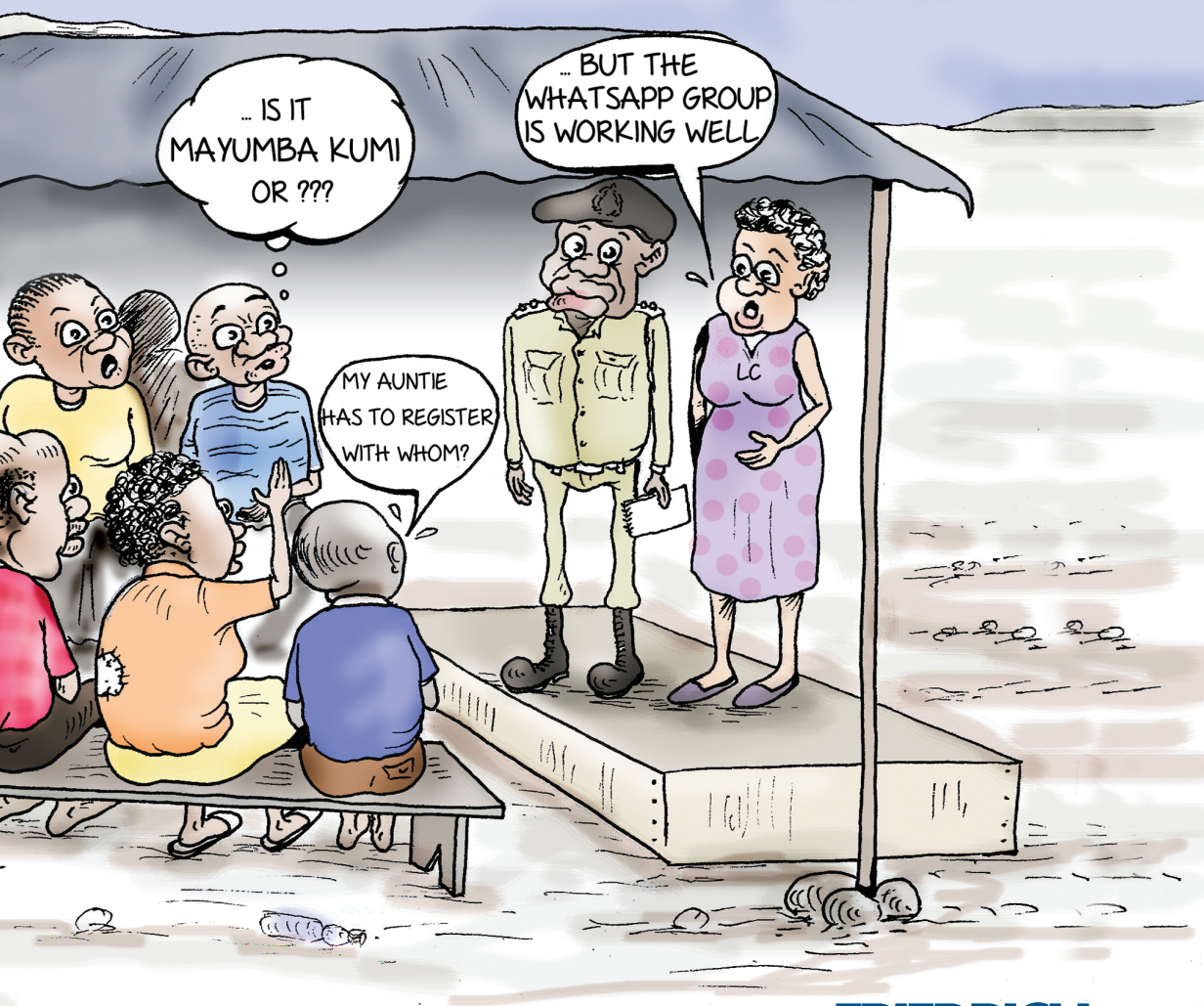


"IT'S KATO GO OUT THERE!"

Community Voices on Crime Prevention and Security



"IT'S KATOGO OUT THERE!"

Community Voices on Crime Prevention and Security

ISBN No. 978-9970-535-04-0

Published by
Friedrich-Ebert-Stiftung
Kampala, Uganda
5B John Babiiha Avenue
P.O Box 3860
www.fes-uganda.org

Cover Picture: Jimmy Spire Ssentongo
Cover Design: Ivan Barigye

The findings, interpretations and conclusions expressed in this volume are attributed to individual authors and do not necessarily reflect the views of Friedrich-Ebert-Stiftung (FES). FES does not guarantee the accuracy of the data included in this work. FES bears no responsibility for oversights, mistakes or omissions.

The sale or commercial use of all media published by Friedrich-Ebert-Stiftung is prohibited without the written consent of FES.

Copyright: This work is licenced under the Creative Commons' Attribution – NonCommercial

Acknowledgments

Friedrich-Ebert-Stiftung (FES) Uganda would like to thank all dialogue participants whose voices have contributed to this publication and the local leaders without whose support the dialogues could not have taken place. In particular, FES would like to extend its gratitude to the offices of the Minister of State for Kampala Beti Kamywa, the Resident City Commissioner Deborah Mbabazi, and the Deputy Resident City Commissioners, the Lord Mayor of Kampala Erias Lukwago and the mayors of Kampala City's five divisions Kampala Central, Makindye, Kawempe, Rubaga and Nakawa.

Table of Contents

Acknowledgements	i
List of Acronyms	iii
1. Introduction: The FES community policing project	1
2. Summary and key results	4
3. Principles and values of community policing	7
3.1 An ambiguous concept in search of best practices	7
3.2 Community policing: Good cops, trust and democracy	11
3.3 Opinion: Return to the basics!	14
4. The historical and legal framework for community policing in Uganda	16
5. Community voices on crime prevention & security	21
5.1 A katogo of concepts, actors & practices	22
5.2 Community driven initiatives and the concept of Mayumba Kumi	24
Monitoring, information sharing and patrols	24
Mediation, arbitration and punishment	30
Striving to improve livelihoods	32
5.3 Crime preventers – or crime promoters?	35
A force with an unclear mandate	36
Lack of payment, criminal behaviour and bribery	40
5.4 Police - community relations: A crisis of trust	42
Corruption and bribery	45
Poor welfare and facilitation	46
5.5 The local council system as the anchor of local law and order	48
6. Common practices of self-policing and human rights	50
7. Recommendations	53

List of Acronyms

CID	Criminal Investigations Directorate
CLO	Community Liaison Officer
CBP	Community-based Policing
COP	Community Policing
DISO	District Internal Security Officer (Kampala: Division Internal Security Officer)
DPC	District Police Commander (Kampala: Division Police Commander)
GISO	Gombolola Internal Security Officer
IGP	Inspector General of Police
ISO	Internal Security Organisation
KCCA	Kampala Capital City Authority
KMP	Kampala Metropolitan Police
LC	Local Council
LCI	Village Local Council
LCII	Parish Local Council
LCIII	Sub-county Local Council
LDU	Local Defence Unit
NRA	National Resistance Army
NRM	National Resistance Movement
OC	Officer-in-Charge (of police station)
PSV	Public Service Vehicle
RCs	Resistance Councils
RCC	Resident City Commissioner
RDC	Resident District Commissioner
SPC	Special Police Constable
UPDF	Uganda People's Defence Forces
UPF	Uganda Police Force

1. Introduction:

The FES community policing project

Background

The Uganda Police Force (UPF) celebrated its centenary under the theme “from colonial policing to community policing” in October 2014 and has since re-emphasised community policing at all levels. Community policing is a broad concept which encompasses a wide range of forms of state and non-state policing across the globe. At its core, community policing means an active partnership between police and communities to foster public law and order through crime prevention and a relationship of mutual trust between police and communities. Scholars define community policing as

‘...a policy and a strategy aimed at achieving more effective and efficient crime control, reduced fear of crime, improved quality of life, improved police services and police legitimacy, through a proactive reliance on community resources, that seeks to change crime causing conditions. This assumes a need for greater accountability of police, greater public share in decision making, and greater concern for civil rights and liberties.’¹

Whereas there is a commonly shared understanding of the two pillars of community policing which are (1) crime prevention and (2) improved police-community relations among community, police and local government, there is a glaring absence of a comprehensive and coherent legal and policy framework that translates these principles into practical guidelines for community policing on an everyday basis in Uganda. This poses significant risks as is evident in a Saferworld study (2008) on community-based policing (CBP) in Kenya which warned that

‘A lack of a unified approach defined by a national policy has resulted in a proliferation of initiatives, some of which do not adhere to the principles of CBP. The delay in the development and ratification of a national policy has also led to confusion and ambiguity as to what the concept of CBP actually means in practice. [...] In other parts of the country there is evidence that the term ‘community policing’ has been used by unscrupulous groups essentially to justify vigilante activities – undermining public perceptions of the term.’²

Community policing in Uganda is a topical issue but also touches on the very foundations of security governance under the National Resistance Movement (NRM) since 1986. Uganda has practised various forms of non-state policing over the past three decades and at local level, a variety of state and non-state actors participate in ensuring the maintenance of public law, order and security.

1 Friedmann, R. ‘Community Policing: Comparative Perspectives and Prospects,’ New York: St. Martin’s Press 1992, p 4.

2 Saferworld, ‘Implementing Community Based Policing in Kenya.’ Saferworld, 2008, p24.

The National Resistance Army (NRA)/NRM's historical vision was to empower citizens in the provision of their own and public security during and after the bush war so as to overcome the negative relations between the security forces and citizens, a legacy of previous Ugandan governments.

Thereby, the NRM government offered citizens new rights, especially through the 'democratization of the gun' in chaka mchaka courses, but also imposed responsibilities for public and national security upon them. This reflects academic views on community policing which highlights the key role of community partners to improve safety and security at local level:

*'...community partners encompasses a range of groups such as neighborhood associations, faith-based organisations, tenant councils, business groups, local government agencies, social service providers, schools (including elementary and secondary public and private schools, community colleges, vocational schools, and universities), and local businesses. These entities typically enjoy a number of qualities that facilitate effective partnerships, including well-developed organisational structures, physical meeting spaces, social, political, and commercial networks, material and human resources, experienced leaders, and existing community participation. This makes them natural vehicles through which the police can engage with local constituents to address neighbourhood concerns.'*³

The large-scale introduction of crime preventers under the banner of community policing by the police has further stirred debate over questions of legality, transparency and accountability, politicisation, corruption and criminalisation, of not only the crime preventers, but other key stakeholders in local security provision, most importantly the police and the Local Councils. On the one hand, the police under the banner of community policing also conducts a range of other activities, spearheaded by Community Liaison Officers. On the other hand, Ugandan communities have a long history of policing themselves, both through state structures, and through their own initiatives that build on the basic concept of mayumba kumi (ten houses) and critically involve the Local Council structures at village and parish level. As the literature on community policing notes,

*'Community policing practices have largely ignored or discredited informal forms of security provision and policing which is conducted outside of the purview of the state. The dismissal of such practices has been for the good reasons of non-accountability and lack of legal status. Nevertheless, community ownership is central to success.'*⁴

Thus, the controversy over the crime preventers occurs in the context of a broader debate about the Local Council I + II elections demands for which re-emerged after the 2016 elections. In this sense, the crime preventers debate shone a spot light on the broader set of increasingly mistrustful relationships between those who are to keep order in the community: the Local Council chairpersons, the police, the crime preventers, and community members.

3 Lawrence and McCarthy, 2013, 'What Works in Community Policing? A Best Practices Context for Measure Y Efforts', The Chief Justice Earl Warren Institute on Law and Social Policy University of California, Berkeley School of Law, p8.

4 Jenkins, S. 2013. 'Securing Communities: Summaries of key literature on community policing', Overseas Development Institute, p11.

The community policing dialogue project

This publication presents key results of the community policing dialogue project of the Friedrich-Ebert-Stiftung (FES) Uganda office between June 2016 and July 2017. The project was motivated by increasing security concerns in the public and a wider debate over the controversial crime preventers that had been (re-)introduced under the banner of community policing by the police in 2014. In June 2016, FES convened a national security dialogue between policy makers, practitioners, academics, and civil society that aimed to arrive at a common understanding of community policing in Uganda and associated roles and responsibilities of police and citizens that is essential harmonious and effective community policing. The second phase of the dialogue project went to the community level. The aim was to give voice to community stakeholders in support of the strategy and policy development for community policing in police and government.⁵

Key questions guiding the project were:

- *How is modern community policing conceptualized and implemented in Uganda?*
- *Who are the actors in community policing and what are their roles, responsibilities and relationship between them?*
- *How should community policing be designed to effectively aide crime prevention and foster a relationship of mutual confidence and trust between police and communities?*

Chapter two provides a summary of the key results of the project. The following two chapters explore international principles and values of community policing, the history of and the legal and institutional framework for community policing in Uganda. The main body of the report (chapter five) primarily draws on data gathered in the course of thirteen local dialogues held in Kampala's five divisions, in Kabarole district, Bushenyi, Kumi, Kamuli and Kakiri. The dialogues focused on crime prevention and neighbourhood security. Each of them brought together twenty to forty community leaders and community members, such as KCCA councillors, LC1 Chairpersons, market vendors, boda boda riders, teachers, and so on, as well as police. The dialogues in Kampala were coordinated with and co-hosted by the local political and administrative authorities, the police and the DISO. Notably, there was no significant difference in the experiences reported by participants in Kampala Metropolitan and the five upcountry towns and districts in rural settings. The report is further informed by the national dialogue that took place in June 2016, and additional interviews conducted with selected stakeholders.

⁵ All dialogues were held in English and the dominant local language to allow community members to express themselves comfortably. FES worked with two experienced local consultants who moderated groups, contributed to research and this publication, and advised the project. Upcountry dialogues were conducted with the help of local partners.

2. Summary and key results

There is no comprehensive and coherent legal and policy framework guiding community policing

Notwithstanding the UPF's emphasis on community policing, neither a formal policy framework guiding the various community policing activities, nor a legal basis for the recruitment and operations of hundreds of thousands of crime preventers exists. As a result, the practice of community policing varies widely across communities and depends much on the (frequently reshuffled) DPC and his or her OCs. More importantly, the absence of a clear policy and strategy framework, that delineates the roles and mandates of the various stakeholders, contributes to what many citizens describe as a 'confusion' against the backdrop of the dysfunctional LC system and the disruptive crime preventers. Because common practices of community policing often seek to fill in gaps left by inefficient law enforcement, they often deal with response to crime rather than its prevention, which conceptually is the focus of community policing.

Community policing activities in Uganda involve a broad range of stakeholders

Institutional stakeholders in community policing include the chairpersons of Local Council I and II and their defence secretaries, the elected political leaders at the sub-county (LCIII) and district level (LCV) [in Kampala, the elected councillors and divisional mayors], the Resident District Commissioner [Resident City Commissioner in Kampala] who is appointed by the President, and the police, especially the Division / District Police Commander (DPC), the Officer-in-charge (OC), and the Community Liaison Officer (CLO), the Gombolola Internal Security Officer (GISO)⁶ and the Division / District Internal Security Officer (DISO), but also other local government officials and implementing agencies. In Kampala, this importantly includes KCCA and its enforcement team. On the side of the community, not only does community policing involve individual residents, but also associations of residents, business people, and youth, among others. Markets, schools, bus parks, houses of faith, boda boda and special hire stages practice community policing with often elaborate structures within their own communities, and cooperate with the broader neighbourhood and local authorities in securing their own and the community around them.

