



## The Law Enforcement and HIV Network

### Principles on Policing, Public Health and Vulnerable Populations

**Noting** the increased vulnerability to violence, injuries and illness of certain populations, including but not limited to sex workers; people who inject drugs; homeless people; lesbian, gay, bisexual, transgender and intersex persons; and migrants, refugees and trafficked persons ('vulnerable populations');

**Recalling** the LEAHN Statement of Support by Law Enforcement Agents for Harm Reduction and Related Policies for HIV Prevention, and mindful of the continuing relevance of those Principles;

**Also recalling** the Amsterdam Declaration on Police Partnerships for Harm Reduction adopted by the participants at the 2<sup>nd</sup> International Consultation on Police and HIV, Amsterdam, 4 October 2014;

**Also noting** the Sustainable Development Goals adopted by the United Nations relating to health (SDG3), gender equality (SDG5), and access to justice (SDG16);

**Affirming** that these partnerships must be informed by a human rights-based approach, and a commitment to the principles of harm reduction and community policing; and

**Considering** the perspectives shared at the 3<sup>rd</sup> International Consultation on Policing, Public Health and Vulnerable Populations held in Amsterdam on October 1, 2016:

**The Law Enforcement and HIV Network (LEAHN)** has prepared the following **Principles on Policing, Public Health and Vulnerable Populations** and urges all stakeholders to consider their endorsement, dissemination and implementation.

#### 1. First, minimize harm.

Vulnerable populations are at increased risk of harm. Policing these populations should first minimize the likelihood that harms may result. Protecting vulnerable populations must be affirmed as a foundation principle of policing.

*Examples: Police acknowledge the public health utility of drug consumption rooms and allow unhindered access by clients and staff. Police acknowledge the public health utility of condoms, and do not confiscate them or use them as evidence of sex work.*

#### 2. Build a shared understanding of vulnerability

The origins of neglect, delinquency and crime often lie in factors such as social exclusion, poverty and poor housing, which are beyond the power of the police to address. Vulnerable populations may be both victims and engaged in criminal activity. Evolving communications technologies may increase vulnerability of groups, e.g. children. Police awareness and discretion is required to respond appropriately. Local knowledge is key.

*Examples: To understand the vulnerability of immigrant communities to trafficking it is essential to understand the workings of international criminal networks that prey on vulnerable individuals within these communities. To understand the vulnerability of drug users it is essential to understand the workings of drug retailing networks, as well as the nature of petty crimes committed by drug users.*

### **3. Reaffirm that ‘the police are the public and the public are the police.’**

In a democratic society, policing is by consent. Police legitimacy must be based on a shared understanding that policing should serve all people, not only the socially or economically powerful. Police legitimacy and effectiveness will be enhanced when the police profile reflects the diversity of the society they serve.

*Example: Internal policies on recruitment from minorities, gender parity, and diversity*

### **4. Provide a safe work environment for police from diverse communities.**

Police from diverse communities must be safe within their agencies.

*Examples: Internal policies on harassment, affirmative action and non-discrimination. Internal advisors with whom police from diverse communities can discuss and report harassment.*

### **5. Include public health and harm reduction principles in police education, training, and professional development**

Police are often the first responders in health emergencies and can provide first aid and referral to appropriate health services. It is important that they are trained to understand the essential health needs of vulnerable populations, the interventions relevant to them, and the referral opportunities. Training should also include understanding gender and related violence; human, sexual and reproductive rights; and HIV and other sexually transmitted infections.

*Example: Police are often the first responders in cases of drug overdose, domestic violence, mental health crises, and traffic accidents.*

### **6. Provide formal guidance on policing, public health and vulnerable populations to assist police exercise discretion in complex situations.**

Ministries should provide substantive evidence-based guidance, including when police discretion is required, within a whole-of-government approach.

*Example: The UK Government Directive on Needle Exchange Schemes states that is not normally in the public interest to prosecute drug users possessing sterile or used needles, or bona fide NSP [needles & syringe programme] scheme operators. ‘The need to prevent the spread of serious infections outweighs the normal requirement for prosecution.’*

### **7. Include police perspectives in public health and community training**

Public health practitioners and community organizations need to understand police perspectives when addressing vulnerable populations. Joint action may then be possible to reform policies and reallocate funds toward crime prevention approaches based on reduced vulnerability.

*Example: Police concerns about needles stick injuries when searching drug users.*

## **8. Build trust between police and community organizations**

Many crimes affecting the health of vulnerable populations are difficult to detect. Although victims may be reluctant or unable to report crimes directly to the police, they may contact trusted community organizations. Policing is likely to be more effective when vulnerable populations and their organizations are involved in community policing. Dialogue between police and communities should be built on respect for each other's legitimacy and expertise. Public safety can also be enhanced by collaborative partnerships between police and community organizations. In some contexts, establishing these relationships and mechanisms may first require a reparative justice or truth and reconciliation process.

*Examples: Child sexual abuse and gender-based violence are often under-reported. Police dialogue with neighbourhood spokespersons and sex workers organisations can identify solutions to neighbourhood issues, such as discarded condoms or noise, that do not result in the displacement of sex workers to more dangerous areas.*

## **9. Provide mechanisms to promote dialogue and ensure accountability.**

Mechanisms for dialogue and accountability should be established to encourage communications between police and vulnerable communities, and to receive and independently investigate complaints.

*Example: Police-community liaison officers and Ombudsmen's Offices can provide channels for dialogue and investigate complaints.*

## **10. Support greater investment in health and social services for vulnerable populations**

Greater investment in appropriate health and social services for vulnerable populations will reduce the burden on police as the primary or principal responders when the deployment of other services would be more appropriate.

*Example: Investment in mental health services can include mental health nurses to accompany police responding to relevant calls for assistance.*

## **11. Monitor, report and evaluate policing for public health**

Performance measures for effective policing should include the ability of police officers, programs and services to provide solutions to reduce barriers to social cohesion and advance collaborative crime management. Policing and public health metrics and incentives should be aligned. Performance indicators for community policing should be developed jointly with communities and other stakeholder agencies. Periodic community reporting will build trust.

*Examples: Monitor and report evidence of decreased drug induced overdose mortality as a result of police cooperation in the implementation of naloxone programmes. Monitor and report evidence of decreased levels of violence against sex workers resulting from appropriate police responses.*