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## **The Possible Practical Model of Quality Measurement of Police Work**

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### **Abstract**

It must be accepted that every human activity is perfectible and can be improved. One of the prerequisites of development is to find aspects where there is room for development. These can be called quality indicators. The aim of the author is to outline a possible rating mechanism for police work. Mainly practical solutions will be presented, based on theoretical principles laid out by the “Good government – Good policing” workgroup of the Law Enforcement Faculty at the National University of Public Service. The evaluation system is not based on measuring the performance of the police organization, but on social influences induced by the police in public safety. Of course, because of the cooperative societal nature of public safety, the outcome of police work cannot be measured exactly, because the impacts of the other actors of society cannot be excluded. However, there is no better solution at the present, and a different interpretation would ignore the social function of the police.

*Keywords:* quality of police work, good policing, quality indicators of the police, legitimacy of the police, efficiency-effectiveness-quality

### **Premise**

The nature of the police is fundamentally determined by the fact that based on its position in the state organization it is an integral part of public administration. Regarding its operation, preparatory tasks are present in it, both administrative law enforcement and criminal justice in nature. Therefore, when we are talking about measuring the quality of police operations, we need to think in a model that, in view of this diversity, is able to display the specificities of certain areas of police operations, so that the quality of the organization as a whole can be recognized. Organizational units and elements within a given police organization, not including agencies with specialized responsibilities and powers, are not able to function fully in isolation. There are a great many points of contact between criminal investigation and law enforcement areas, which cannot be overlooked. At the same time, there is no doubt

that each area has the specifics of differentiation that make it distinct from all others. Thus, a possible quality assurance model must take into account the close interaction between the fields of expertise and the specific tasks and competences of these areas and their resulting specific characteristics. The potential quality assurance model must integrate the different areas simultaneously and at the same time differentiate their specificities.

## Difficulties of definition

The concept of *quality* gains a specific interpretation for all organizations. In this paper, the quality of the police is interpreted in the framework of the *Good State and Governance Report* released in 2015. In this regard, “the state can be considered as a good thing if it serves the needs of individuals, communities and businesses in the best interest and within the framework of the common good. The state creates a legitimate and equitable balance between innumerable interests and needs, making it possible to enforce claims and provide protection for this purpose. The state has the necessary responsibility to protect and transmit inherited natural and cultural goods, and the sole interest of the latter is to be able effectively to enforce the two public goods in all circumstances, i.e. to create an effective rule of law, as part of this, institutional functioning, the respect and accountability for individual and community rights” (KAISER, 2015: 12.). The term “protection by the state”, inherent in the term, although it is primarily legal protection, cannot be construed without an effective legal application and law enforcement organizational system. This refers to the use of the term “*institutional operation and accountability*” in the definition. Therefore, proper law enforcement is one of the essential components of a good state. *In line with the notion of the good state, it is the elaboration of indicators indicating the quality of the organization’s social functioning and the effects of the police and not its organizational operation and effects that can be considered a desirable goal. In this regard, quality indicators mean the factors indicating the results of the achievement of social goals and their effectiveness.* This approach differs significantly from the organizational performance assessment system.

*Quality* must be distinguished from the term *efficacy* and *effectiveness*. Perhaps the definition of *efficacy* is the simplest of the three concepts: it can be very simplified as a result, it is the result of a series of actions, of an activity. An activity is efficacious if it has achieved the desired result or social impact. When analyzing *efficiency*, it is worth starting from the economic fact that all resources are finite, just as the resources of law enforcement, that is, the resources available should be exploited/used in the most efficient way. Efficiency is the factor in which the individual police units are most difficult to compare. It is important to define what the aims of law enforcement are; since efficiency can only be assessed in the dimension of achieving them. Here the focus of law enforcement, the rule of law and the protection of human rights should be focussed on as a constitutionally-defined goal. Therefore, traditional market instruments are not suitable for measuring the effectiveness of the police (TIHANYI-VÁRI, 2015: 119.). Efficacy and efficiency necessarily raise the issue of legitimacy, as the latter expresses the social acceptance of policing as a counterweight. The legitimacy of the police means that the overwhelming majority of society, even those against whom the police take action, accepts the police’s legitimate authority and their right to take the actions that they do, even if not everyone agrees with them or some dispute

certain policing actions. The legitimacy of the police therefore means that their operation is not merely legitimate but widely accepted. The social acceptance of the police is fundamentally determined by how they define their own purpose, their role and thus their relation to society. In other words: “The police’s service character or its power-based bias, that is, its authoritarian or performance-based operation, can be assessed in a reassuring way by their emphasis on their goals and the priorities of their purpose, between the “police state” or the “community approach” (VÁRI, 2016: 496.).