Community initiatives centre on monitoring, information sharing and mediation

Despite the great variation of dynamics of crime prevention in villages, the basic organising principle remains Mayumba Kumi or the clustering of communities in a

⁶ Gombolola is the administrative unit at sub-county level.

varying number of households, businesses or individuals that are mapped, monitored and coordinated by a community member with formal or informal authority. Most initiatives that exist at community level primarily revolve around the gathering and sharing of information, and patrols. The most widespread practices at village level (in Kampala) are neighbourhood patrols that all community members contribute to financially and through manpower, and WhatsApp groups on which community members, LCs, and the police share information. These initiatives are largely informal in character but involve officials, such as the local Officer-in-Charge and/or CLO, and the LCs. Local police officers – the OC or the CLO – are usually part of these initiatives, but are not the driving force. LCs commonly keep community registers that profile households in the village / parish, and register visitors.

Community members perceive poverty, unemployment and corruption to be driving a rise in crime

Poverty, youth unemployment, and a culture of corruption in police and the broader public sector are held responsible for a perceived rise in crime across the country.⁷ Communities therefore also engage in development activities and devise formal or informal regulations that aim to curb unemployment for collective prosperity, and by extension, improved security.

Crime preventers exaggerate trends of local disorder and insecurity

Crime preventers are a force with an unclear mandate that lacks standard operating procedures for recruitment and deployment. The crime preventers in most areas further undermine the waning authority of the LCs and often stand accused of being a politicised force. They drive up crime in many places, owed to the lack of payment and oversight. And they worsen already strained relations between the population and the police. In this sense, crime preventers highlighted and exaggerated existent challenges to the prevention of crime and provision of security in the communities.

Loss of citizen confidence and trust in an ill facilitated, corrupt and politicised police

A lack of capacity, corruption and poor welfare in the police hamper effective combat of crime, and result in residents' loss of trust and confidence in the police. A pervasive culture of corruption and the non-payment of crime preventers mean that services and 'justice' often must be bought. Police in recent years has renewed its emphasis

⁷ The police have not released an annual crime report since 2014. In his 31st State of the Nation Address, June 2017, President Museveni noted that there was "a spike in lawlessness" (Daily Monitor, June 7, 2017, <http://mobile.monitor.co.ug/News/Weed-out-rotten-elements--Museveni-orders-police/2466686-3958800-format-xhtml-149a4vm/index.html>). A 2017 Afrobarometer survey found that 47% of Ugandans had fallen victim to theft or robbery in 2016. (See Daily Monitor, November 18, 2017, <http://www.monitor.co.ug/News/National/47-per-cent-Ugandans-robbed-2016/688334-4191642-ssyd/index.html>)

on community policing with the introduction of new activities and initiatives, including neighbourhood watch schemes, community sensitisation and crime preventers. However, in the past and present, politicisation and militarization of local security initiatives have undermined effectiveness of community policing and citizen confidence in these structures.

The erosion of the LC system is a key factor in deterioration of law and order in communities

The erosion of the Local Council system is widely seen as a key factor in deteriorating law and order in the community. The Local Council system at village and parish level has lost legitimacy, authority and functionality as a result of a failure to hold elections since 2001. Still the remnants of the Local Council system continue to play a critical role in local security provision and usually enjoy more trust and confidence from the community than the police or political leaders.

Several common practices of community policing raise serious concerns over human rights and rule of law

Several practices reported involved elements that may seriously violate human rights of individuals involved. Nonetheless, most community members endorsed practices that violated the rights of individuals, as long as they achieved the desired outcome for the collective security of the community. The resorting to practices that violate human rights of individuals is not entirely, but to a critical degree, a response to the lack of confidence in police and other state security forces to effectively deal with crime in the communities. The Local Council system at village and parish level as enshrined in the law offers a practical framework to legalize and regulate these practices so as to ensure safe guards for the protection of human rights.

3. Principles and values of community policing

3.1. An ambiguous concept in search of best practices⁸

Community policing has been promoted as an effective, people-centred approach to reducing crime and improving safety and security at local level though in practice the concept remains heavily contested. Across the world, there is broad consensus on the dual set of objectives of community policing: improving police-community relations, and preventing crime. However, there is much less consensus on how these objectives are to be achieved, or in other words, what constitutes 'best practices'. As a result, a wide variety of models and methods of community policing are being practiced across the globe and often even within a given country. Moreover, actors tend to differ greatly in how they prioritize either of the two objectives. In sub-Saharan Africa especially, public and donors tend to emphasise the improvement of community-police relations, while government and police tend to focus on crime prevention. Either advance community policing as a people-centred approach though they may interpret this to arrive at different meanings. Community policing with a focus on the improvement or restoration of community-police relations implies efforts to boost police legitimacy, particularly through increasing police accountability and a preference of participatory bottom-up approaches to policing. As such, community policing stresses security as a collective responsibility of the entire community rather than a preserve of the state's security apparatus. On the other hand, African governments' and police's focus on crime prevention may interpret the people-centred approach primarily in terms of intelligence gathering in the community, not only to prevent ordinary crimes, but also to counter terrorism or contain political protest and armed insurgency. In such a context, community policing risks being accused of being a mere fig leaf that allows a security apparatus that is often perceived to be a tool of partisan politics and state repression, and whose capacity is often dented by corruption and a lack of accountability, to forego structural reforms. Police then often treats community policing as an 'add-on' to existing policing practices rather than an all-encompassing transformation of policing towards a more people-centred and problem-oriented policing strategy.

*'[C]ommunity policing is not a program; it is not a set of activities; it is not a personnel designation. Rather, community policing is a law enforcement philosophy, a way of thinking about improving public safety.'*⁹

⁸ This chapter is adapted from an extensive literature review prepared by James Nkuubi. A bibliography is listed at the end.

⁹ Lawrence and McCarthy, 2013, 'What Works in Community Policing? A Best Practices Context for Measure Y Efforts,' The Chief Justice Earl Warren Institute on Law and Social Policy University of California, Berkeley School of Law, p 5.

In other words, community policing should be defined as a 'style and strategy of policing that appears to reflect local community needs'¹⁰ and requires a shift in mind set and attitude of the entire force rather than the designation of some officers dedicated to community policing activities. In the same vein, the NGO Saferworld defines community policing as both

*'a philosophy (a way of thinking) and an organisational strategy (a way of carrying out the philosophy), that allows the police and the community to work together in new ways to solve problems of crime, disorder and safety issues to improve the quality of life for everyone in that community.'*¹¹

Beyond the notion of community policing as a philosophy that shapes strategy, this definition implies two important dimensions of community policing and its key objectives of improving community-police relations and crime prevention. First, it emphasises the cooperation between police and community through creative, problem-oriented and flexible approaches. Secondly, it points to community policing seeking to address not merely crime as unlawful acts, but rather to tackle the root causes of crime that emanate from local social, economic and cultural contexts.

Crucially, this stresses the need for context sensitivity of models and methods of community policing, not only across regions (Global North – Global South) and countries, but also specific local contexts within a given country. At a global scale, this means that community policing models may not be effective if merely transplanted from one context to another as is unfortunately still all too often the case when donors seek to promote models that have worked well in their countries in developing regions. Preferably, initiatives should be developed locally and only borrow from western models with sensitivity to and drawing upon local experience. Furthermore, whether donor supported community policing projects will be accepted by stakeholders, be effective, and sustainable, depends upon political calculations and social realities.

The same is true within countries, especially in the developing world where stark urban-rural divide dynamics or regional inequalities, often linked to historical legacies of violent conflict or decades of economic and social marginalization, tend to prevail. To allow for context sensitive community policing at local level, policing structures must allow for a considerable degree of flexibility through decentralization and devolution. In other words, hierarchical structures that pursue top down approaches are ill fitted to achieve effective community policing. It is bottom up approaches that give agency to community stakeholders and pursue a problem-oriented approach

10 Brogden, M., and Nijhar, P., 2005, 'Community Policing: National and International Models and Approaches,' Willan Publishing, Cullompton, p 2.

11 Saferworld, 'Implementing community-based policing in Kenya', Saferworld, February 2008 p 4.

which will make detection and prevention of crime more efficient and strengthen safety and security of communities through the development of context specific solutions to communal challenges. Importantly, community policing is not a one off but a continued engagement that evolves and changes over time. It proactively and creatively tackles root causes of crime rather than reactively responds to crime. Critically, a bottom-up approach also means that community policing models must recognise the various forms of 'self-policing' practiced in many communities, build upon existing local institutions, and seek to embed them within state-led community policing structures while consciously seeking to avoid reproduction of negative aspects of existent mechanisms of 'self-policing'.

In conclusion, this means that rather searching for a 'correct' model or 'best practices' of community policing, we must acknowledge community policing as a pool of models and practices, 'a network of components' which in order to effectively improve police-community relations and boost crime prevention must recognise the specific context in which it is applied. In sum, an effective community policing model entails the following elements¹²;

- ***Community participation in policing activities***
- ***Decentralized decision making and devolution of police command and operations***
- ***Proactive police service and involvement in non-traditional police work such as participation in community activities***
- ***Problem solving approach by and responsiveness of the police to community needs***
- ***Accountability of the police to the public***

Successful implementation of the above elements of an effective community policing model requires political will and commitment, backed up by appropriate budget allocations.

¹² The list of elements is drawn from a paper presented by Daniel Ngabirano, lecturer of law, Makerere University of Kampala, at the FES National Security Dialogue on Community Policing in June 2016.

Bibliography:

Baker, B., 2008, 'Community policing in Freetown, Sierra Leone: Foreign import or local solution?', *Journal of Intervention and State building*, Vol. 2, No. 1, pp. 23-42

Brogden, M., 2005, "Horses for Courses" and "Thin Blue Lines": Community policing in transitional society', *Police Quarterly*, Vol. 8, No. 1, pp. 64-98

Brogden, M., and Nijhar, P., 2005, 'Community Policing: National and International Models and Approaches', Willan Publishing, Cullompton. Etc pp (copy from James' paper)

Casey, J., 2010, 'Implementing Community Policing in Different Countries and Cultures', *Pakistan Journal of Criminology*, Vol. 2, No. 4, pp. 55-70

Davis, R. C., Henderson, N. J., and Merrick, C., 2003, 'Community Policing: Variations on the Western model in the developing world', *Police Practice and Research*, Vol. 4, No. 3, pp. 280-300

Dinnen, S., and Mcleod, A., 2009, 'Policing Melanesia – international expectations and local realities', *Policing and Society*, Vol. 19, No. 4, pp. 333-353.

Hills, A., 2012, 'Lost in Translation: Why Nigeria's police don't implement democratic reforms', *International Affairs*, Vol. 88, No. 4, pp. 739-755

Mathias, G., Kendrick, D., Peake, G., and Groenwald, H., 2006, 'Philosophy and Principles of Community-based Policing', UNDP South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), 3rd edition, Belgrade

Bitaliwo, O. 'Conceptualization of Community Policing in the Uganda Police Force', *International Journal of Peace and Conflict Studies (IJPCS)*, Vol. 2, No 3, October, 2014.

R. Friedmann, 'Community Policing: Comparative Perspectives and Prospects', New York: St. Martin's Press, 1992.

Ruteere, M. and Pommerolle M. E., 2003, 'Democratizing security or decentralizing repression? The ambiguities of community policing in Kenya', *African Affairs*, Vol. 102, No. 409, pp. 587-604

Saferworld, 'Implementing community-based policing in Kenya', Saferworld, February 2008.

Lawrence, S. and B. McCarthy, 2013, 'What Works in Community Policing? A Best Practices Context for Measure Y Efforts', *The Chief Justice Earl Warren Institute on Law and Social Policy* University of California, Berkeley School of Law.

Trojanowicz R. and B. Bucqueroux, 1998. 'Community Policing: How To Get Started', 2nd edition, Cincinnati: Alderson publishing co.

Wisler, D. and I.D. Onwudiwe (eds), 'Community Policing: International Patterns and Comparative Perspectives', CRC Press, Boca Raton, FL, pp. 1-17

3.2. Community policing: Good cops, trust and democracy

Commissioner of Police Dr. John Kamya, Uganda Police Force

For a long time in this country, there has existed a gap between the Police and the general public created due to a number of factors that included among others: failure of the general public to understand and appreciate police work, loss of trust and confidence in each other, failure to understand Police procedures, failure to understand each other's role, the breakdown of the criminal justice system during the past regimes, etc. To address these concerns and more so to bridge the gap that had existed for a long time, a new approach known as community policing was adopted by the Uganda Police Force. The initial efforts to establish the community policing approaches started in 1989 in Katwe Police Division by the local police, and later, in 1993, through assistance from the British DFID, the programme was established at national level. In the year 2000, the program was re-launched by the minister of internal affairs with emphasis placed on the neighborhood watch principle and in 2008 the program was again re-launched by the minister of internal affairs as a principal method of policing. Community policing is now the core of UPF policing, and therefore fully entrenched in policing structures, including the field commands at regional, district/division/station/post levels. The programme falls under the Directorate of Political commissariat. It is a full department in the police structure with sections such as Crime Prevention, etc. All police regions, districts and divisions have been staffed with Regional Community Liaison Officers and District/division Community Liaison Officers respectively. The neighbourhood watch scheme is being implemented in the whole country.

The basis for community policing in Uganda is both legal and doctrinal. On the legal front, Article 212(d) of the Constitution of the Republic of Uganda emphasizes cooperation between the police with the public, other security organs and the population generally. It is also the duty of the citizen under article 17(f) of the Constitution to co-operate with lawful agencies in the maintenance of law and order. As a doctrine, Community Policing is an approach of policing involving participation of the members of the general public. It is both a policy and a strategy being undertaken by the Uganda Police Force aimed at involving the communities in policing matters. It is give-and-take between Police and members of the public and the Police must involve the public in their activities, especially the prevention and detection of crime. It is a partnership approach aimed at achieving efficient and effective crime control, reduction of fear of crime and elimination of existing barriers between the police and members of the public for the benefit of both parties. The new paradigm/doctrine in police work requires the integration of traditional police duties and functions into life and activities of communities in the fight against crime. The concept of community policing is now considered as second generation policing.

Community policing is what good cops do. Community policing calls for a high degree of mutual trust, confidence and benefit between the police and the public. This approach is also aimed at improved police service through pro-active way of policing. Community Policing requires the community to understand that it has a major role in the policing of the country by learning to police themselves assisted by the national or local police. It calls for a partnership and a joint problem-solving venture between the police and the public. Community policing enables the police to have an in-depth understanding of the communities they police. The benefits for community policing are enormous. For the Police, it will be able to rely on more community resources to assist them in crime prevention efforts and in reducing levels of fear of crime in society. In addition, Police bases for intelligence gathering will be improved enabling pro-active policing to thrive. Community policing also increases Police legitimacy in the community. Members of the community enjoy improved Police services, have greater Police accountability, participate in Police decisions and get an opportunity to influence the style of policing and policing priorities in their area. They also attain knowledge in a wide range of issues in the criminal justice system through sensitisation.

Community policing and democratic policing

It is not possible to talk about Community Policing without talking about democracy. Democracy being the rule of the people, by the people and for the people and the fact that it provides for the sovereignty and supremacy of the people, the principles of community policing are consistent with it. Democracy believes in governing people by their consent. It believes in the governing of people on the basis of protection and promotion of their fundamental human rights. It also believes in human dignity and equality of all the people. Democracy emphasises that people should take part in management of public affairs and should have equal access to public services.¹³ Similarly, community policing is pegged on the principle of involving the people in making decisions that affect them in all security matters. It seeks the consent of people in the way they should be policed and in some countries it is referred to as 'Policing by Consent.'

