

## **Historical Development of Policing in Malta**

by Assistant Commissioner Lawrence Cauchi

Until the 12<sup>th</sup> July 1814, in Malta, there were six different bodies, known as Civic Guards, who were responsible for law and order. They all acted on no uniform or settled plan. Disputes between them were very common. Their aim was to patrol the shores of Malta with a view of precluding the Turks from clandestinely going ashore and taking the locals as slaves. They were also responsible for guarding foodstuffs and for keeping watch over the Bastions of the three Cities. They also guarded prisoners and prevented contraband activities.

On the 1<sup>st</sup> July 1814, the first Governor of Malta, Sir Thomas Maitland abolished slavery and torture, as well as the right of sanctuary of criminals in churches. He abolished all Civic Guards and introduced the Police Force, which was divided into two departments – the Executive Police who were under the command of an Inspector General, and the Judicial Police under the charge of a Magistrate.

### **Organisation and Structure**

The period 1814 – 1822 was a period of great reform in policing in Malta, characterised by a number of proclamations covering the establishment, organisation, command, direction, duties and powers of the Malta Police Force. In those early days, the entire management and control of the Force was assigned to an Inspector General. Two Deputies and three Adjutants assisted him. Sergeants and Constables were also enrolled. The Adjutants became responsible for the three districts that were eventually increased to twelve. Civilian clerks were also employed by the Police Department to assist in administrative duties.

Between 1832 and 1844 the highest rank in the Police Force was that of a Magistrate of the Executive Police. However, between 1845 and 1918 the Force's highest rank became that of Superintendent. On the 11<sup>th</sup> November 1918, the first ever Commissioner of Police was appointed, and since then we have had 17 Commissioners.

### **Reforms**

Over the years, several Commissions were set up with a view to delving into the management of the corps. 1955 introduced the recruitment of Women Police Constables. Beat duties were reduced from 12 to 8 hours per shift.

In the early sixties the Telecommunications and the Photographic Sections, as well as the Dog Section were launched. In 1971, the Malta Police joined Interpol. The Criminal Intelligence Unit and the Mobile Squad were also introduced. By 1976, the Forensic Science Laboratory, the Scene of Crime Officers, the Fraud Squad and the Vice Squad were set up.

## **Organisational Structure**

The Malta Police Force is the principal Law Enforcement Agency on the island. However, other enforcement responsibilities, such as contraband detection and border controls, fall under the jurisdiction of the Customs Department and the Armed Forces respectively. Presently, the strength of the Malta Police Force is 1800, including 250 female officers. It could be considered to be large in terms of the population of Malta (a ratio of one police officer to approximately two hundred citizens). However, the duties in which the local police are engaged cover a wide range of tasks that are quite different than, or removed from, the fundamental responsibilities to ensure public order, peace, and the prevention and detection of crime.

Over the years, there have been a number of reviews of the Force: in several instances, those reviews have recommended that the Force should be allowed to relinquish its responsibilities for those activities which are extraneous to pure police work. Recently, some effort has been made in this.

In recent years a number of important pieces of legislation have been introduced which have had an impact on the functioning of the Malta Police Force. Significant among these is the Ombudsman Act 1995. A direct result of the introduction of this Act is the agreement reached between the Commissioner of Police and the Ombudsman in 1995 on the role that the Ombudsman would play with respect to the matters concerning the Malta Police Force. It was agreed that the complainant should first make his/her complaint with the Force and that the complainant should only go to the Ombudsman if unsatisfied with the outcome of the police review. Furthermore, the Office of the Ombudsman has one other key limitation, in that, it has non-executive authority over the Commissioner of the Police. It can only give a recommendation.