The legitimacy of a police operation is closely related to the *principle of necessity* laid down in the Police Act. The principle of necessity can be traced back to the Constitutional Court’s legal test of the restriction of fundamental rights. According to this, a fundamental right can be restricted if it is necessary to ensure another constitutional right or constitutional fundamental interest. In this case, a fundamental right may only be limited to the extent to which it is absolutely necessary to ensure that the competing fundamental right or fundamental interest is ensured. No restriction of fundamental rights can lead to the emptying of the given fundamental right. As an axiom, it can be stated that, apart from the request for information, there is no police measure that would not restrict a fundamental right. Because of the restrictive nature of police actions, they can only be applied if it is necessary to ensure another fundamental right or constitutional interest. Given that public safety is a constitutional interest enshrined in the Fundamental Law, the *de jure* law-restricting nature of police actions is naturally constitutionally acceptable. The *de facto* functioning of the police will then be constitutionally acceptable if it meets the criteria of the Fundamental Rights Restriction Test in its action, i.e. they only take a restrictive action if it serves the purpose of safeguarding or restoring public safety. Only the action fulfilling the above requirement can be accepted. That is, it is not enough if police action formally complies with the legal regulations, it is also necessary to substantially serve the purpose mentioned above. *Maintaining the principle of necessity gives the social legitimacy of the policing operations.* This presupposes that the police actually intervene in social situations only in an emergency situation. State interference with the individual’s relations systems is acceptable to society when it comes from a social interest. Against the law-restrictive state intervention, an even higher standard can be set, which can be justified by a social emergency. Accordingly, the social legitimacy of law enforcement is given if the law enforcement agency addresses social emergencies. Such a social emergency is a violation of public safety because it is a violation of the basic norms of social coexistence (TIHANYI, 2013: 10–11.). In this way, legitimacy is already a quality indicator, which cannot be measured other than by interviewing society.

After this delimitation, it is possible to posit which dimension measurement is required for the quality of the police operation. The achievement of the goals of the organization itself can be measured. This undoubtedly expresses a kind of quality, namely the quality of achieving organizational performance goals. If we adopted this approach as the basis for quality measurement, it would result in the police being taken out of the social medium that they are intended to protect. This cannot have any real quality measurement. Instead, we focus on the social changes in the forefront of our investigations, which are caused by the operation of the police in public safety. To this end, it must be added that the public safety is a cooperative product in which the state’s public services and the individual and collective performance of self-defence are summed up (FINSZTER, 2009: 181). At the same

time, it is undeniable that the police are the main guardian of the state of public security. This is particularly true in the light of the fact that the community in this country expects the police to ensure public safety and hold them accountable for it. (BARABÁS et al., 2008).

Due to the aforementioned co-operative nature, the social quality of the operation of the police cannot be measured in a pure form based on the state of public safety, because the effects of other actors in society cannot be neutralized. A better solution, however, is not currently available because other ways would lead to ignoring the social mission of the police. The police are not a safety-producing plant, but a law enforcement agency and authority, therefore the threefold requirement of legality, professionalism and service-like operation is decisive in their performance, and their effectiveness cannot be estimated with statistical data. In this case, it is not about quantity, but quality, the quality of the rule of law. In constitutional democracies, law enforcement must strike a balance between legitimacy and effectiveness. Values of the rule of law cannot be protected by violation of the law (FINSZTER, 2009: 179.). Public safety is a measurable social phenomenon, the objective status of safety of life, limb and property is reflected in crime statistics, and public opinion on public safety reflects subjective safety.

### **The basic features of the quality measurement model**

Within the framework of the social function of the police, it is necessary to define the areas whose quality is to be measured. Here and now I want to deal with the problem of the quality of the police tasks that can be distinguished from other branches of civil administration. That is why I will not go into the tasks that the police typically perform with civilian public administration. Thus, I have to overcome all the administrative areas that traditionally fall within the framework of the administration. This is not to say that there is no place for quality measurement or that those performing the tasks should not deserve the highest possible level of recognition. The only reason for this failure is that this area is no different from civil administration, so well-designed administrative measuring instruments are already available for quality measurement. It is necessary to develop a model that takes into account the peculiar features of the different special areas of the police profession and is capable of expressing the quality of the operation of the police integrating them in a unified organizational structure. The solution to this is the need to determine the impact areas of police operations.