Community policing is meant to ensure that all people are treated equally before the law. It works on the basis of empowering all the people with knowledge of all aspects affecting them that are related to policing and the criminal justice system. Both the principles of democracy and those of community policing demand that all Police Officers should exhibit political independence and impartiality at all times. Community policing requires that all Police Officers become familiar with the people in the community to which they are assigned and get close to the community by living in it. While policing elections, (which are very important in democracies)

13 International Covenant on Civil and Political Rights (ICCPR), Article 25.

especially at the polling station, Police Officers should demonstrate discipline and professionalism. While policing political rallies and political demonstrations, Police Officers are required to practise tolerance and to remember that the objectives of public safety and non-escalation should be paramount.

International standards on human rights and policing in democracies as well as principles of community policing require that Police Commanders and Supervisors should establish policies for the Police forces based on respect for democratic governance. In its Resolution 34/162 of 17th December 1979, the United Nations General Assembly adopted a Code of Law for Enforcement Officers. It stated among others, that: “like all agencies of the criminal justice system, every Law Enforcement Agency should be representative of and responsible and accountable to the community as a whole”. The following provisions were therefore adopted as paramount to Police Agencies in democratic societies:

Representative Policing requires the Police to ensure that they are sufficiently representative of the community they serve. Minority groups should be fairly represented through fair and non-discriminatory recruitment policies.

Responsive Policing requires police to be aware of and responsive to public needs and expectations. The public expect the Police to prevent and detect crime, preserve law and public order, and protect life and property. The police should therefore, not only recognise these expectations but also meet them in a humane and lawful manner. Specific needs and expectations of the Public at any given time and locality should be established.

Accountable Policing means that all actions of the police should be responsible to public scrutiny. There must be systems within and outside the force to question Police action and with authority to take action against the errant officers.

Community policing, constitutionalism and human rights

Community policing requires that both Police Officers and members of the community must know their constitutional rights and duties. Community Liaison Officers are detailed to educate both the Police Officer and the public about the Constitution. When human rights are included in the Constitution they become legal claims for every citizen and they become constitutional rights. The public should know their rights so as to demand for them. Likewise, the rights of Police Officers should also be respected by members of the community. Community policing public seminars, lectures, posters etc. should be conducted so as to create awareness. Every Police Officer should be abreast with the provisions of the Constitution and should always respect and promote it. This way, Police Officers will perform their duties in accordance with the Constitution, hence developing a culture of constitutionalism.

Community policing emphasises the promotion and respect for human rights. Human

rights being innate and inherent in every human being, universal and fundamental and inalienable and indivisible, Community policing requires Police Officers to be aware of peoples' rights and freedoms. Community policing also requires police officers to observe and respect people's rights and freedoms especially during the execution of their duties. The Uganda Police Force has set programmes to ensure that every police officer becomes knowledgeable of human rights in order to build a culture of respect for promotion and protection of human rights within the force. Today, Human rights are part of the police training curriculum. The police have also established a Directorate of Human Rights and Legal Services, with a mandate to foster the observance of human rights within the police's rank and file. To date, human rights officers are deployed at all police regions in the country to constantly advise local police commanders on matters of rights and to receive complains of rights abuse.

Finally, community policing calls for a high degree of mutual trust, confidence and mutual benefit between the police and members of the community. Some of the question that need to be asked is whether this mutual trust exists. Does members of the public trust the police? Do the police trust the public either? These questions must be answered in the affirmative if community policing is to thrive.

3.3. Opinion: Return to the basics!

James Nkuubi, HURINET

A public debate and a policy making process on community policing in Uganda must strive to answer a range of questions relating to the nature of crime and policing in Uganda today.

How can police deployment take into account the diversity of circumstances and nature of crime across the country?

Uganda is not a homogenous country and this is true for crime as well; the predominant nature of crime differs significantly across districts that exhibit unique challenges: For example, Karamoja is particularly prone to armed crime due to proliferation of small arms, whereas violent crimes in the Rwenzori or West Nile are sometimes linked to cross-border dynamics along the porous national borders with volatile neighbours, while rapid urbanization and growing social inequality in Kampala Metropolitan and once upcountry districts such as Masaka, and Mukono, drives theft and robberies.

Are we internalizing community policing values or are we treating it as a programme?

There is an often deliberate misconception of community policing not as an ideology but merely a programme or routine activity that seeks to maximize impact and effectiveness. Police patrols and the visibility do not yet make community policing. Police presence without interaction is a relationship without relations. Community

policing has sometimes been misconceived as the maintaining of informant networks in communities. Particularly in slums and city centres where informant networks include petty criminals and 'urban lumpen', this has facilitated the criminalization of the Uganda police from below and contributed to an 'informalisation' of security. We must thus revisit the crime preventers as a programme and ask whether it is informed by democratic policing, accountability and professionalism, or whether it is politics. We must ask whether policing in its current form is policing by consent or by fear.

Is our police well managed and motivated?

There have been many complaints about weak capacity of police to investigate crime. This poses a number of questions about the existence of policies and strategies of crime management, a well-managed crime records system, and robust internal and external accountability mechanisms to ensure the integrity and efficiency of investigations. In recent years, promotions in the police hierarchy have often lacked transparency and have been viewed with suspicion of personal and political favouritism in the force. The politics of human resource management, and especially of promotions, has caused considerable frustration, de-motivation, indiscipline and demoralization within the force.

What is the culture of policing in Uganda today?

To purport that we have community policing means there must have been a transition to a community policing orientation, a change in the culture of the UPF. Has this taken place? What is the clear understanding of the current culture of the organisation? How do we measure the achievements of community policing? Past efforts at police reform importantly include the Sebutinde Commission and the Police Review Process.

We must revisit the findings on crime and community policing in these documents. We must operationalize the values and principles of community policing, define measures, set targets, design actions and develop performance indicators to facilitate the transition from community policing as a programme to a culture of community oriented policing.

4. The historical and legal framework for community policing in Uganda

Peter Magelah, Chapter Four Uganda

The concept of policing in Uganda was introduced in the early 1900s by the colonial government. Before that, different communities had their own ways of enforcing law and order through kings, chiefs or elders. Introduction of modern police systems in Uganda was mainly aimed at promoting colonial interests and had little to do with enforcement of law and order or rights of the community. In the 1920s, criminal laws mainly borrowed from India were introduced in Uganda. However these laws applied different standards to African subjects and colonialists or their agents. Many Africans that violated the law were taken to native courts and only in extreme cases would they be taken to colonial courts. Pre-independence policing in Uganda was not focused on community wellbeing or mutually beneficial community relations with police. Independence did not bring significant change; police remained impersonal in its approach to law enforcement. The breakdown in state structures due to civil wars and coup d'états between 1966 and 1986 exacerbated the situation, and when the NRA/M took power in 1986, the new army took over police work. The 1995 constitution finally created a Uganda Police Force that is subject to civilian authority, and reflects the desire to improve police-community relations. This was the foundation for the introduction of community policing in Uganda.

Community policing in Uganda

Trying to trace the introduction of community policing and its role in Uganda is a confusing endeavour: the concept is variously interpreted and possibly misunderstood by the community as well as those supposed to enforce it¹⁴. Some scholars have traced community policing in Uganda to the 1980s 10 Household concept (Mayumba kumi), where every ten households were placed under one leadership for purposes of monitoring and fighting crime. A similar concept was adopted in 1986 with what was known as the Resistance Council (RC) system. The RC system later was changed into a Local Council System with structures from village level all through to district level into what forms a system of decentralization in Uganda. Whereas the upper local councils such as Districts Councils, Municipality Councils, and Sub counties had little to do with crime prevention, the lower local councils at village and parish levels functioned as courts and law enforcement; they not only engaged in fighting and detection of crime but also handled and settled minor civil matters and minor crimes at the village or household level.

14 William D. Baker (2005) Community Police Assessment in Northern Uganda. Management Systems International

More specifically dedicated to law enforcement and security, there were other systems such as Local Defence Units which were paramilitary groups placed at village level to fight crime and insurgency, these were followed by Home Guards¹⁵ who were mainly aimed at fighting insurgency in the Eastern, Northern and Western parts of the country¹⁶. The Local Defence Units and home guards worked side by side with Local Administration Police, which was another paramilitary police group engaged in ensuring law and order at community level.

"We have had the same initiative called different names. What I remember and I see in my area is crime preventers, these were Local Defence Units (LDUs) sometime back, some LDUs were made policemen and others were dropped. We were told those dropped were not fit to be police men either because they were weak or because of their records, however when the call to have Special Police Constables came, those dropped plus some new people were enrolled as SPC. This was also community policing, SPCs were taken into police and some dropped, then we recruited election constables, same people joined, now we have Crime Preventers still made up of the same groups."
(Councillor, Kampala)

"I would say community policing has not changed from what Mayumba kumi (10 households) were. First when the RC (resistance council) which is now called LC system was introduced it only increased the area of coverage from the original 10 households to cover the whole village. This is pretty much the same concept. At the time RCs were working, the focus was on health, education, getting community essentials, we would have security training and do some security role, at some stage we would be armed. We worked with police. Though security was one of the issues we were focusing on, it was not the only one and it was not the core business of RCs and later LCs." (LCI and former Mayumba Kumi member, Nakawa division, Kampala)

It should be noted that in the official Uganda Police Force system, the above is not considered as part of community policing. In 1993, the Kampala Crime Prevention Panel was the first attempt at having community policing within Uganda Police force with the aim of containing crime.

This was replaced by the launch of a pilot program for community policing in Old Kampala which was later expanded to other areas in the country. Since then, the program has been launched and re-launched several times - each time proposing a slightly different concept, and varying in focus from fighting crimes to policing of election among others. Today, the police has designated Community Liaison Officers (CLOs) in all districts. But the lack of a uniform strategy and guidelines disseminated throughout police structures has meant that CLOs and their superiors adopt widely differing strategies of engagement in communities.

15 Home Guards took different names across the country and some groups were ran by individuals for example Amka boys and Arrow Boys in Teso, Lango and Acholi sub regions.

16 These focused on fighting insurgency such as Lord's Resistance Army in most of Northern and Eastern Uganda, Karamojong cattle rustlers in the East and the Allied Democratic Forces in the West

Moreover, CLOs often lack facilitation and proper means of engaging the community to ensure community policing is properly implemented. Community policing has since been 'isolated' to these officers and rarely has it cascaded through to the entire force;¹⁷ lacking 'effective monitoring support service... [and are] left largely to their own devices to interpret and deliver training'¹⁸, therefore promoting an individualisation rather than mainstreaming of community policing.

The legal framework for community policing in Uganda

Uganda's laws do not explicitly provide for community policing. The law generally gives police powers to enforce law and order and cooperate with military as well as civilian authority in Uganda. The Uganda Police Force is established under article 212 of the Constitution of Uganda. the functions of the police are set out in Article 213 and these include:

- *To protect life and property;*
- *To preserve law and order;*
- *To prevent and detect crime; and*
- *To cooperate with the civilian authority and other security organs established under this Constitution and with the population generally.*

From the general functions of the police, one can note that the functions generally relate with what most community service approaches focus on. Similarly the Police Act¹⁹ provides for the same roles. However, there is no written law or policy that defines the actual parameters of and activities under community policing. As a result, the enforcement of community policing has therefore tended to vary according to police leaders' priorities, reflecting personal preferences and social or political challenges at a given time. In practice, much of what fits the concept of community policing in its broader sense in Uganda is carried out under the framework of local government at the village and parish level, which is part of a system of governance that decentralizes power and service delivery to districts and subordinated entities of administration and is enshrined in article 176 of the Constitution.

Levels of administrative units set out in the Local Governments Act of 1997²⁰ include districts, cities, municipalities, town councils, sub counties, parishes and villages. Each unit is governed by a universally elected council comprising of representatives the community and different interest groups.

17 Davis, R. C., Henderson, N. J., and Merrick, C., 2003, 'Community Policing: Variations on the Western model in the developing world', Police Practice and Research, Vol. 4, No. 3, pp. 280-300

18 Onesmus Bitaliwo, 'Conceptualization of Community Policing in the Uganda Police Force,' International Journal of Peace and Conflict Studies (IJPCS), Vol. 2, No 3, October, 2014 at 3. Bitaliwo's definition is heavily influenced by Trojanowicz R. See further Trojanowicz R. and B. Bucqueroux, 1998. 'COP: How To Get Started,' 2nd edition, Cincinnati: Alderson publishing co. at 2.

19 Cap 303 as amended

20 Cap 234 Laws of Uganda as amended

At the time of passing the Local Governments Act (1997), there was a local government police that complemented the Uganda Police in enforcing law and order and mainly managed issues relating to by-laws and laws passed by the different local governments. The Local Government Police was incorporated in the Uganda Police as part of the mainstream force²¹ through the Police (amendment) Act, 2006. The amendment was meant to centralize the powers to raise or run a police in Uganda. It was argued that this would address human rights violations by the highly decentralized local government police. However it also meant that the force which had been closer to the community would now be managed centrally. The same amendment also saw the Local Defence Unit (LDU) absorbed by the UPF.

On the other hand the Local Government Act provides that the parish and village executive committees will be in charge of vetting and recommending persons in the area who should be recruited in the army, the police, prisons and local defence units²². Based on this traditional prerogative, some LC leaders have been consulted in the recruitment of crime preventers and others have felt left out where local police officers did not consult them. There are no clear guidelines for the method of vetting and recommendation. Sometimes there is a strict requirement of a letter from LCs for those joining the army or police and sometimes this is ignored. Moreover, the fact that Uganda has not had village council elections since 2002 and the existing village councils were ruled unconstitutional in 2007 makes the enforcement of this provision challengeable in court and therefore any person can conveniently ignore it²³.

Furthermore, the Local Government Act provides for parish and village executive committees that represents the needs of different interest groups and, among other functions, is to resolve problems and disputes security in the community.²⁴ It comprises of the chairperson, secretary for children welfare, general secretary, secretary for information, education and mobilisation, secretary for security, secretary for finance, secretary for production and environmental protection, secretary for youths, the secretary for women a representative of PWDs²⁵. The provision for conflict resolution at village level offers LCs a wide range of actions and activities to address disagreements or problems of a civil nature including those with potential to result into crime or security breaches.

The other law that links local councils with community policing is the Local Council Courts Act, 2006. The Act replaced the old Executive Committees (Judicial Powers) Act that provided for local council courts. The Act establishes the local council courts for the administration of justice at the local level, and defines the jurisdiction, powers and procedure of the local council courts²⁶. The Act sets up LC courts whose role is limited to

21 S. 3(ca) Police Act, Cap 303

22 S. 49 of Local Governments Act

23 See Rubaramira Ruranga v Electoral Commission and Another. Constitutional Petition No. 21 of 2006

24 S. 48(c) and (d) of Local Governments Act

25 S. 47 Local Governments Act

26 See Long title Local Council Courts Act, 2006

handling cases of a civil nature and criminal cases that arise from by-laws passed by the same local council. In effect, the LC courts tend to handle minor cases of crime and have been instrumental in addressing cases that would ordinarily be handled by slower and more bureaucratic proceedings in formal courts of law. However the councils have been criticized for not delivering justice in some cases, as a result of mismanagement as well as lack of capacity among members of LC committees²⁷. In sum, while the mandates of the LC councils and the LC courts comprise aspects that qualify more broadly as elements of community policing, there are no explicit legal provisions that codify them as such.

In Kampala Metropolitan, Uganda's fast growing urban capital, the Kampala Capital City Authority Act similarly to the Local Governments Act provides for structures and activities that broadly fall under the concept of community policing without expressly being defined as such. The Kampala Capital City Authority Act provides for the Kampala Metropolitan Police²⁸ which is supplementary to the UPF and is directly under the guidance of the police authority. The KCCA Act puts in place urban councils and street committees whose functions include duties to assist in the maintenance of law, order and security, mobilizing the residents to undertake self-help community projects, registering the residents in their area of jurisdiction and assist in the maintenance of cleanliness, beautification, protection of streetlights and garbage skips. In other words, the urban councils and street committees are mandated to carry out activities that include those that are conducive to or are common elements of community policing.