In other statutes of Malta, the majority of the references made concerning the Police or the Commissioner of Police are in respect to specific activities and approvals that are required in given circumstances. Many of these deal with administrative and regulatory functions that could be assigned to other Ministerial and Departmental bodies. These additional responsibilities have placed considerable strain on staff resources of the Force and diverted resources from what should be core policing activities. A large number of officers are involved in clerical or administrative duties. However, during the last years, we have engaged on a civilianisation process and we have already managed to reduce the number of officers who were doing non-core policing duties, and at the same time increased the beat officers, and strengthened our specialised branches. Civilians were employed at the airport passport control section, the Human Resources Branch, the I.T. Section and the Technical Services Section. The responsibilities for fire fighting, as well as search and rescue operations were passed on to the Armed Forces of Malta. This civilianisation process is still being carried out and we are presently working on replacing other police officers performing administrative duties, by engaging further civilian staff.

## **Legislation**

A new Police Act is presently being drafted that set out the functions of the Malta Police Force with an emphasis being placed upon the Force's responsibilities for prevention, protection and investigation, as well as the command, direction and superintendence responsibilities of the Commissioner of Police. It will also ensure that the police can focus on real policing activities so that not only will officers fulfil their responsibilities but also so that they may be seen to be doing what people expect a police force to be doing. This new Act would clearly set out the Mission for, the responsibilities of, and the limitations upon, the Malta Police Force

The new Police Act should also set within it mechanisms of accountability, particularly, relating to internal self regulation, institutional mechanisms and public involvement in providing a system of legislated check and balances on the Malta Police Force.

## **Organisational Structure**

A major change in the organisational set-up that ensued in the last years was the creation of a strategically orientated top management structure. This was a critical aspect in the current change management programme which will ensure that the Force is provided with the necessary leadership and orientation it requires to perform its duties and responsibilities as effectively and efficiently as possible.

A Commissioner's Office, which comprises the Strategy and planning function, was set up. It was responsible for assisting the Commissioner in the compilation and execution of the Force's operational strategy, in monitoring, evaluating and controlling the Force's performance. It also assists in defining an appropriate mechanism that reviews and defines, on a continuous basis, the organisation's structure and development in its endeavour to combat crime more effectively.

The policing duties of the Field Operations have been categorised into three major divisions that are reflective of the mission and objectives of the Force.

The District Policing Division is oriented towards crime prevention in towns, and communities throughout Malta and Gozo.

The Protective Services Division is oriented towards the protection of citizens through the enforcement of the law.

The Investigative Services Division is responsible for the detection and collection of criminal evidence.

## **Prosecutions and Court Attendance**

The Malta Police Force conducts its own prosecutions at the level of the Court of Magistrates and assists the Office of the Attorney General in its prosecution of cases at the Superior Courts. This means that most of the time the investigating officers are in court prosecuting their respective successful investigations, and most often they have to suspend his or her investigatory activities on other cases, which may finally

be of an advantage to criminals. It has been felt that if the officer must continue investigating other cases while prosecuting, the loss of focus would serve criminal interests. It is similarly difficult to believe that any officer can remain up-to-date in both investigatory techniques and the law and legal procedures. This meant that the investigation service, the criminal justice system or the officer's health had to suffer.

The Malta Police Force felt it therefore necessary to detail a special Prosecuting Unit within the Force and to ensure that its member have the necessary legal skills. A number of Police officers were sponsored on full-time University courses in Legal and Humanistic Studies, and late in 1999 the Prosecutions Unit was set up and launched. When all officers finish their studies at the University and are legally qualified, the Unit would be fully functional and it would free investigative officers to concentrate on their area of speciality and help to fix an internal system of checks and balances on the investigatory work being done.

We intend to continue to improve our performance in reducing crime levels in Malta, and to achieve this effectively, it is of utmost importance that the police and community work closer to combat crime. Sustaining help from the wider community will undoubtedly improve the performance of the Force in tackling criminal offences with greater efficacy. The Force is committed to assist the Local Councils in the setting up of further Neighbourhood Watch schemes, which were introduced in 1991, and increasing the number of foot and mobile patrols so that officers are more readily accessible to the public and can more rapidly respond to emergency situations. Earlier this year the Force extended an AVL-based Rapid Response System to ensure that our mobile units are promptly and accurately deployed on scenes of crimes or incident.