Rogge and Verschelde (2012) can fundamentally determine 6 police functions on the basis of which the local community judges the work of the police:

1. *Community work*. This can be identified with a service performed within a community, which includes getting to know local problems and providing the population with information. Community work is typical of the activities of local police units. It only appears in the set of tasks of the regional police units or police units with a regional legal status incidentally and consequentially.<sup>1</sup> Since local police forces are the basic units of the police, this impact area is unavoidable.

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<sup>1</sup> Rapid Response Police Unit (hereinafter: RRPV) also conducts police operations in public areas at the local level. However, this cannot be identified with community work because RRPV works as a police unit with

2. *Availability to the public.* In fact, emergency call and requests for assistance as well as response time.
3. *Intervention.* Managing crises, masses, events. Under domestic conditions, this function is actually identified with the activity of the police support units, which has the specificity of being organized around a single well-defined task.
4. *Victim Protection.* This impact area covers the avoidance of secondary victimization and victim support.
5. *Local Investigations.* It is natural that in the case of investigating authorities with regional and national competences, the impact area means the investigations conducted within their own scope of authority.
6. *Maintaining public order.* This can be identified with the police's function of guarding and protecting law and order.

After designating the impact areas, the identification of the indicator groups that are the basic elements of the quality assessment. Feedback from and satisfaction of the local community can serve as an indicator of community work. Meaningful information on the quality of prevention and communication with the community is only available from the users of the service, i.e. from the different groups of the community. Therefore, following the objectives of the good law enforcement report, it is necessary to measure the satisfaction of the public (SALLAI et al., 2016). The primary indicator for availability to the population is the response time. i.e. the time between receiving a call and the commencement of the police action. In the case of a particular case, members of the public do not evaluate the activities of the operational control centres, but they expect quick and effective solution to their problem, which necessarily includes the operation of the call centres receiving and forwarding calls from the public. There are several indicators available for availability to the public. Such is the day-to-day contact with the police, the customer reception of local police units or the quality of official consulting hours. The significance of all these is not to be underestimated, but in terms of volume it is far behind the complaints/reports.

In the area of intervention, quality indicators can be defined in a separate way because, unlike other police functions, the use of the police support unit at troop level has a separate, distinct purpose. This goal can be defined as the security of a given event. We accept this as a sort of social event organized by humans, whose order is maintained through the use of police support units at troop level. The complexity of the troop level activity is characterized not only by the service performed during the event, but also by the fact that we have to evaluate the preparation, training, the level of the conciliation negotiations, the level of cooperation with the organizers, the directors, the collection of information, establishing the chain of command for the event, logistics and other organizational tasks. The purpose of these is to assure the security of the event. Accordingly, the only tangible indicator in this area is the number of police actions taken against forms of conduct violating the security of the event. The fewer acts violate the security of the event, the higher the security level. Absolute security is never possible, it can at best be striven after. If we depart from the axiom of the obligation to take action, we can reassure ourselves that the police will

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national jurisdiction, it is not linked to any particular village or town/city. Their operations in public areas are of an occasional, periodic or recurrent nature, but they are far from being continuous, and their liaison with the populace is of low intensity.

take action against forms of conduct that violate security. Therefore, the fewer these police actions are, the higher the level of the security of the event. When designing the indicator, account should be taken of the volume of the event. Most of all, the number of participants/attendees seems to be suitable.

The only indication in the area of victim protection is the feedback of the victims and their opinion on the police action. This can be perceived as a kind of customer satisfaction. In the case of victim protection, we need to give the victim's criminological concept a broader understanding and an indicator based on measuring the satisfaction of every person filing a denouncement or making a report to the police can be accepted as an indicator.

The effectiveness of the investigative work is not the same as the proportion of reported criminal offenses being submitted to the prosecution service for indictment, but it could be more likely be measured by the efficiency of indictment. At the same time, we would also assess the efficiency of the prosecution service and, on the other hand, statistical analysis would be impossible. That is why we must make do with using the traditional indicator of efficiency of investigation. This indicator cannot be identified with the detection indicator for cases of unknown perpetrators. It would be a very clean situation to use this indicator. It should be emphasized here that effective investigations are not just cases concluded with indictment. Investigations closed due to the absence of criminal offence or due to grounds for exclusion or termination of criminal charges are also included in the indicator of the efficiency of investigations. The outcomes of the investigative work are influenced by a number of factors. Typically, the staffing level, capacity and motivation of police forces. Since the level of morale and qualification, which cannot be identified with the level of educational qualifications acquired, is difficult to measure, we must therefore make do with the staffing level of a given police force as a correction factor. In order to avoid distortions caused by internal organization work, a correction factor should be used in which the number of staff appear as labour force capacity. An important factor for this is the number of cases per investigator. It is a natural phenomenon that there are both cases that are easy to clear up and cases that are extremely difficult to clear up. That is why the number of cases simply does not say anything. By contrast, the number of hours worked on a particular case type already expresses the workload. The shortness of the investigation time cannot be absolutized, that is to say, we cannot say that the investigation of the shortest time is the highest quality because it would lead to the time factor going to the detriment of effectiveness. Therefore, the ratio established in the context of effectiveness and time factor can be conceived as an appropriate indicator.