Conclusions

In conclusion, the lack of proper legal and policy guidelines on community policing in Uganda makes it difficult to enforce community-policing programs. This gap has made it difficult to monitor and evaluate the implementation of the program since there are no set goals and objectives against which it can be evaluated. This is mainly due to the fact that different laws are aimed at achieving different objectives which may not necessarily be community policing related. As a result of this, goals, targets and approaches keep changing with change in leadership and change in situations. For example during elections most focus is put on special police constables for the election periods who are trained to monitor issues related to elections as part of community policing. These at times are incorporated in the main police and at times are dismissed after elections.

Policy makers need to have a proper policy that defines the parameters of community policing, so that laws can be made to enforce the policy providing for what it is, does and don'ts, the goals and the limits of community policing. Such laws and policies should clearly identify the roles of different stakeholders and how they work together to enforce different community policing initiatives.

27 Hill (2016) Justice Needs Uganda available at <http://www.hiil.org/data/sitemanagement/media/Uganda%20JNST%20Data%20Report%202016.pdf>

28 S. 26 of Kampala City Council Authority Act

5. Community voices on crime prevention and security

After the initial national dialogue found that there was a glaring absence of a clear concept of community policing that is shared by all actors, the FES project went to the communities to give them a voice and share what community policing means to them and how their villages or neighbourhoods manage challenges of crime and insecurity. In close cooperation with local authorities, FES conducted thirteen dialogues with community members and representatives, as well as police, in Kampala's five divisions and four districts and towns outside Kampala Metropolitan.²⁹ In the context of the dialogues, we understood community policing to broadly define initiatives and practices which are led by or involve the cooperation and participation of the community to prevent crime and foster security in their neighbourhoods.

"Community policing means being my brother's keeper, neighbours watching out for each other". (Resident, Kampala)

"The community must work together not just for security but development. It is about unifying people and working together." (Market vendors' representative, Kampala)

"Community policing is a decentralized system of community engagement in matters of security involving all the relevant stakeholders right from Local Council I up to the national level." (Councillor, Makindye division, Kampala)

"Crime prevention should be everyone's responsibility. Every citizen should be a crime preventer." (LC1, Makindye division, Kampala)

"Community policing means the community doing police work. It comes out of the need and the challenge that police as an institution cannot work alone to solve crime. Community policing works with the people to demystify the police, break the fear between community and police." (Mayor, Central division, Kampala)

The sections in this chapter are a summary of the findings from these community dialogues and illustrate the diversity of concepts, actors and practices in community policing (5.1.), lay out common practices of crime prevention and security in communities (5.2.), take a look at the contested crime preventers (5.3), then discuss challenges to effective community policing, namely strained relations between the communities and the police and other regulatory authorities (5.4.), and the delegitimization and erosion of the Local Council system at village and parish level (5.5.).

29 See introduction for details on the community dialogues.

5.1. A katogo of concepts, actors & practices

Most community stakeholders share a strong sense of a ‘katogo’³⁰ of community policing in Uganda: There is no clear commonly shared concept - notwithstanding a strong emphasis on ‘Community policing’ by the Uganda Police Force in recent years -, yet most communities practice various efforts jointly with other stakeholders to prevent crime and ensure security in their neighbourhood or an otherwise defined community, such as occupational groups. Most participants define community policing to involve active and cooperative engagement of the community and the police to prevent crime and improve general security. Some highlight the community’s support to the police to boost its effectiveness, others stress the sensitisation of the community through police and the building of a relationship of mutual trust, while yet others emphasise the responsibility of each and every community member to collectively with his neighbours create conditions that are conducive to security and development of the community.

Community members strongly agree that all local government, police and community stakeholders must be involved in effective community policing. This rhymes with a common perception of community policing more fundamentally being an expression of every citizen’s responsibility to work for the prosperity and peace of his or her community.³¹ Community stakeholders include ordinary residents, religious and cultural leaders, village elders, business men and women, including owners of bars and hotels, and sex workers, landlords and their tenants, public transport operatives such as boda riders³² who “are good at information gathering” and taxi drivers, private security companies whose guards are all too often implicated in robberies and theft,³³ headmasters and deans alongside student leaders, market vendors, youth groups, people with disabilities, and so forth.

Most mechanisms and initiatives revolve around the community at the level of the village (LCI) as an administrative unit. But markets, taxi parks, schools, groups of traders, and boda riders all constitute communities that have their own mechanisms to protect their lives and livelihoods against threats from within and without. Communities display great industriousness in devising mechanisms to police their own and address unique security challenges facing their communities. For example, public transport operatives in Kampala such as boda riders, matatu³⁴ operatives, special hires³⁵ and overland buses,

30 Katogo is a Ugandan dish which consists of a mixture of ingredients including meat, beans, green bananas (matoke), potatoes and vegetables.

31 In the same vein, participants also emphasised the need for responsible parenting and raising children’s safety/security consciousness.

32 Boda is motorcycle taxis.

33 “In Kololo the challenge is private guards. Most theft is by private guards and these need to be made part of community policing. Companies should do proper background of the guards before they use them.” (Councillor Kololo, Kampala)

34 Matatus (or taxis) are privately owned public transport minibuses.

35 Special hires is the common term for taxi cabs.

are highly organised in order to reduce their vulnerability of falling victims to criminals themselves or being used as vehicles for criminal activity. Schools in busy downtown areas struggle with high crime levels in nearby bus parks or markets affecting their students. Refugee communities seek to improve integration to reduce their vulnerability to crime and insecurity. These community security organs often but not always cooperate with local authorities, including the Local Councils and police. Many have developed in response to security gaps left behind by the authorities and/or a lack of confidence in their willingness and capacity to provide security. For example, several boda riders, matatu operators and market vendors report strained relations with Kampala Capital City Authority (KCCA) whose efforts to enforce regulations often lead to confrontations and a sense of livelihood insecurity among these communities. Police implements a range of activities at village level in the name of community policing. Most notably, this includes the deployment of crime preventers and designation of community liaison officers.

"Community policing is a good concept but do we understand what it is? That is the major problem for us as police and for the community. If we do not understand community policing, we won't get a solution." (Police officer, Kawempe division, Kampala)

"It is clear we do not know what community policing is or should be. There is confusion. You see police said one thing, the locals said the other. What should police do and not do, what should LCs do, what should crime preventers or home guards do, who leads them, how do they coordinate?" (Paralegal, Kabarole district)

"We do not have a systematic approach to curb crime rates. Each village does what it thinks works for them." (Resident, Kawempe division, Kampala)

"There is no standard on what community policing is; they keep changing. Every officer does what he or she thinks is right. When another officer comes in they change what was done. This brings about confusion." (Councillor, central division, Kampala)

"The biggest problem is there are a lot of uncoordinated efforts, one side you have crime preventers, then LCs, then police. It is sometimes hard to tell who is who, who plays what role, etc." (Pastor, Nakawa division, Kampala)

The absence of a shared concise definition of community policing and of a clear delineation of roles of the various stakeholders – Local Councils, police, crime preventers, and community members – have created contradictions and confusion. This lack of shared guidelines also underlies an often confrontational rather than cooperative relationship between the police and those being policed, especially in urban areas where policing is often perceived to be politicised. Each OC (officer-in-charge) or DPC (Divisional / District Police Commander) comes with his/her own ideas and each village practices whatever they have found to work best for themselves within a broader framework of the LC system or Mayumba Kumi (see below). As such, community policing is highly decentralized. Who participates, who takes charge and how cooperation is designed in certain initiatives is shaped by the local context and the individuals occupying positions of authority.

5.2 Community driven initiatives and the concept of Mayumba Kumi

Current practices in community policing in Uganda largely follow the basic organising principle of Mayumba Kumi (Ten Houses) which means the clustering of communities into groupings of ten households that collectively look after their security through monitoring and information sharing through meetings and patrols, mediate and arbitrate disputes, and a pursuit of collective prosperity. The popular Mayumba Kumi model was already practised under the Obote II government (1980 – 1985). It is also practised extensively in neighbouring Kenya (as Nyumba Kumi) where it is a recognised and codified model of community policing. In Uganda, the NRM's Local Council system essentially replicates the Mayumba Kumi system at a larger scale, elaborates and institutionalises it. The LC system increased the number of households operating under a similar, but formalized system, to a village. Originally, villages spanned about fifty to one hundred households each. Today, due to urbanization and population growth, a village as the lowest administrative unit of local government may comprise more than a thousand households in urban areas, especially the capital Kampala.

Community driven initiatives engage in various activities that may be clustered in three broad categories. Firstly, communities carry out various activities of monitoring, information sharing and community patrols. Secondly, communities engage in mediation and arbitration of disputes and administer informal 'community justice'. Thirdly, communities seek to boost development and economic and social well-being in the community to address root causes of crime, conflict and insecurity. Recently launched police initiatives, such as police's "neighbourhood watch" or "ten-plus-one" (ten households and one coordinator), also replicate the traditional Mayumba Kumi system. Essentially, if not explicitly expressed, the new police initiatives seek to fill gaps left by the eroding LC system.

Monitoring, information sharing and patrols

Traditionally, the Local Council system at village level used to feature a security committee and a secretary for defence or security. Despite the failure to hold elections since 2002, Local Defence secretaries still exist in many villages and security meetings are still being held, but in many others, the position of defence secretary has remained vacant. Today, not all LCs hold regular meetings on security or community policing, and the formats may vary from village to village.

The local OC (officer-in-charge of police) commonly participate in these meetings, and in some villages it is the police, rather than the LCs who call the meeting. Structures similar to those of the LC system, including chairpersons and defence secretaries or security officers exist in communities of interest or purpose,

such as markets, schools, and among public transport operatives. In most of Kampala today, neighbourhood watch schemes use WhatsApp groups set up by police officers, LCs, crime preventers or concerned citizens to communicate and share information on safety and security. Some LC Chairpersons have informally appointed zone and cell leaders who report to them to improve on information gathering and monitoring. One LC Chairman described having established a secret network of informants in all village cells.

Many villages in Kampala compile a register of all residents that includes personal details and photographs. LCs, youth chairpersons and others in the community assist police in the profiling exercise. Commonly, the LC Chairman or the Defence Secretary is the keeper of the register. No legal basis exists for the register but residents in only one case reported any objections to this practice. The recently launched 10+1 initiative, too, is based on the premise that a profiling of all households in a given community has taken place. Likewise, boda boda communities and other interest groups keep registers of their members, and markets and other business communities zone their areas of activity to boost safety and security.

"Mayumba Kumi used to help us know who is new in the area. A person would register and tell us what time he/she has come in and when is he leaving, we worked on health issues especially hygiene, immunization, reporting disease outbreaks with health inspectors, education with district officials and parish chiefs, self-help road projects, etc. I would say it was a relationship between people and government and all services would be delivered through this system. Now we are trying to reintroduce it, we have been doing 30 households and now we are doing 10+, people nowadays do not care much about community work but we believe if we reduce the numbers we can know them people. We can be able to move on." (Crime preventer instructor, Nakawa division, Kampala)

"When 10+1 was introduced in Kampala, the DPC [Divisional Police Commander] wrote letters to all the LC1 to select and identify the coordinators. Households were profiled." (Police officer, Kampala)

Neighbourhood patrols at village / LCI level are today much less common in urban areas where 'villages' are densely populated, highly diverse and less community sense may persist, than patrols organised by smaller, less diverse communities, such as markets and churches. Especially in affluent residential areas, residents were expected to be less engaged in hands-on neighbourhood watch through patrols. Still, in some affluent areas, such as Kololo, neighbourhood watches exist and security meetings take place. Commonly, community members pay a small monthly contribution to sustain the patrols. Residents reported that often several actors such as the LCs, police, crime preventers, other 'vigilantes' or 'home guards', but also security guards and schools, work together in neighbourhood patrols.

"10+1 is marketing to bring COP to the last person. It is a bit like Mayumba kumi, it enabled people to know each other in good and bad times, they respond in case of danger. It entrenched a concept of unity irrespective of local differences."

(Police officer, Kampala)

"They were talking about 'Maju Ikumi' (10 houses), in our towns, now in towns like us, you will find we need like 20 houses, you find in a household there are rentals, and they are about 10 rentals in one, we need to give special consideration to such."

(LC1, Bushenyi)

"We also have a community register which we use to capture all the vital personal information and photographs of all community members. Every household head is required to register all the people in their homes, including visitors, and submit the list to the LCs who manage the register."

(Councillor, Katwe, Makindye division, Kampala)

"We ask LCs to register locals so that they know each other. We are trying to introduce a Mayumba Kumi concept (10 houses), but that is still starting. Neighbourhood watch police registers people, their neighbours and their relationships, it involves the LCS and we are able to work with police on that. There are transfers and the book helps new officers to identify. Codes for each household are given by the police and LCs, this helps identify the locals and enables quick response in cases of emergency."

(Crime preventer coordinator, Kabarole district)

"We have our own neighbourhood watch, now we have contacts of all the neighbours, even when you bring a visitor you tell us. There was an incident and I saw someone in a house, I called someone who was in the house and was not a resident, we called the owner and he had not informed us of the new visitor, we fined him for not informing us."

(Youth council member, Nakawa division, Kampala)

"We visit houses to know the occupants to be able to know who is who. This is done by crime preventers, vigilantes and LCs. We have identified black spots and these are the ones we pay attention to. We asked people to buy whistles, they then whistle when there is a crime to alert the others."

(Resident, Kyebanda, Kampala)

"I have empowered every citizen to know that they are in-charge of their own security. In every sector of society, I have recruited informants who give me information on the wrong elements in community; including sex workers, bodaboda, taxi drivers, etc. For example, I have small cells where key informants give me information. In bars, I identify smart waitresses who act as my informants, and so is the case with the 'toninyiras' (local food kiosks). These are not paid but the idea that security begins with you is sold to them and they respond positively. Before deployed, they go through training in community policing to ensure that they know, appreciate and do the right thing."

(LC1, Ggaba, Makindye division, Kampala)

"We have many threats because we are a target for thieves and at times thieves use us. Challenge is no one screens who a special hire driver is and who is not. We have had cases of theft, rape and murder of our customers and murder of drivers. We register drivers to emphasise security. We registered on all stages and work with KCCA to register them."

(Special hire drivers association representative, Kampala)

"We have car theft. People used to get number plates from accident or used cars and use them to steal. When an old or accident car is brought, we take photos of the owners. We work with police to take back the numbers to URA because people used to steal the numbers and use them on cars to steal. We have zoned our area and we know who works on old cars and who does not."

