meeting of the group. At its second meeting, however, the remaining participants at the first meeting were joined by researchers from Argentina and Germany, who have now joined the project.

At the first meeting of the group, it was decided that an international comparative research project focusing on the normative frameworks (justifications) for the use of force by police which have emerged in the different countries represented by the research team would be developed. It was decided that such research could best be pursued through focus groups reflecting a variety of different groups and perspectives in each country¹. The purpose of the second meeting of the group was to discuss and determine in detail the research questions, research instruments, methodology and funding for this research project. In addition, a number of the researchers participated in a public forum, at which presentations were made on the use of force by police in Brazil, Canada, the United Kingdom and Venezuela.

¹ For a fuller account of the first meeting see "Summary Report - International Meeting on Use of Force by the Police, Merida, Venezuela, March 5-7, 2001".

Meeting participants

The following members of the international research project team attended and participated in the meeting:

Sergio R. de Abreu
Lieutenant-Colonel,
Military Police,

Christopher Birkbeck
Professor of Criminology
Universidad de Los Andes,
Merida, Venezuela.

Yoana Monsalve Briceno
Professor of Criminology
Universidad de Los Andes,
Merida, Venezuela.

Thomas Feltes
Profesor of Criminology,
University of Bochum,
Bochum, Germany

Enrique A. Font
Professor of Criminology
National University of Rosario,
Rosario, Argentina.

Luis Gerardo Gabaldon
Professor of Criminology
Universidad de Los Andes,
Merida, Venezuela, and
Andres Bello Catholic
University,
Caracas, Venezuela.

Eduardo Paes Machado
Professor of Social Theory and
Methods,
Federal University of Bahia,
Salvador, Brazil.

Philip C. Stenning
Associate Professor of
Criminology,
University of Toronto,
Toronto, Canada
(Professor in Criminology
Designate,
Victoria University of
Wellington,
Wellington, New Zealand)

P.A.J. (“Tank”) Waddington
Professor of Political Science,
University of Reading,
Reading, England, U.K.

Ms. Paola Wakeford, a graduate student at the School of Criminology, Simon Fraser University, also attended the meeting, providing secretarial and other administrative assistance.

The Public Forum

On Wednesday 17th April, from 2:00 – 5:00 p.m., a public forum was convened at the Harbour Centre, Simon Fraser University, at which four presentations were made about the use of force by police in different countries:

Professor Waddington spoke about the use of force by police in Northern Ireland.

Professors Birkbeck, Gabaldon and Monsalve Briceno spoke about the use of force by police in Venezuela.

Professor Paes Machado spoke about the use of force by police in Brazil

Professor Stenning spoke about the use of force by police in Canada.

These presentations were followed by a period of questions and discussion from the floor.

The four papers which were presented at this Public Forum will be available for distribution in hard copy, and will also be posted on the research group's new website (see below).

Private meeting of the research group

The researchers who are involved in the project met privately on Thursday 18th, Friday 19th and Saturday 20th April, 2002, to discuss in detail the various elements of the international comparative research project. These meetings were held in the Public Consultation Room at the Vancouver Regional Office of the Department of Justice Canada, at 1185 Georgia Street, Vancouver. The Regional Office's donation of the use of this facility for this purpose is gratefully acknowledged.

The private research meetings were chaired throughout by Professor Birkbeck. Ms. Wakeford took extensive notes of the discussions.

i. Rationale for research on use of force by police

The private meeting began with a broad discussion of possible rationales for comparative international research on use of force by police. Various rationales were suggested, including:

- Use of force by police is critical to the relationship of the state to its citizens in a democracy (cf. Max Weber's argument that a monopoly over the legitimate use of force is a central defining feature of the modern state), and in particular to the legitimacy of the state in the eyes of its citizens.

- The use of force by police is a subject of great social ambivalence, and hence controversy - on the one hand citizens want the police to be able to use force, to protect them against violent and other victimizations, but on the other they fear that force will be abused by police in ways which will be oppressive, undermine freedom and deny basic human and civil rights
- The close association between the use of force by police and the observance and protection of fundamental human rights makes international comparative research on the use of force by police especially important in an era in which such human rights are increasingly at the centre of the international political agenda
- “Globalization” has led, among other things, to greatly increased popular migration, as a result of which societies in many countries of the world are increasingly “multi-cultural” - understanding the cultural basis for different views about what is and what is not accepted as legitimate use of force by police is therefore increasingly important for effectively training police for their role in such multi-cultural societies.
- Such research might usefully inform the development of some minimum international standards for the use of force by police

It was recognized that different normative frameworks (criteria of justification) with respect to the use of force by police in different countries/cultures may have their basis in social, cultural, political, religious and economic factors.

ii. **The research question and the scope of the research**

After a lot of discussion, it was initially agreed that the essential question which the research should address should be:

“What are the different ways in which people in different societies justify and criticize the use of force by police?”

The research would thus seek to identify varieties of **normative frameworks** which are invoked in public discussion, policy-making and legislation with respect to the use of force by police. Of particular interest would be to explore how, to what extent, and why such normative frameworks vary between different groups in society, and from one society to another. Also, how such frameworks which are invoked by people other than the police vary from the way the police themselves think about and justify their use of force.

Participants recognized two possible hypotheses for such research:

- (1) the police (sub-)culture is distinct/different from the broader public culture;

or (2) the police (sub-)culture is simply a reflection of the broader public culture.