In order to determine the quality of maintaining law and order, neither the number of offenses nor the number of police officers nor of the police actions are sufficient. But even the number of hours spent on duty in public areas will not serve as any quality indicator. These are at most quantitative indicators alone, but they are not suitable for demonstrating what quality police work they characterize or result in. Therefore, as an indicator, this function may serve as an indicator of the degree of change brought about by police actions against a given type of conduct violating law and order, and of the volume of police action taken against what volume of criminal conduct. This function needs to be understood sufficiently broadly and the quality of police work aimed at maintaining public order, transport, and finally orderliness of cross-border traffic should be examined here. In the context of the public safety service branch, in the area of police action, this raises the need for two

indicators. On the one hand, the proportion of certain types of registered offenses and of the perpetrators caught in the act, and the proportion of arrest warrants and of the persons on the wanted list arrested. It is in the nature of the phenomenon under examination that in areas where there is a higher crime rate, more crimes come to the knowledge of the authorities, so it stands to reason to expect more arrests. The same logic will apply to the number of arrests made on the basis of an arrest warrant or the wanted list. The proportion of arrest warrants issued by the various authorities and the arrests made demonstrates the quality of work related to issuing warrants of caption. In the area of traffic police, the violations of the traffic rules and the accidents resulting therefrom should be turned into indicators, so as to form an appropriate ratio between the causes of road accidents and the police actions taken against them. In the area of border protection, it is to be accepted that the migration pressure cannot be influenced by the police, but they can handle the resulting problems. The effectiveness of this work should therefore be assessed in the light of migration pressures.

An established, but very simplifying solution for measuring the function of maintaining public order is the ratio of different misdemeanours, criminal violations, or delicts per 100,000 of the population. This area also includes the effectiveness of police actions, manifesting itself in police actions whose examination is limited to the trend in the number of actions taken. In this respect, the proper ratio should be the number of legal violations targeted by police actions and not police staffing levels. With this solution it is also possible to measure not only quality but also the available manpower in relation to the volume of criminality in a given area. The number of offenses and misdemeanours should continue to be used as an indicator but should be considered in the light of appropriate proportions. Similar to community work, the evaluation of police work related to maintaining public order locally is also significant in terms of customer satisfaction. However, in this case, the concept of the customer does not coincide with the notion used in public administration or with the concept of customer in the sense above but encompasses a much broader personal scope. In this regard, everyone benefiting from the achievements of police's role of vigilance, protection and maintaining law and order. This can ultimately be identified with society as a whole. Measuring social satisfaction is crucial. This indicator is not of a professional nature, but of a more political nature. Society passes judgment not from a professional point of view but based on its subjective impression.

It must be accepted that countless factors affect the objective indicators based on the number of crimes and misdemeanours, of which only one is the work of the police. It must also be accepted that the police cannot influence the evolution of any type of crime. It is therefore necessary to identify the offense that can be used as an indicator of the work of the police. Among the factors independent of the police can be mentioned the number of inhabitants, the demographic characteristics (e.g. age and gender) of the population, the economic characteristics of the area (e.g. unemployment rate, GDP), infrastructure of the area (e.g. road network, settlement structure) (MÁTYÁS, 2012: 41–49). All of these cannot be used as a correction factor to be taken into account in the calculation of the indicators. Too many components and the use of countless factors that would affect them would not allow for qualifying the operation of the police units which could be utilized in practice. It is therefore necessary to select the most typical, most potent and most applicable factors that affect the criminality of a given area and should therefore be taken into account in the assessment of the crime rate.

In order to measure the socially useful quality, it is appropriate to take into consideration three aspects:

1. To establish ratios that can express the impact of the police on the state of public safety.
2. This also means that there is a need for indicators that include indices of local social inequality.
3. It is inevitable to measure customer satisfaction and the satisfaction of the public.

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