(Mechanics association speaker, Kawempe division, Kampala)

"I have registered over 11,340 boda boda cyclists in Makindye Division alone and yet there are others who are not yet registered. All registered operatives are entered into a database on our computer in the office which we can easily refer to as and when need arises. Our register is very thorough and provides all the vital information to help track down someone in case of a problem. While LCs may claim that their authority has been undermined by lack of elections, the truth is they still have their authority because even us the boda boda leadership we have the authority. For example, we have a law enforcement person whom we call "defence officer" at each of the 329 boda boda stages in the Division. On top of that, we have people we call "stage ambassadors" who are 178 in total. This means we have coordination with all stages. [...] In addition, some bodaboda operatives themselves are thieves. Some of them transport thugs to go and rob people's homes while others do the robbery themselves. As part of the mechanism to address this, we have introduced IDs for all operatives and anyone found without an ID would be deemed to be a criminal masquerading as a boda boda operative hence they would have to face the consequences. We have a strong coordination mechanism right from the lower levels to the national stage and that is why there have not been so many issues with bodabodas in Makindye." (Chairperson Bodaboda 2010, Makindye division, Kampala)

"We work with Uganda police. We inform the chairman and the police of newcomers so that they are known, do cultural orientation for them and take them to the community. We encourage police to visit and give awareness to the refugee communities." (Somali community member, Kisenyi health center, Kampala)

"The youths who are stationed outside the market actually are identified. We know them, these are unemployed and normally help carry goods from the market, help guard

vehicles etc. What we have done is organise them in such a way that they report all those involved in crime. This has been possible by making sure that if crime comes from a certain location, all of them are chased [away]. For them to make sure they are not chased [away], they report the wrong doers." (Market representative, Naguru I, Nakawa division, Kampala)

"In the bus park we have a system to identify everyone who works within. Remember we have drivers, conductors, turn boys³⁶, people who sell goods, hawkers, shopkeepers among others. All those permanently stationed in the bus park have to be known. For example the drivers are encouraged to put on uniform of the different bus companies, the same applies to conductors and people who carry things. The other people like hawkers we know them because KCCA gives them permission to work in the park." (Bus park security representative, Central division, Kampala)

"We have neighbourhood patrols for which everyone pays 2,000 Shillings in a month into a security fund." (Student representative, Kampala)

"We do patrols with home guards, the police and the LCs sometimes. The home guards are under the GISO. He is the main coordinator, normally people make complaints, we know black spots, we report to GISO, then work with OC and DPC and work with police on that." (Coordinator crime preventers, Kabarole district)

"Crime preventers and volunteer vigilantes patrol together. The reason we have the vigilantes is because we had about three crime preventers for each village. It was necessary for us to add more manpower by having vigilantes. The vigilantes train and carry out patrol with crime preventers and at times with police." (Resident, Kyebanda, Nakawa division, Kampala)

36 Turn boys are casual labourers who assist bus drivers with vehicle maintenance.

"We have a good relationship with old Kampala police station. The fact that the school occupies a big area in the middle of a congested place means that criminals like to use it for crime or to vandalize it especially at night. During the night police does patrols together with security guards and the LCs in our area. During the day it is only private guards that patrol.

(Secondary school teacher and in-charge security, Central division, Kampala)

"In Mbuya we do foot patrol, these we do them together with crime preventers and police. We normally do them in the night, though some days we do them during day in cases of drug users, idlers and other people. We carry out meetings both for community and for different agencies."

(LCII, Nakawa division, Kampala)

"We train voluntary security officers within the church, we have some security officers in the congregation and we work with them. We have a member of the church who has a security background. He trains volunteers normally in self defence issues and issues of detection of crime. These are then deployed during services and on Sundays. On Sunday we pay the volunteers transport of 10,000 shillings. On other days they are not paid. The security officers are given reflector [vests], an electric torch, radio call, metal detectors etc. For someone to join the security as a volunteer that person must have prayed with us for at least a year or more. We must be knowing that person's background. Then we train them. The training lasts for a week and then other trainings are done like for a day or just a refresher. After a week of training we let them work. They work as a team."

(Pastor, Central division, Kampala)

"We are trying to reactivate security committees, the committees were active but now have died out."

(CLO, Kawempe division, Kampala)

"We hold a get-together, a general security meeting, where the OC is invited – and he does attend. We discuss security in our area. If there is a security concern, we call the OC, and the OC will also call us when there is a problem."

(Market leader, central division, Kampala)

"Every stage has five people on a security committee, the committees share and monitor stage issues. Persons we suspect to be criminals are reported to police. We also warn our members of black spots where they could easily be attacked. Our members avoid such places. We cooperate with boda boda riders as well. Our relationship with them is supportive of each other. However Criminals have their own coordinating systems. We cannot say ours are 100% safe." (Special hire drivers association representative, Kampala)

"We have our own committee that deals with crime at our stage. If you as a taxi driver or conductor do something wrong, we stop you from driving or working. This is mainly for small crimes like pickpocketing or traffic related things. We sit and suspend someone from the stage. However if the person refuses the punishment or where the punishment is bigger we take him or her to police. We rarely work with crime preventers, we do not trust them." (Supervisor taxi park, Kawempe division, Kampala)

"The school has a security committee which involves students who do monitor crime around the school and in their homes. [...] We have worked with the OC Bukesa who set up crime safety and security committees made up of students. The composition is mainly made up of prefects and students selected by teachers. The students monitor crime at school, on their way home or in the communities. They contact me (head security Old Kampala SS) or the police and report the crimes and we then respond."

(Secondary school and in-charge security, Central division, Kampala)

"In Nakawa market we have an internal security in the market, as leaders we select a security committee, which has a leader, we pay them, everyone pays 1,000 and ensure they are guarding. This has helped us. The guards account to the committee and the council."

(Chairperson market, Nakawa division, Kampala)

"We have our own security committee, which works with local leaders to strengthen neighbourhood watch. Our market is surrounded by Kisenyi which has a lot of crime. Security patrols around the market and we work with the police. We patrol with local leaders. Our Committee is made up of representative from each department. We use the committee as a civil court and we promote reconciliation. The committee handles common market issues such as Common assault, threatening violence, theft, witchcraft etc. other things are handled by police. We hand them to police and let police work. The DPC or OC police visits us and gives us updates and tips on safety and security.."

(Vendor, USAFI market, Kampala)

"As a woman who works in the market the crime preventers are never on our side. You bring things in the market, the boda boda riders steal them. We decided for every 10 women in the market, we share ideas. We watch over each other. Originally we used to work with market chairpersons. The problem has been market chairpersons know most of the vendors and take sides."

(Market vendor, Kawempe division, Kampala)

"We have had community policing. I am a crime preventer and on security committee we cooperate with leaders to get information from the leaders. We work with police to see how the matters can be handled. For simple crimes e.g. fighting, we have a disciplinary committee, which decides on such matters. We work with security guards and we register new comers in the market. We have rules and regulations. We sat as a committee and made the regulations, we have section representatives in the market and these give us the content for the rules and regulations."

(Market representative, Nakawa division, Kampala)

"Police assisted us to come up withan initiative called a Neighbourhood Watch where community members use the WhatsApp mobile text messaging platform to report crime in the community local leaders. The local community leaders, who are responsible for the effective management of the WhatsApp group, screen the messages/crime reports they receive on the group and then forward them to police for appropriate action. The group has no time limit, i.e. people are free to post messages/crime reports at any time whether during day or at night."

(Councillor, Makindye division, Kampala)

"We have a WhatsApp group of which the OC is also part. They can also share pictures of suspects on WhatsApp and we help police with investigations."

(Religious leader, Kampala)

Mediation, arbitration and punishment

Generally, communities tend to favour soft approaches of dispute resolution and the response to crime committed by community members. Local Council chairpersons and other community leaders or senior citizens play a crucial role in mediating domestic conflicts, disputes between neighbours and business partners, and, especially in rural areas, land disputes.

Religious and cultural leaders, elders, and so forth offer counsel to 'misguided' elements and their families. Most participants strongly believed in the reform of criminal youth, with sports often cited as an avenue of reform and instilling discipline. Participants also argued that local witch doctors or herbalists must also be involved in community policing efforts, particularly because they often are asked by criminals to 'bless' their operations.

"We as a community, we have also adopted the approach of talking to and encouraging the parents of these criminal youth and other opinion leaders in the community to convince their children to abandon "kifeesi" criminal gangs (which include groups like B13, Kanyumunya, Osamba, etc). As a result, most youth have come out to confess and give up their habits, especially when the Inspector General of Police (IGP) offered amnesty for all those who abandoned crime. All those who abandon crime are required to have their essential particulars entered into a police database such that in case one is found engaging in crime around Katwe, their names would be cross checked with the police database to find out if the suspects' names correspond with any of those in the database. If a positive corresponding ID is captured, the culprit is liable for imprisonment not less than 5 years." (Councillor Katwe, Kampala)

"The local council courts deal with civil cases. We have mediation groups, these help to work on domestic violence. Locals select mediators within themselves." (LC chairperson, Kisenyi, Kampala)

"We as youth leaders have tried to identify the NATO group [criminal gang] and we have engaged them through sport and counselling. We do tournaments (sports) and counsel them. We have some results with support from Uganda Youth Network." (Youth councillor, Nakawa division, Kampala)

Local Council courts that traditionally deal with civil cases at local level have in many places ceased to function as the LC system has disintegrated more broadly. However, there are often forms of informal 'community justice' administered. In some areas, communities enforce arbitrary arrests, public confessions, caning of suspects and other forms of ad hoc 'justice'. Whereas participants overall endorsed such forms of 'community justice' because of their perceived deterrent effect, they raise serious concerns about the rule of law and risks of human rights abuses. Many of these forms of 'community justice' violate suspects' right to fair trial, the presumption of innocence, the right to privacy of victims and suspects etc. Similar concerns apply to instances of the IGP informally according 'amnesty' to petty criminals in areas hit by gang activity.

"We are not in a hurry to punish culprits once they are apprehended. We take time to counsel them. Every Sunday, we have meetings where we identify households where offenders come from and visit them to engage with parents constructively so as to fight crime in our midst together. We encourage our young people to list down all the jobs they know, and then guide them to identify the occupations which they find most appealing and join the same. As religious leaders, we do and encourage other leaders in the community to pray for and guide the youth to lead responsible life." (Imam, Kampala)

"We created what we call the children's court, it is made of a judge selected from students council. The judge is helped by other students who are members of the student leadership (prefects and class representatives). When a child commits a wrong, he or she is reported to the court which sits and determines the matter. The court normally sits in the school compound or in any other open place at school and any member of the school is allowed to attend provided he or she is not disrupting the court. The child and the person reporting are all asked to bring witnesses to either defend or accuse the person. The judge with the

team will decide who was in a wrong and issue an order for punishment. The punishments are normally working at school, such as cleaning classrooms or cleaning the drainage, cleaning toilets, apology, calling the parent (in cases of repeated indiscipline), warning and suspension from school for a number of days." (Teacher, central division, Kampala)

"In Katwe, we have also adopted the idea of caning suspects in public once they are caught in the act. Each suspect decides for themselves the number of lashes to be administered to them as punishment, although the number has to be commensurate with the type of crime committed. This 'immediate court' initiative has been effective in scaring youth off criminal activity." (Councillor, Katwe, Makindye division, Kampala)

"We also use public confession albeit away from the press as a community-led response to crime. Suspects are made to confess in front of their parents and community members instead of being taken to Luzira prison. Those who confess are then made to do community service in the locality of crime scene." (Councillor, Kabalagala, Makindye division, Kampala)

Striving to improve livelihoods

Sporadic ‘amnesty offers’ for petty criminals by the IGP are usually accompanied by efforts to ‘reintegrate’ them into their community of law abiding individuals by involving them in development and job creation efforts. This is reflective of a widely shared view that social circumstances in the community, notably lack of employment and poverty, are the root causes of insecurity and rising crime.

“Poverty is one of the biggest causes of insecurity. I don’t think there is any rich man who is kifeesi.” (Guild President, Kampala University, Kampala)

Communities and the police have made efforts to address challenges posed by high youth unemployment, through counselling of youth and vocational skills training, among others. Communities engage in self-help activities and seek out various ways to improve livelihoods in the neighbourhood so as to increase security for all. In one Kampala suburb for example, the community agreed that casual labour for construction in the area must be recruited locally so as to ease youth unemployment in the village.

“We started a community-based organisation that trains youths on savings and employment issues to avoid unemployment. We try to keep the youths busy to avoid being involved in crime and drug abuse.”

(Ngabo Youth Friendly Service Center, Kampala)

“Some of these born-again churches bring street children to their church, in our neighbourhood, they feed them, but then what? Some of these turn into kifeesi [members of urban criminal gangs] for survival.”

(Resident, Nakawa division, Kampala)

“We have decided to address this by ensuring that every person who develops their property in Buziga does not bring labourers from outside but rather uses boys from Buziga. This way, the youth are no longer idle and the rate at which crimes are committed has reduced too.”

(Councillor, Buziga, Makindye division, Kampala)

“Poverty, unemployment and things that promote crime should be addressed. For example in Kamwokya we have things like alcoholism, youths drink alcohol during the day, sports betting and other forms of betting, drug use, some of these things are legal and no one can stop them but they in themselves promote crime. We need to regulate them.” (Woman Councillor, Kamwokya, Kampala)

“The IGP also offered financial support for reformers to start-up income generating projects which have encouraged people to ‘come clean’ and live more productive lifestyles, while also helping police to identify and report those who ‘apply’ to join criminal gangs. As community leaders, we facilitate reformers to access vocational skills training in such fields as hair cutting, hair dressing, pottery, etc as alternatives to criminal activity.”

(Councillor Katwe, Kampala)

The many faces of community policing in one place - a Kabalagala case study

(As recounted by a councillor, Kabalagala, Makindye division)

"We have engaged locals and the police in sports i.e. through annual zonal sports tournaments. These run through all the parishes and usually draws participation from the youth (because they are the biggest victims) and the police plus local and political leaders. The friendly sports engagements provide opportunities for locals to interface with the police and leaders with a view to develop relationships between police and the community members. As these relationships develop and are strengthen overtime, locals feel free to cooperate with the police in reporting crimes occurring within their communities.

Sometimes the police force itself organises sports tournaments, especially football, [...] The police knows that when young people hear about sports, they all come to participate including the criminal ones. The police officers team up with the local leaders against select teams of community members (majority of whom are usually youth). During the matches, some police officers are charged with the duty of moving around with positive messages sensitizing people about crime. In the process, they are helped by community members to identify the criminal elements within the groups, and these are encouraged to go onto the pitch and play with the officers and local leaders. As they play together, relationships are developed which usually result in these criminal minded players helping the police and leaders to report their colleagues who are continuing with criminal activity in the community.

Kabalagala Police also regularly organises 'MchakaMchaka' courses (basic military drills) aimed at equipping community members with self-defence skills in the event that they are attacked by criminals in the community, as well as instilling a sense of discipline. The police uses these trainings as an opportunity

to sensitise community members about drug abuse, its dangers and consequences; human rights; the rule of law; roles of the LCs vis-à-vis the police. As a result, there have been fewer crimes referred to the police as most of the petty crimes/issues are handled locally by the LCs or even just solved amicably between the offender and the victim within the community. The Police has also placed police booths in every parish within the Kabalagala area and these have helped to bring the services of the police closer to the people. However, what is most interesting is the fact that we in the community have taken advantage of these booths to select and place community OCs (officers in-charge) to help handle especially petty crimes without necessarily having to involve the formal police force. The concept of the community OC is where community members choose someone from amongst themselves (in most cases a reformed criminal) who helps fellow community members to settle their issues amicably.

This position is voluntary and therefore remunerated, although the incumbent revels in glory of being referred to as "OC". If the community OC is unable to facilitate justice that is satisfactory all parties involved in the dispute, the police comes in to help. A case in point where a Community OC was installed and has worked wonders is a place called Kabalagala Kataba where sex workers and all manner of criminal youth like to operate. The Community OC at the police booth in Kabalagala Kataba has been left by the formal police to settle most of the criminal disputes between members of the community. She only calls in the police when all her efforts have been defeated. The Community OC actually handles more cases than the police and LCs because prefer this informal mechanism as opposed to the formal organs recognised and run by government.

We agreed with our OC in Kabalagala to introduce community work for those caught committing crime. This is because we thought it would be wise not to commit our people to prison in Luzira as most of them come back from there not reformed but rather in a worse condition than when they went. The community work is administered especially in the locality where the culprit committed the crime, and in most cases the suspects have girlfriends or boyfriends in these communities so the shame that comes with doing community hard labour tends to scare people off criminal activity in the same area. However, the down side with this strategy is that people resort to committing crimes in other localities where this punishment is not administered.