The group discussed the usefulness of thinking of justifications of police use of force as falling into three broad categories:

1. Moral justifications - these are based in views about what various people (such as criminal suspects, protesters, homeless and street people, etc.) “deserve”
2. Instrumental justifications - these focus on what types and degrees of force people think are “necessary” in order to respond to, contain or control various kinds of behaviour
3. Symbolic justifications - these relate to the need which police may feel to demonstrate that the law is being enforced, or to show that they are “in charge” in particular situations.

After further discussion, however, it was agreed that the research should be designed to allow normative frameworks to emerge and be identified from the data, without the constraint of pre-conceived categorizations of them.

There was a prolonged discussion about what groups in society would be chosen for participation in the research. This line of discussion was eventually overtaken, however, by concerns which were raised about sampling and representativeness. Specifically, questions were raised about how focus groups could be assembled which could be considered genuinely representative of the various broader groups (such as police, judges, lawyers, civil rights activists, etc.) from which they would be drawn. For without such representativeness, valid inter-group and cross-national comparative conclusions could not be drawn.

After much discussion of these issues, it was finally agreed (albeit somewhat reluctantly by some) that the research project should focus exclusively on the normative frameworks deployed by **police themselves** in justifying and criticizing the uses of force by police. It was felt that although this was not what had originally been envisaged at the earlier meeting of the group in Merida, Venezuela, given the time and likely resources available for the research, and the methodological problems associated with the more ambitious proposal that had been discussed, this would be a more realistically viable option. Furthermore, it would not preclude the possibility of more expansive research at some later date.

The central question for the research was thus re-framed as:

“What are the different ways in which police personnel in different societies justify and criticize the use of force by police?”

iii. The proposed focus groups

After considering other possible options for undertaking the research, the group agreed that focus groups, in which hypothetical scenarios involving possible use of force by police are presented to groups of police officers for recorded discussion, would provide the best means for exploring the research question in depth.

Researchers recognized, however, that the content (and perhaps complexity) of normative frameworks invoked by police might vary significantly within the police themselves. In order to explore such possible variation, the following possibilities for the composition of such police focus groups were suggested:

1. Routine, front-line (mobile) patrol officers.
2. Senior (supervisory and/or command) officers.
3. Special (armed) response officers.
4. Police trainers.
5. Detectives/investigators.
6. Internal Affairs investigators/staff.
7. Urban vs. rural officers.
8. Male vs. female officers.
9. Younger vs. older officers.

After much discussion, it was agreed that, given significant differences in both police organization and police work in different countries, it would not be appropriate (or perhaps even feasible) to try to assemble identically composed police focus groups in each country in which the research will be undertaken. Rather each researcher should assemble focus groups which were most realistic and feasible in his or her country. Possible problems of sampling and representativeness were again raised with respect to analysis of the data from different groups of police personnel. It was agreed that at best the range of police views about justifications for the use of force by police could be determined through such research, without necessarily being able to definitively ascribe different views to different classes of police officers.

Dr. Feltes agreed to provide members of the team with some tips on how best to run and record focus groups. It was agreed that focus groups should normally be comprised of about 8-10 participants.

Scenarios for the research

The meeting turned to a discussion of the scenarios that might be used in order to stimulate discussion in the focus groups. A range of possibilities was discussed, including:

1. Complete scenarios - present groups with two or more complete scenarios (i.e. descriptions of complete events in which police force was or was not used), and invite discussion of these.

2. Incomplete scenarios - present groups with initially incomplete scenarios (i.e. descriptions of circumstances which could or could not lead to use of force by police depending on the police response), and invite participants to speculate on how police would respond and why.
3. Sequential scenario - present a single scenario in several stages (at each of which a decision about the use of force could be made) and, as each stage is presented, invite participants to comment on what they think police would do and why.

After much discussion, in which the possible content of various different scenarios was also considered, it was decided that the third option (a single sequential scenario) would be the best. A single scenario which was felt to be relevant for all the jurisdictions involved, was developed and refined through further discussion. It was agreed that this scenario would be adopted as a template for the research in each country, with individual researchers free to adjust the details of the scenario to fit the particular conditions in their own country, without departing from the basic content of the scenario. This, of course, would also require translation into the relevant language. Researchers would all share their “customized” version of the scenario with the other members of the research team.

The group discussed the procedure for presenting the scenario. The need to give focus group participants time to consider and discuss their responses was emphasized. The need to ensure that participants were fully informed about the objectives of the research was also discussed. It was also agreed that, once finalized, the scenarios would need to be pre-tested in each country before being used in the main study. It was agreed that whether or not (and if so in what manner) participants should be compensated for their participation in the research is a matter to be determined by the researchers in each country, since in some countries this would be appropriate (and perhaps even expected), while in others it would not.

iv. Timetable

After discussion, it was agreed that researchers in each country would aim to circulate their finalized scenario version by September or October, and undertake pre-testing by the end of November 2002. The general consensus was that the main research would not be done in most countries before early or mid-2003, since this would depend on success in acquiring the necessary funding and access to police subjects.

The group agreed that it should organize another meeting to follow the meeting of the World Congress of Criminology in Rio de Janeiro, Brazil, in August 2003, and that the group would present a panel on the research project at the World Congress itself. The researchers from Venezuela agreed to organize this panel, while those from Brazil agreed to organize the meeting of the group which would follow (possibly to be held at the Federal University of Bahia in Salvador, Brazil, rather than in Rio de Janeiro).

Professor Waddington agreed to look into the possibility of organizing a further meeting of the group in England in mid-2004, to discuss and evaluate the results of the research.

v. Project website

Professor Feltes kindly agreed to start the process of setting up a project website on which information about the project and the researchers involved can be posted. This site has now been established, and can be accessed at: www.policeuseofforce.org