We have what we call 'crime watch,' which is an initiative that combines the effort of crime preventers and community leaders to identify and curb crime at night. Crime preventers have delegated powers to only identify and arrest criminals but the

community leaders retain the power and authority to screen and punish culprits. We have limited the power and authority of crime preventers because we know there is a tendency for them to misuse it and abuse the rights of citizens

There is a story that a traditional/witch doctor called "Musota" (meaning snake) intervened in one instance of theft. The suspect was challenged by the witch doctor to declare the truth in front of other community members as to whether he had stolen the friend's mobile phone or not before the witch doctor would administer his black powers on him to confirm his confession. When the young man maintained that he was innocent, the witch doctor went ahead and administered his black magic which killed the suspect instantly because he was guilty and had lied to the people as well as to the "gods". This has created some sort of fear factor to the extent that people to engage in crime for fear of being taken to "Musota."

5.3 Crime preventers - or crime promoters?

In the context of police's re-newed emphasis on community policing, crime preventers, first introduced in 1991, gained prominence in recent years, with hundreds of thousands recruited across the country since 2013. Over the 2016 election period, the crime preventers came to be widely regarded as a pro-government force for political mobilisation and intimidation, but controversy over the crime preventers also stemmed from reports about their involvement in extortion, theft and robbery. Several human rights and civil society groups demanded for the force to be disbanded one month before the elections, citing its lack of a legal mandate and negative reporting of their role in the election campaigns. The crime preventers stayed, and after the elections increasingly became associated with crime rather than its prevention. This earned them the nicknames crime promoters, or crime presenters.

The communities feel they know little about the selection, recruitment, training, mandate and reporting structures of crime preventers, questioning their legitimacy and transparency. The introduction of crime preventers has also spurred a sense of rivalry and mistrust between the LC system and the community on the one hand and the crime preventers and the police on the other. Some said that LCs and the community are now less likely to volunteer information on suspected criminals to the police. The lack of a clear mandate and reporting structures also are a cause of tension between police officers and crime preventers. In short, the crime preventers and the controversy over their recruitment, training and command have underscored the lack of delineation of roles in local security provision in the country's villages.

Crime preventers, like the police (see below), often are accused of conniving with criminals or themselves committing crime. Because the police are responsible for the crime preventers, the community expresses growing mistrust in the police who are either not willing or not capable of reining in errant crime preventers. In this way, crime preventers have become associated with a new lawlessness at local level. They are also blamed for lack of training and knowledge of the law. Harsh criticism over the crime preventers is mixed with appreciation of their role in localities where communities and LCs built rapport with crime preventers, and by extension, the police.

Criminal activity and other misconduct of crime preventers were generally traced to three factors: recruitment, training, and remuneration. Recruitment of crime preventers is led by the local OC, thereby undercutting the LCs' traditional prerogative to vet and select local defence forces and civil militias. Except in some cases where police built rapport with LCs, Local Council Chairpersons and defence secretaries were usually not consulted in the recruitment of crime preventers. Overall, there is a lack of transparency and standardization of training, recruitment and mandate. Lastly, crime preventers are a volunteer force which does not receive any remuneration from government, even if many recruits appear to have enrolled with the hopes of economic benefits.

A force with an unclear mandate

The mandate of crime preventers – stipulated to act merely as informants who support police but have no powers of arrest – was not clear to either crime preventers, police officers or the community in the dialogues. Residents, and even police officers, find it difficult to ascertain who is a crime preventer and who is not. This is also because crime preventers do not carry IDs.³⁷ There was also a lack of clarity among communities about the crime preventers' reporting structure. Police representatives clarified that crime preventers report to the OC and the crime preventers' parish coordinators. The majority of participants were aware of channels to report and seek redress for wrongdoing by crime preventers or police officers, but most seemed reluctant to exploit them, citing an arduous process and fearing potentially negative repercussions.

"Who is a crime preventer? What do they do at the police? Do they qualify in training? Do they have a standard for recruitment or anyone can join and pass out [of recruits after training] with passing a certain test/qualification/criterion? What is the role of reserve force in our security system?" (Market representative, Rubaga division, Kampala)

"Do we know what a crime preventer does? Their work is to prevent crime in the area they stay. Please crime preventers stop calling yourselves police officers. Crime preventers are accountable to LCs, though in some areas they do not work with LCs. At Lufula if we are going to do something we inform police. We carry out patrols, why do we work alone? When criminals see uniform, they run, when they see plain clothed people they do not. We do not work with police on patrol. We only engage police after arrest. The locals normally inform us, then we mobilise and go for them. When we arrest them we ask questions sort of quiz them to get information. Some are innocent and we let them go. Some are not clear and when we see that we take them to police." (Crime Preventer, Kawempe division, Kampala)

Statements from participants, including police officers and crime preventers, showed that crime preventers in many cases carry out arrests on their own, with or without the approval and presence of a police officer. Crime preventers are by residents often found to be idling at police stations and conducting themselves as police officers. Moreover, residents are often unsure to what extent local police officers are in control of the crime preventers. Some crime preventers behave as if they are superior to local police officers, and their peers, residents criticized. In many places, the LCs complain that they have no control over and involvement in the recruitment of crime preventers. This is despite their traditional and legal prerogative of control and oversight of local vigilante groups. Local Defence Units (LDUs) from the late 1980s into the early 2000s were widespread and fulfilled important security functions at village level.³⁸ However, in other places communities and remaining LC structures have worked well with police and crime preventers to improve security.

37 Police explained that the lack of IDs was due to misuse of IDs in the past whereas crime preventers reported that there was an ongoing effort to issue IDs for all crime preventers through the National Crime Preventers Forum (NCPF).

38 LDUs were phased out in most parts of the country between the mid-1990s and mid-2000s.

These examples show how cooperation between the crime preventers, the police and the Local Councils is vital for the crime preventers to play a constructive role under the guidance of police and oversight of the LCs.

Police and crime preventers who attended the dialogue meetings on the one hand sought to shed more clarity on the issue of crime preventers, but on the other hand also shared concerns over lack of a clear mandate and other structural issues with community members. Despite the lawlessness and chaos many community members associate with crime preventers, some crime preventers told of well managed structures and procedures.

"We work with police, people fear police, even the innocent. They consult us and we are the link to the community. When a crime preventer commits a crime, he is reported to police and police arrests them. We sit and decide who will command the crime preventers on a daily basis. The reason we rotate the command is to avoid the commanders working with criminals. We remove the phones from the crime preventers before we set off to avoid them telling the criminals. This has helped us. Problem is where crime preventers or LCs have relatives who are suspects. The way we have handled this is use crime preventers from another village to carry out arrests." (Senior crime preventer, Kawempe division, Kampala)

"Police gave out handcuffs during the Christmas season because of the high incidences of crime. But these were given to particular individual crime preventers and not everyone. These are to help crime preventers comprehend suspects. It is possible the use could be abused, but we need to look into it and resolve it." (Police officer, Kawempe division, Kampala)

"Some people [crime preventers] stay at some police posts while others do not. The reason is because it depends on the individual crime preventer. If he finds police accommodating, he will stay with police. The police also may choose to chase them away or stay with them. Some police stations have several crime preventers while at some stations an officer will come and chase them [away]. He will say they are wasting time. Being voluntary we cannot tell who should stay at the police and who should not." (Crime preventer, Kawempe division, Kampala)

Overall, the crime preventers are far from a homogenous group. Their motivation, conduct and understanding of their mandate vary between different groups among the crime preventers. Crime preventers themselves particularly distinguish between members who joined before 2011 and those who joined in the run-up to the 2016 elections, as well as members of prior vigilante groups that were absorbed by the crime preventers. The crime preventers were at the centre of criticism of NRM mobilisation during the 2016 campaigns. But politicisation of state-led community policing initiatives is not new, as older residents shared how previous initiatives of community policing that started out well ended up being hijacked by political actors to further their own objectives.

"We have had many systems, I was in mayumba kumi, then we went into a new system, mayumba kumi was removed because of politics. Then we came into Mchaka Mchaka, they taught us the same things, but politics killed that. We then started our own system of people without any outside influence; we even used to line up [for local elections]. We pushed that system, but as we moved, politics killed it. We now started crime preventers; I was one of the first crime preventers, I do not know how I left. A crime preventer is a person who watches crime and you do not retire, it is not a job. Purpose is good but the problem is politics. If we do not sort it out things won't work." (Former Mayumba Kumi member, Nakawa division, Kampala)

"Crime preventers are like policemen, they stay at police, you find them writing files and gathering evidence, this has been due to the fact that there is less manpower at police. These people end up being diverted and community feels they are part of police hence not part of the community. For this reason there has been a challenge of trust and accountability. Community members do not know who to report a crime preventer to in cases where they are wronged." (Deputy RCC, Kampala)

"Crime preventers are everything; they arrest, investigate and even preside over matters and pass judgment. The people do not know the difference between crime preventers and police. When a crime preventer arrests someone say for being idle and disorderly, they "negotiate" it out and the person pays something and is released. It is only those that cannot "negotiate" that end at the police station. The other thing I have noted in our area is they are at times used to settle personal problems. If I have a problem with someone I pay something to the crime preventer who will go and harass that person for me. We see these every day. They arrest and take to police, some just scare people, arrest them and take a bribe and leave them. They claim the case is finished."

(Mayor's Assistant, Kampala)

"Crime preventers and crime prevention is confusion. How do they tell a crime creator from a peaceful person. They just come ask for IDs, if you have ID you are not a crime creator, if you do not have, then you are a suspect. When they arrest, you pay for your freedom and you are let to go. They even have handcuffs, which they use as a symbol to scare you. They say if we get you after 11:00 in the night it is a crime, people just pay and get released, even police does not know that this is happening or how and why. When crime preventers commit a crime, you have nowhere to report them, if you report them they come back for you. Police is far away and so you cannot rely on them. You may not be able to tell who is who. They have no uniform. we have crime preventers who are doing a good job at the community, they work with police and everyone. Then we have those who are there to feel good and intimidate. We have these who come to the park and demand for something."

(Taxi park supervisor, Kampala)

"Crime preventers need IDs and things to identify them, similar to police [officer ID] numbers. They should also have a pay roll where they can be paid. This should help us punish those who commit crime, for example we can punish by suspending payment and similar things. But now if a crime preventer does something all you can do is suspend or chase him [away]. But what is in suspending someone you do not pay. Nothing changes in his or her life." (Senior crime preventer, Kawempe division, Kampala)

"With regard to crime prevention, some bodaboda operators are part of the crime prevention teams. While this concept is good, it's worth admitting that some crime preventers treat themselves as more powerful than anybody else. It is alarming to hear someone allege that the police – an institution of the state – feels inferior to crime preventers. If we are going to curb crime and improve security, the police should make it easy to work with community leaders and vice versa." (BodaBoda2010 chair, Rubaga division, Kampala)

"At our park there are those crime preventers who will tell you "okoleki" (what can you do). "If you want I can call [IGP] Kayihura direct, even the DPC fears me". Such attitude makes it difficult to work with them."

(Taxi park supervisor, Kawempe division, Kampala)

"Crime preventers came at a wrong time of politics. They were brought in at a wrong time, thus people saw them as people who came to help NRM."

(LC1, Kabarole district)

"Yes some crime preventers do wrongs but let us say not every crime preventer is a criminal. The first people were good crime preventers."

When we trained those for elections we moved from crime preventers to politicians. The election constables were for protecting NRM vote. Being police informants etc. these have spoiled the name of crime preventers."

(Councillor and crime preventer, Nakawa division, Kampala)

"Government makes it worse when they choose to use these kids during campaigns to meet their ends. This gives them legitimacy. The manner in which crime preventers are recruited is flawed too. Politicians use this process as an opportunity to recruit their allies and damage the image of the police."

(Resident, Rubaga division, Kampala)

Lack of payment, criminal behaviour and bribery

Crime preventers are not paid by police or government. It is thus often the jobless who are recruited as crime preventers and who have time to engage in community policing activities. Many expected to be paid but the failure to remunerate the volunteer force has had negative consequences. On the one hand, this has meant that many of those originally recruited soon ceased to work. On the other hand, as participants reported, many crime preventers turned to soliciting of bribes, and extortion, as well as theft and robbery, to support their livelihoods.

"When police needs crime preventers, they ask us the LCs to suggest names. However the problem comes from the fact that when we call meetings, it is the low level people who come, this is how the crime preventers get selected. These are not highly educated and may not know some things." (LC, Kawempe division, Kampala)

"We work hand in hand and with area LCs and crime preventers. We have about 70 per sub-county. Initially we had trained 30 per village, but as you know many have stopped doing work. This being voluntary work, we cannot force them to report to duty. Those who are willing will come and we work with them. Those not willing we have nothing to do. This, of course, is a challenge because you cannot have enough manpower. Sometimes we have to use those of one village to patrol in another or go with them to carry out an arrest." (Community liaison Officer, Kamuli)

"Being voluntary is becomes difficult sustaining them, the community doesn't pay and maintaining them is difficult. The volunteers have their needs and we need to meet these needs. This undermines the morale of these people to work. Out of about 3000 we enrolled in Kawempe only 100 or so are still active because they got diverted and the work doesn't pay." (Deputy RCC, Kampala)

Community members, crime preventers and police all faulted the lack of payment by the police as the main cause of the high rate of cases of extortion, theft and other crime committed by crime preventers. Some communities integrate the crime preventers into existent community initiatives and/or the LC system, and provide for their payment from contributions by community members.

"In Kololo, neighborhood watch and, in Kamwokya I, crime preventers are working. We are paying Uganda Shillings 150,000 per crime preventer a month; we collect money from the community, 50,000 from each person. Organisations give us money. Before we reached here we had training even did interviews for who can be a crime preventer. The people in the area are willing to pay because most of them are NGOs and Companies." (Councillor Kololo I and Kamwokya I, Kampala)

"The problem with crime preventers is that they are not remunerated. We need to interrogate whether they are recruited with a promise to be remunerated or they are told beforehand that their work is voluntary. Some of the crime preventers accept bribes because they have pressure to meet family responsibilities." (Chair Boda Boda, Rubaga division, Kampala)

"The jobless are then occupied, but they still don't earn money, so they have to extort and steal." (Resident, Kampala)

"We started using crime preventers who would take cases to police. However nowadays they either take you to police or take a bribe and the case ends there. Some people have even asked the crime preventers to ask for a bigger bribe so that they can have justice by sharing what was paid."

(Market woman, Kawempe division, Kampala)

"Crime prevention is not a job, but rather a voluntary act of responsibility. The moment crime prevention becomes a job, there is a problem. In addition, crime preventers should be nominated from their own localities and not posted in areas where they are seen as foreigners. Ill facilitation also presents a problem. There is need to stream line the operations of the police and crime preventers so as to eliminate wrong elements."

(Councillor, Rubaga division, Kampala)

"Yes, the above money is collected. They collect every month, we give it to the chairman, and the money is shared among those who work. The money some time back brought problems due to accountability issues. The amount of money is determined by the LCs or the security committees. Police does not have a hand in determining the money. We are doing this to help overcome the challenge of these people being volunteers. However there are problems of accounting for this money. It differs from village to village."

(Crime preventer, Kawempe Division, Kampala)

"Crime preventers are not a problem, only a few wrong elements. Crime prevention is voluntary work and should not be paid. Before you engage in crime prevention, one ought to find ways of addressing their personal needs. The concept of crime prevention is failing to work because people join the initiative with expectations of getting paid." (Senior crime preventer, Rubaga division, Kampala)

"Every Sunday we collect 1000 UGX, it is a must, it is not optional. If you do not pay we do not disturb you, but if you get a problem we do not handle until you have paid. The cases we handle include fights, theft of small items, domestic violence, etc. We go with the chairman, defence secretary and crime preventers [to collect the money]. We go house to house. Nabukalu LC chased us [away]. They do not want us to collect this money and we no longer help them. Am told crime rates are high in Nabukalu. When we get the money, we record it in a book. When it comes to sharing of the money it is only those that have worked who share the money. However the collection is the problem. In some areas there are no LCs or the LCs are no cooperating, this means the crime preventers are nearly on their own. This is the reason people refuse to pay. We get three passport size photos. We have a file at police and at the LC. We want to make for them IDs. This will help us avoid imposters who claim to be crime preventers and commit crime."

(Crime preventer, Kawempe division, Kampala)

"Shopkeepers pay 1,000 UGX a month, chapatti/Rolax people³⁹ pay 500, and they give a receipt for this. We use general receipt, the LC I also knows about it."

(Resident, Kawempe division, Kampala)

"The south division home guard at MT village was supposed to arrest the suspects. He works in south [division] and was to come to west [division]. They wanted 20K [20,000 UGX] to go and conduct an arrest. Are crime preventers paid by government or by the complainants?" (Resident 1, Kabarole district)

"They broke into my saloon. I reported at bus park police. I was told to give a crime preventer some money and he arrests suspects. Everyone wanted money. At last we arrested the suspects and they were later convicted." (Resident 2, Kabarole district)

39 Rolex is a Ugandan street food. The term is derived from 'roll on eggs'.

5.4 Police - community relations: A crisis of trust

Besides the crime preventers, police primarily through its Community Liaison Officers (CLOs) and OCs engage in a variety of activities under the banner of community policing. Police sensitises the community on laws and encourages them to comply with them in meetings, seminars and radio shows, which is usually supported and complemented by sensitisation through local leaders. Especially outside Kampala, police attend functions, such as burials, parties or Sunday mass, and sensitise the community about crime and crime prevention. Some of the other activities carried out by police include property marking⁴⁰, training and refresher courses for crime preventers, door to door visits by police, random police community patrol (999), and the public display of police contacts.

"Police normally comes to functions and tell people about crimes. You can call them on a function as a guest and when they are given a chance they talk about it. This comes whenever someone invites a policeman to address people at functions."

(Youth leader, Kamuli)

"Crime normally happens at burial and parties. Normally the organisers of such events will engage police and crime preventers to guard, but also the MCs will warn people to be safe. We also sometimes preach about such incidences."

(Reverend, Bushenyi)

"We know community policing as sensitizing people on laws and putting in place a link between police and the people. In my area police normally goes around telling us about the laws and how people should not break the law and to avoid being victims of crimes."

(Councillor Kamwokya, Kampala)

"Old Kampala police understands that we are refugees and they have helped us. [...] We have initiatives where we teach refugees their roles and responsibilities, how to protect themselves and how to link with Uganda police. We also work with them on how to relate with host communities."

"Some refugees are hawking and the laws do not allow that. We help them understand these." *(Burundian refugee & volunteer, Kisenyi, Kampala)*

"We work with police and LCs to call for meetings to sensitise people. It has not been routine, because community liaison (CLO office) has problems. They lack the money to reach everyone. So they select a few problem areas and go there."

(Crime preventer, Kamuli)

"In Kamwokya, police tries to create friendship between them and the community. This is done through sensitisation and sharing of information. The community liaison officer and the DPC give their mobile phone contacts and encourage people to call them. However the biggest challenge in my area is police rarely explains why they arrest people. Many times they come to the area and just sweep the area by arresting every youth whether the youth has done something wrong or not. This has often killed our relationship. You will find the crime is theft, and the next day police will arrest everyone and charge them for being idle and disorderly, whether these were involved in the theft or not."

(Councillor, Kamwokya, Kampala)

⁴⁰ Police officers offer to mark personal belongings such as TVs, radios etc by branding them with proprietors' names.

These activities notwithstanding, relations between community and the police were reported to be characterised by mistrust in many villages. Generally, residents considered police to be corrupt and avoided dealing with police and crime preventers as much as possible. Nonetheless, most participants had local police officers' phone numbers and mostly found them to be easily available, although police was generally reported to be slow to respond in situations of acute need for intervention.⁴¹

"The loss of trust in police gives rise to higher crime rates." (Community member, Kampala)

"Police officers harass boda boda people and this hinders operatives from giving police vital information about criminal activity. Police tendency to release culprits without justice has eroded people's trust in the institution."

(Boda boda rider, Kampala)

"Police has assisted people in arrest and patrols but it does not deliver justice. People fear to witness and testify. People fear police, because people do not understand police. Police often calls witnesses as suspects."

(Resident, Kabarole district)

"Police ignore criminal reports from the community members and this discourages people from alerting them. People eventually lose trust in our police." (Local Council Chairman, Makindye division, Kampala)

"Because we have lost faith in police for many years now, you see people resort to mob justice in my neighbourhood. Because of the mob justice, now police patrols are more."

(Resident, Kiwatule, Kampala)

"The relationship between police and people is bad. That is why we have mob justice. They do not believe in police. We need police to go on the ground and its role should be understood. Crime rates are high and police is not available." (LC1, Kabarole district)

Negative perceptions tend to be mutual: Police often accuse community members of ignorance and unwillingness to cooperate with law enforcers while residents often bemoan arrogant security personnel who act with disregard for rules and procedures with impunity.⁴² As one police officer said, "we use the media and we write to local leaders," but "people don't want to take responsibility". Yet, notwithstanding sensitisation campaigns, community stakeholders and police representatives alike criticised that there was a lack of clear and useful information, leading to "ignorance of citizens" (police) of the law and misinterpretation of the [community policing] programme by citizens. However, there are also efforts by police and the communities to improve those relations and build rapport between the law enforcement authority and residents as evident in the quotes from community voices.

41 Some police cautioned that police numbers were also often misused.

42 But it is not only police-community relations that matter: A matatu stage chairperson's complaints about police 'interference' with matatu operations reflect a broader need to build consensus on regulation of vital urban sectors, such as transport and markets. Failure to do so undermines cooperation of stakeholders to improve security and safety for all.

"Police and community leaders have not worked together. On paper, yes, they work together but physically, they do not. Police does not recognise the community leaders and doesn't work with them, especially not with the youth. There is no transparency in police in the way they handle issues." (Youth Councillor, central division, Kampala)

"Police used to use arrest warrants. Now police no longer uses them. They arrest by force. This has portrayed police in a bad image but also resulted in abuses." (Reverend, Kawempe division, Kampala)

"Most of the communities do not trust police. Crime at times is aided by some police officers." (Woman councillor, Nakasero, Kampala)

"The challenge we have faced as Old Kampala is the frequent transfer of police officers. Every time they transfer the officers, what [the working relationship] we have developed dies. The new officers have to start from scratch. They normally come with their own ideas and way of doing things and this remains a challenge. Nearly every two years we get a new officer and so we have to restart." (Councillor, Central division, Kampala)

"However, we have challenges with police. They rarely cooperate with us. You report a case and police just arrests our people. Now when there is an incident, they report first to the committee [for security of special hire drivers' association] then to police because previously police would arrest us." (Special Hire drivers association representative, Kampala)

"The initiative has to come from the community. It is the residents to organise themselves to see how the police can help them. Today we have community liaison officers in police and these people come with their ideology to impose it on the community and this means such a person will organise the community in his/her way instead of developing the initiatives from the community." (Resident, Kampala)

"The problem we have is not insecurity. The problem is we have too many security personnel who create insecurity. Too many people with security training does not mean safety. In my areas I think the knowledge of security is the reason we have insecurity. Government has failed to look after those they trained. They cannot control them and that is the reason they are involved in crime." (Church leader, Kawempe division, Kampala)

"I work with UTODA [Uganda Taxi Operators and Drivers Association]. You find a tinted car taking passengers, but if you ask if they have a receipt, he asks 'who are you?'. We want PSVs to be identifiable. Someone who says he is a security person says he is above that. They come with all arrogance and tell you off. They say you cannot do anything to them. Finally you find you cannot separate those who do wrong from those who are genuine security persons. If this continues there is no way neighborhood watch can work. Those arrogant security personnel cannot be approached. Now if me, a person from the town, cannot approach them, what happens if it was an old man from the village? He possibly will hide instead of reporting or asking. That is why many of us decided to mind our own business." (UTODA representative, Bushenyi)

"Policing is now a political issue. You have more policemen focusing on politicians like the Lord Mayor and Besigye than those focusing on fighting crime. The DPC or OC waits for 'orders from above' to take action as if the criminals will be waiting. At the end of the day even the small initiatives we call community policing have to depend on these few individuals who give orders." (Youth councillor, central division, Kampala)

"Politics has entered security and this has brought problems. Some criminals are untouchable because they are protected by politicians. You report someone, but then the police will take no action because the person supports a certain politician." (Pastor, Mbuya, Nakawa division, Kampala)

Corruption and bribery

The general sense of a loss of confidence in the police to adequately respond to and investigate crime, and a lack of a pro-people image is driven primarily by corruption and the collusion of police with criminals. Notably, while the politicisation of police – that is, the use of the police for political ends by the regime – was a major point of contention at the national dialogue, at the community level the politicisation was widely acknowledged but was by far not the primary grievance the communities harboured against the police. Instead, most importantly, community members feel that any encounter with the police may incur monetary or other costs, while justice is often not served.

“What I see today is that police does not work for the community. Police works for two kinds of people. Firstly, the one who bribes the most. If I made a complaint to police, me and you, we will all pay. You pay to get out of police. I pay to keep you in. Now the one who pays most or who pays the boss gets his way. The second person that police works for is the politician, especially those of NRM. If you are an NRM leader, it is a given that police will ignore all the wrong and do as you please.” (Resident, Kabarole)

“You cannot expect a layperson to report a crime preventer [to police]. the very next day they will come back for him. What we do is comply [with crime preventers’ orders] and leave them. That way you are safe.” (Businessman, Kamuli)

“Unemployed youth constitute the bulk of the shadowy criminal gangs popularly known as Kifeesi in the area. Officers of the Uganda Police Force are fond of conniving with these criminal groups to harass citizens and destroy property. This has made the Kifeesi gangs in the area almost untouchable and increased prospects for violence.” (Resident, Kibuye-Katwe, Kampala)

“Corruption in police and among LCs is high. For us in Kamwokya, if they arrest someone, you have to look for 50,000 to 100,000 UGX for that person to be released. It is standard and it is known.” (Woman councillor, Kamwokya, Kampala)

“You go to report a case and all police want is money. They do not mind what you could be bringing. They want money to investigate and if the other person pays money, they will not work. I think they work based on who has paid more money. The same will happen with neighbourhood watch. [...] I also think the police gave up on enforcing the law. When did you last hear of police getting an arrest warrant to arrest anyone? Why don’t they use such warrants? It is because they think they can use the law as they wish and no one has come to control them. Am seeing the same thing in this 10 households [police-led 10+1 initiative]. Someone will exploit it to abuse the law or to make money out of it.” (Woman representative, Bushenyi)

Corruption in the police, on the one hand, means that suspects often escape law and justice, and on the other hand, that any action from police often is premised on a solicitation for a bribe, community members said. The influence of big men, especially politicians, here also plays a role. As a result, many citizens don’t report crime for fear of repercussions.

"I report a case and you ask me to give you transport and help you do your work. Even if am to pay, it is unfair. In most cases, like 80%, when they ask for fuel, they want money, not fuel. Fuel is the term to mean money. If they fear you, they won't ask. When it comes to a poor person who has a problem, it can make the case die on its way. By the time you get the money to get this done, the suspect will be gone." (Journalist, Kamuli)

"Police is corrupt and so as long as someone bribes them, they will release culprits without justice. With police interfering with parking and loading/offloading spaces in the city, they have made our work difficult."

(Taxi stage chairperson and security-in-charge, Makindye division, Kampala)

"Police does not care about the security of the people. All they care about is being bribed. Today, if you took an offender to the police, don't be surprised to leave with the culprit following you close behind."

(LC chairperson, Makindye division, Kampala)

"For us in Nakasero, we have seen a problem of money. Everyone needs money. When you call police to come and sensitise people, the police and the people will need lunch, and the police will ask for transport. The whole idea becomes difficult to enforce."

(Councillor, Nakasero, Kampala)

Poor welfare and facilitation

Residents are keenly aware of and empathize with the dire welfare situation in the police – low wages, a shortage of housing, and sometimes lack of electricity and water in barracks. Many in the community link corruption, neglect of duty, and connivance with criminals by police officers to these welfare challenges. Many people feel that even where police show goodwill they are constrained by the lack of capacity, from poor welfare, poor training, lack of man power etc. Likewise, delayed or ineffective response and investigations were attributed to poor facilitation of police operations such as lack of vehicles or fuel. Thus, participants strongly called to improve police welfare.

"You find a DPC who is young and inexperienced. He does not know anything. They lack experience and undermine what is practical. I have seen a DPC come to the village and say 'you people, it's your chairman who reported to us that your kids are thieves'.

We need to revive the LC system. It is dead. We should accept that and revive it."

(former Mayumba Kumi member, Nakawa division, Kampala)

"We should learn from the previous regimes where it was sexy to work in up country posts. Today, when an officer is transferred to Moroto, it is a form of punishment. If we can address and improve this situation, our police will serve us better. The living and working conditions of these people are appalling. At this rate, we are in a state of disrepair." (Senga, Rubaga division, Kampala)

"As police we are very few and thin on the ground. That is why we work with crime preventers, SPCs and other people. In that process we get [to work with] all types of people including those who commit crime. We need systems on how to address those who commit crime as police [and auxiliary forces]." (CLO, Kawempe division, Kampala)

Besides poor welfare and lack of manpower and equipment, participants criticised lack of police capacity owed to management style and human resource politics. For example, participants complained about inexperienced, young senior police officers but also about the frequent reshuffles of senior officers like DPCs which poses a challenge to the development of strong, cooperative relationships between the community and the local police force.

"I saw a case where a police station did not have female police officers and it is female crime preventers who were handling female suspects. Still, I think we need more female crime preventers to handle women's issues."

(Woman councillor, Nakawa division, Kampala)

"Increase police personnel. Working with the community in itself is not enough. For example, in Kololo we contributed money and built police booths to support community policing. However, police has failed to put officers in these booths and now criminals use the same booths to hide and attack residents." (Councillor, Kololo, Kampala)

"We have police patrols, though these are limited. We have about 50,000 people with only 1 police post. This makes fighting crime very difficult. Manpower in police is very difficult. They patrol nearly once a week. Both police and crime preventers lack facilitation. Gathering evidence has been a challenge. This has resulted in failure to prosecute those we arrest. Police gives tips on fighting insecurity, but these are only tips and they are not detailed. This is mainly through monthly meetings that police organises with our people." (Resident, Kawempe division, Kampala)

"The police should take the element of confidentiality as crucial, especially if public trust is to be restored. However, as a community we also need to identify and address some of the challenges faced by the police because some of them do not necessarily need attention of the central government. We cannot expect the officers to serve us well when they are ill facilitated." (Deputy divisional Mayor, Kampala)

To compensate for lack of police capacity, in some communities, residents have donated land or funds to the construction of police posts and stations to improve security for the neighbourhood. Generally welcomed by community members and police alike, one discussant pointed out the ambiguity the community constructing police posts creates: "once you have built a police post, you kind of own the police – if your son gets arrested at that station, who is to deny you to release him?"

5.5 The local council system as the anchor of local law and order

A lack of trust in leaders in police and the community sometimes poses challenges to effective cooperation between community members. This is often underlined by the loss of legitimacy of the LC system due to the failure to hold LC elections at village and parish level since 2001 in wake of a constitutional court ruling in April 2007 that declared elections at LCI and LCII levels unconstitutional under the current electoral law in a multiparty dispensation and in consequence rendered the incumbent LCs illegal.⁴³

"Our biggest problem is our LCs have died because we have not had new elections. This means all efforts we are engaged in cannot be based on law or policy. They may not be recognised by government or courts of law. In fact these are just voluntary efforts that may have no impact beyond the community since we do not have LCs to back them."

(Market chairperson, Nakawa division, Kampala)

"The government's failure to facilitate the Electoral Commission to conduct elections for Local Council I across the country has rendered this office almost redundant and thus limited people's access to justice at the lowest level. The operation and authority of the LC I courts in the community is brought into question by culprits each time they are apprehended and brought before them [LCs] to administer justice. For example, an LC I chairperson cannot even issue a warning to an errant youth because they see them as powerless [without authority/legal mandate] and thus useless. The only use that community members see of these officials is writing recommendation letters for community members." (Councillor, Makindye division, Kampala)

Generally, participants, including police and crime preventers, strongly preferred local security concerns to be in the hands of the Local Council structures: Complaints over abuse of office by LC chairs and defence secretaries were rare compared to abundant complaints about police. The capacity and legitimacy of Local Council chairpersons, the quality of their relations with police and other authorities vary greatly from village to village. This is shaped importantly by the individuals occupying formal and informal positions of authority in the community and the relations between them, as well as how successors to deceased or otherwise absent former LC Chairpersons are selected, and so forth. In some places the old LC Chairpersons are still in place. In other places, new leaders informally assume the positions, sometimes they are the sons of previous leaders, sometimes it is the community who chooses a successor, sometimes it is the CLO or the RDC who select a new LC chair, and sometimes the seat remains vacant. Where the LC system has lost residents' trust or fallen dysfunctional, some communities have created alternative community based structures of governance. Community members primarily linked challenges of corruption and abuse of office among LCs to the failure to hold elections and the resultant lack of legitimacy and functionality.

⁴³ Judgement on the Constitutional Petition No. 21 of 2006, delivered 3 April 2007, available at <https://ulii.org/ug/judgment/constitutional-court/2007/3/>

"We need an [LC] election. Some people no longer like the LCs and its time they are replaced. That way people will chose a leader they want. In some areas the LCs died, in others they are there and no one cares while some moved to new places. It is katogo out there." (LCI chairperson, Nakawa division, Kampala)

"It has taken so long without the LCs [elections]. Now the system died. Some LCs died, others moved, etc. It became political and today even the LCs are illegal. So crime is imbedded in the whole structure, and it leads to further insecurity. We should have a new system and hold fresh LC elections."

(Reverend, Kawempe division, Kampala)

"I have observed that there is limited cooperation between people at all levels. I suggest that power and authority over the community be returned to the LCs. Politics has also hampered our work as the police."

(Police officer, Kampala)

"The biggest challenge we have faced is that there are no LCs. The LCs in many areas are not working and do not coordinate with police. This makes work difficult. We need to have fresh LC elections."

(Crime Preventers Coordinator, Kabarole district)

"The LC is head is security in an area and he makes sure that the village is fine. When there is no chairperson, who is going to ensure security?" (Police officer, Bushenyi)

"We used to contribute money and fund local defence. These would carry out patrol and ensure no crime. We need to bring back the same system." (Resident, Central division, Kampala)

"We do not have LCs, because what we have are LCs who are no longer recognised. We need to put in place [elected] LCs as soon as we can. We cannot fight crime with our [current] LCs. Our LCI became LC III and the NRM flag bearer became LC I now."

(Teacher, Bushenyi)

"We need to have fresh LC elections. The ones in these positions have been there for too long and have tended to abuse their positions." (Woman councillor, Makindye division, Kampala)

"There are no village meetings. This means the village cannot decide on issues that concern them. The fact that the meetings, which used to be organised by LCs, are no longer there means we cannot hold LCs or crime preventers accountable."

(LC V Assistant, Kampala)

"LCs used to be good but now they are no longer good. They are obsolete and we need a new system. We had powers to select our LC and defence people, but now it is police that selects for us. Sometimes they select criminals. LCs used to work with locals. We had registers for each village, and we knew all our neighbours. Nowadays, no one cares. We do not know how crime preventers get selected. Now all this [LC system] is dead. This is the reason crime is high. We used to volunteer, but nowadays we cannot have volunteers. Even if you were calling for a meeting, people would want to be paid."

(Speaker mechanics association, Kampala)

"98% of LCs in Uganda are incapacitated because of failure by government to organise elections. As residents, we have no authority to talk about or to intervene against criminal youth and yet the LCs are also powerless. These LCs used to play a vital role in bridging the gap in access to justice at local level. Government should organise elections to give back these officials their power, authority and mandate to deal with crime in their localities."

(Resident, Kampala)

"Our LCs gave up. They do not do anything. Those days, they used to ensure security of the area and handle basic crimes but now they do not. Unless we change this, we won't achieve much." (Councillor, Kisenyi, Makindye division, Kampala)

6. Common practices of self-policing and human rights

James Nkuubi, HURINET & Peter Magelah, Chapter Four

Several practices reported by participants in the dialogues featured elements that may violate human rights of individuals involved. Most of such human rights violations arise from the violation of substantive rights and procedural rights in relation to suspicion of commission of crime, and the violation of the right to privacy in relation to personal information solicited from the members of the community by the informal and formal authorities set up to oversee safety and security initiatives. Critically, many of these practices, most prominently ‘mob justice’ but also other community-driven initiatives that exist outside legal frameworks, are to a large degree the result of the disintegration of the LC system in the absence of elections since 2001, and the progressive loss of confidence by community members in the capacity and integrity of law enforcement through police and the judiciary.

“Our people have resorted to mob justice because of their mistrust for the institution of the police. However, this practice is bad because it victimizes the innocent.” (Political leader, Kampala)

Therefore, human rights abuses that arise from community driven initiatives that aim to improve security and boost crime prevention in the community underscore the urgent need to restore the LC system and develop a comprehensive and coherent legal and policy framework that guides community policing in Uganda.

Arrest and detention

Cardinal procedural guarantees of a fair hearing to a suspect include provisions such as the accessibility to legal defence, detention in a legally gazetted place such as a police station or police post, and presumption of innocence until proven guilty. However, these are sacrificed at the convenience of security. Some communities, such as market vendors, keep suspects in ‘own detention cells’ until either their issue is ‘settled’ or suspects are conveyed to police authorities. Whereas the law mandates private citizens or civilians to make arrests of persons they suspect of committing or having committed a crime, they must immediately hand them over to the nearest police authority. Any detention outside the legally prescribed vicinities would be a violation of the liberty rights of the suspect.

Instant justice’ and community punishments

Nevertheless, sometimes the arresting or aggrieved communities ‘discipline’ suspects with caning or beatings when they feel they were ‘manifestly thieves since they were caught red handed’. The need for ‘instant justice’ for all community members to see and thus aimed at deterring the suspect and others from committing similar offences was commonly linked to a lack of confidence in legal procedures by police and judiciary:

Communities often deem these 'a waste of time' and 'prone to corruption' and thus incapable of delivering justice. Reports of administering 'canes' to suspects in public village meetings were common across various localities where dialogues were held. Not only is this arbitrary passing of sanctions illegal but the so called punishments such as corporal punishments have since been declared to be unconstitutional by the Supreme Court of Uganda. This, the court ruled is in contravention of the Constitutional provisions against torture, cruel, inhumane and degrading treatment incarnate in the Bill of Rights under Chapter Four in the Constitution of Uganda.

Other 'punishments' administered by communities included 'community cleaning', usually under supervision of the LC chairpersons. This is supposed to mirror community service, a sanction employed by courts of law for minor offences (and secondarily serving to de-congest prisons). However, the current community policing initiatives, which 'sentence suspects' to community service outside the ambit of court, border on violation of the right to be protected from forced labour under the Constitution.

Right to privacy and witness confidentiality

In initiatives involving the solicitation of information from community members, mostly used by the defunct Local Council structures, there is no guarantee of protection of the data provided. In an effort to know and record residents, the LCs keep village record books wherein passport photos, telephone numbers, resident home location among other details are recorded. Whereas the common talk was that these books are kept under the watch of the chairperson, there are no further precautions taken to prevent abuse of the information by ensuring that the information provided is only available to the intended authorities and only used for the intended purpose. Overall, clear loopholes exist in guiding these initiatives on the acceptable standards of collection, compilation, storage and usage of personal data including measures to mitigate abuse of such information.

In some of the initiatives discussed, the urgency of dealing with witness protection and confidentiality on part of the authorities on sensitive matters emerged as pressing. The majority of community policing initiatives, especially those involving crime preventers and local council leaders with police, thrive on informants from the communities. Cases were rife where these informants would be chastised or targeted for reprisals for reporting particular gangs as notorious within the communities to authorities at the police stations. The crime preventers mainly found operating 'around' these police stations would report the informants to the community as the people providing information and therefore responsible for the 'arrest of their children.' Arguably, without the necessary policy guidelines prescribing the powers, the obligations of the various stakeholders in community policing and the entitlements of suspects, community policing is being undertaken in a rudimentary manner.

This is at the detriment of constitutionally guaranteed rights and freedoms and other fundamental procedural undertakings that buttress the rule of law, and human rights promotion and protection as central aspects of community policing.

Discrimination and exclusion

Many of the community-driven initiatives exhibited significant discrimination towards women, persons living with disabilities, refugees and minors. Particularly, juveniles who are prone to crime either as victims or perpetrators in the dialogues felt they were by default depicted as 'dangerous' with the inclusive initiatives available descriptively portraying a relationship of 'listen-and-do-as-we-say' (talking down at them) rather than 'how can we improve security' in the community (talking amicably in search for solutions). Generally, there were few deliberate efforts to include minorities or marginalized groups in negotiating community policing ideals and their particular demands are not necessarily given attention. In principle therefore, there is no positive and effective exercising of meaningful participatory rights in the governance of security in some of these communities. Tied to this discrimination aspect is the notion that some of these community policing innovations are inherently exclusive in social and economic terms. For example, one can only be part of the now common WhatsApp based platforms to discuss safety and security in urban areas, if she/he has a smart phone with internet connectivity to use the social media. Those who cannot afford a smart phone are thus excluded, especially where there are no all-inclusive platforms to complement social media based ones.

Conclusion

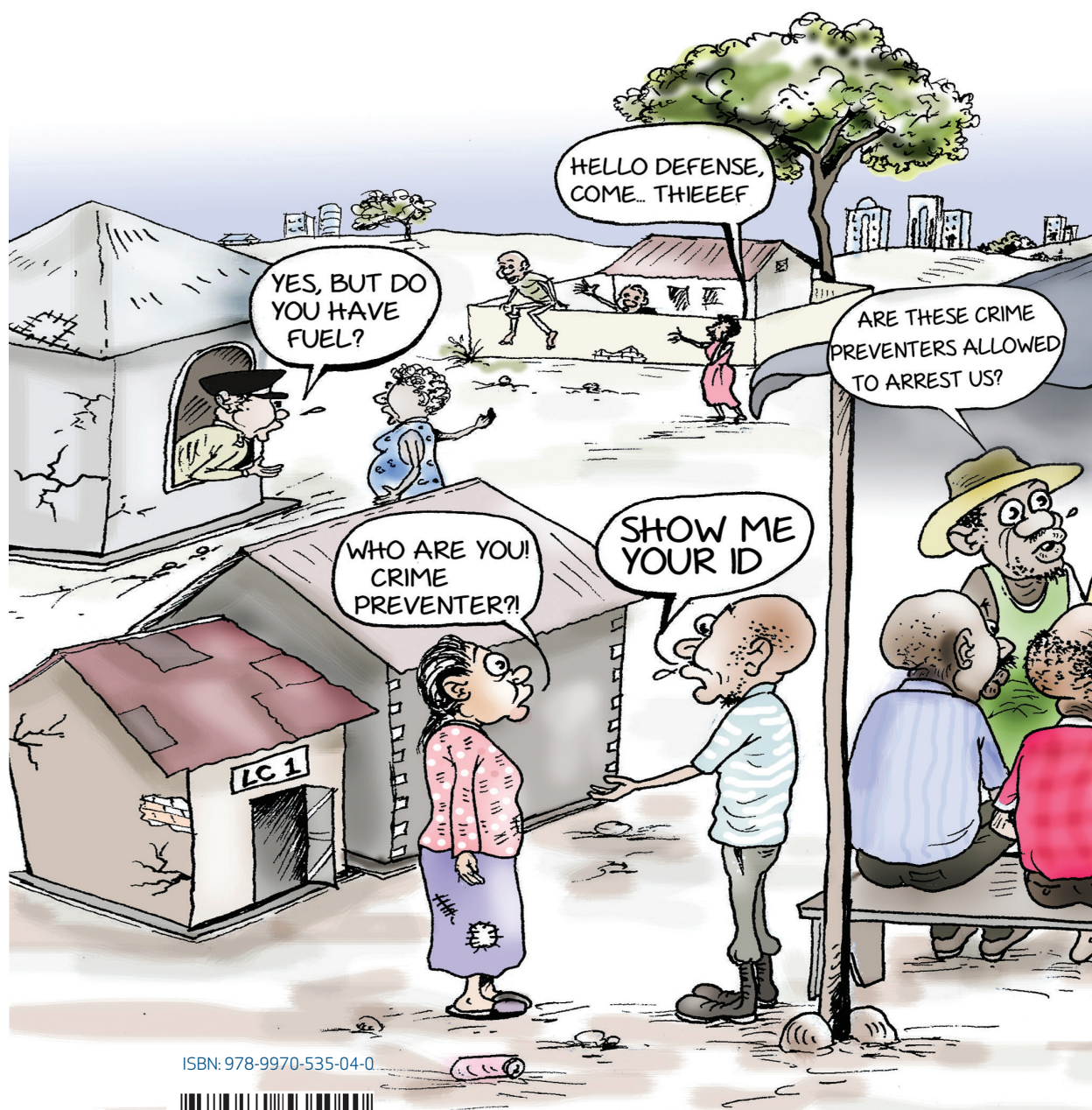
Nonetheless, most community members endorsed practices that violated the rights of individuals, as long as they achieved the desired outcome for the collective security of the community. The resorting to practices that violate human rights of individuals is not entirely, but to a critical degree, a response to the lack of confidence in police and other state security forces to effectively deal with crime in the communities. The Local Council system at village and parish level as enshrined in the law offers a practical framework to legalize and regulate these practices so as to ensure safe guards for the protection of human rights.

7. Recommendations

From the community voices gathered in course of the dialogues and additional discussions with individual stakeholders, FES draws the following recommendations to arrive at a Ugandan model of community policing that achieves to both effectively prevent crime and improve police-community relations:

- *Hold credible LC elections to enable complete restoration of the Local Council system including their functions for the maintenance of security, law and order at village level (LC1) and Local Council courts.*
- *Develop an inclusive national policy on community policing which among others addresses the recruitment and mandate of crime preventers, the role of LC system in community policing and how the LC system and its organs relate to the police in terms of recruitment, training, reporting structures and oversight mechanisms. This policy should be supported by a comprehensive and coherent legal framework provided for by parliament.*
- *Develop best practices based on lessons from existent practices that comply with the national and international legal frameworks, especially human rights.*
- *Increase professionalism in police through transparent human resource management and career development by strictly applying meritocratic criteria for promotion and appointment.*
- *Mainstream community policing in each and every police department to facilitate a shift in mind set and attitude necessary to achieve effective community policing throughout the entire force.*
- *Improve police welfare and better facilitate police operations to especially improve emergency response, patrols, and investigations.*
- *Develop mechanisms of feedback on internal accountability of individual police officers to the community in order to increase community trust in police.*
- *Expedite the civic education policy and community sensitisation on rights and responsibilities.*

Notes



ISBN: 978-9970-535-04-0



9 789970 535040