

Essential Requirements for Hungarian Police Measures

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The general police measure related to the expectations I have gathered for the Hungarian policing measures is clearly recognisable by everyone. This can be said by the realisation of the criteria that the police measure was in order, achieved its purpose and met the requirements. I approached this topic from a legal and ethical point of view and I make a written proposal.

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Introduction

Appropriate police measures can only be taken if they are based on sound foundations, that is, the theoretical knowledge of the policing police is assertive and assists in the formation of a positive police image. Law enforcement is a part of public administration, and public administration administers public functions with public authority powers. The resulting police image can be directly or indirectly associated with the state represented by the police officer. Police action must therefore meet a wide range of expectations in order to meet the requirements of the police. The requirements can be divided into objective and subjective pages. On the objective page are the laws, compliance with internal norms, commands and instructions, compliance with the instructions, completion of the action and its successful fulfilment. On the subjective side there is morality, ethics, culture, communication, style, which cannot be determined in a given law, but they do affect the mood, tone and end result of the action.

If there is no commonly accepted (collective consensus-based, consensual) value system in a society, then that society cannot last too long. If a statement (assertion, judgment) does not apply to what is good or bad, but to what is true and what is false, it is not a value judgment but an act. The task of public administration is to maintain the consensus values and security of the society at an acceptable level. If an event, story, action or measure is ethically not bad, in other words it is not to be rejected, i.e. it is not “undesirable” then it is not true that it is “desirable” but merely acceptable. The outcomes of certain events are within the scope of the agents of the society, other events are beyond the reach of force majeure cases, unforeseen natural disasters. Events are always risky; at most, their risk is negligible in certain circumstances. Absolute truth is that there is no absolute security. [1]

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The objective conditions can be determined in some form. Here are the laws, normative instructions, commands and briefings. These include the conditions that must be met at every stage of action; the absence of any of these circumstances raises the responsibility of the police officer. The tactical methodological guide currently in force came about by the death of a policeman shot down in Esztergom during police action. Following his death, the police tactical training in Hungary began.

What is the Command?

No matter how strange, there is no command as a definite, specific concept either in the Police Act (the Hungarian abbreviation is: Rtv.) or in the Service Regulations. The Police Act is even more incomprehensible in this regard since the Service Regulation deals with the definition of the command, the issuing and implementation of a specific order. Although the Rtv. deals with the organisation and direction of the police, still each organisational unit operating under a sub-hierarchy determines its own leadership. Such a bureaucratic organisation is, according to Max Weber, the best possible ideal organisational form characterised by division of labour, formalism, service path, hierarchy, lack of integrity, objectivity, office-affairs, appointment status and written regulation. The question of a written regulation raises the requirement that in cases of substantive relevance which may have criminal consequences may be a criterion of literacy.

Turning the thread of thought backwards, the significance of the command becomes apparent if the command is not executed or violated. In another non-military organisational unit, this may have labour law and disciplinary consequences; the contractual relationship of the civil law constitutes a breach of contract, while in law enforcement the execution of a command or order may even be a criminal offense.

The police's decision and action must be objective, impartial and independent. Consequently, the official person performs a judicial activity towards the citizen. His merit "judgment" activity, therefore, cannot be influenced by a service command, which is a means of controlling military activity. Acting in matters falling within the jurisdiction of the police, the superior may issue a service order or order naturally in matters of administrative competence, but not the substantive judgment of a particular case.

The Objective Criteria for Each Measure are as Follows

Lawfulness: The measure is lawful if the service of the police takes place in accordance with the established duties and the duties of the law in force and other legislation (including internal travel, commands, measures, etc.) Lawfulness is fulfilled if the policing officer complies with the regulations in force and accomplishes his or her duties in the service, in case of his or her jurisdiction. Knowing legislation is therefore an indispensable prerequisite for the police profession, as observing and enforcing them is one of the tasks of the police.

Professionalism: The measure is appropriate if its implementation is carried out in accordance with the provisions of the regulations in force and the related necessary

techniques. The notion of professionalism involves the notion of legality. In order to talk about the provisions of the regulations in force, we also have to comply with legality. Legality is complemented by the tactics and techniques required to match professionalism. Practice is coupled with theoretical knowledge. Tactical and technical tricks and procedures are already part of the internship, no matter that they are self-defence or procedural tactics. It is necessary to know and examine a particular case, since it cannot be stated that a particular method can be applied appropriately for each type of action.

Proportionality: The measure is proportional if it does not cause any disadvantage that is manifestly unrelated to the legitimate purpose of the measure which, in addition to ensuring effectiveness, with the slightest limitation or damage is chosen from among several plausible and appropriate police measures or coercive measures. Proportionality under Section 15 of the Police Act seems to indicate that a police measure cannot cause any disadvantage that is manifestly unrelated to the legitimate aim of the measure. There are several possible and appropriate police measures or coercive instruments to choose.

Effectiveness: The measure is effective if it reaches its legitimate aim, prevents and abolishes conflicts and violations, meets the needs of society and public security for public order. One of the most important criteria of effectiveness is the statutory limitation set by law. Target bounds may vary by type of action, but must always comply with the provisions of the Fundamental Law. [2]

Objectivity: The measure is objective if the policeman takes action unbiased. Discrimination on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation is prohibited. The police officer is obliged to act impartially in accordance with the law. Specific data referring to racial origin, religious beliefs, sexual behaviour and political opinion can only be treated if it is a factual element of a criminal offense that is the subject of a law enforcement activity or the person concerned gives his or her consent in writing.

Safety: The measure is safe if the people or things involved in the measure do not have a higher risk or harm or injury than is warranted. In the selection of police measures and in their practical implementation, the policeman should endeavour to implement tactics and techniques that meet the listed objective criteria. If these conditions are fulfilled, then the public intervention is unquestionable, and thereafter may be a criticism of “just” no-liking, but it is difficult to start with, since the expectations are per measure and per person.

In addition to objective circumstances, it is important for the police officer to meet certain subjective factors in order to create a proper culture and to create a police image in connection therewith. The subjectivity and objectivity limit cannot always be clearly separated, as certain rules can be demanded on an objective and subjective side. At the same time, subjectivity is much closer to morality, ethics and behavioural culture than to a specifically defined norm.

Substantial factors are voluntary abandonments, limitations of fundamental rights, and general expectations unpublished by society, which are close to the ideal police image. A policeman is ready to be there and be available if somebody has to be punished, but in a differentiated manner, rather indulgent and forgiving.

Companionship to the board is expressed by the swearing-in at the time of the assignment, which also has a symbolic value. The issue of integrity is not a trade-related one. Duty of Honor, Honesty and Discipline is a General Virtue, not necessarily only for Police Officers. The civil society does not accept any behaviour that is contrary to them, but for a member of an armed

body it is a basic expectation. The office requires that the confidence in the state apparatus and the official person should not be compromised, and the people representing them should be worthy of their duties. Violence is accepted if it is used in the right place, manner, time and extent for the purpose to achieve the legitimate goal. Objectivity is uniform for all conditions and for all other measures. People are abused and hurt because of selfish interests, abusive conduct and revenge, still this is a criminal offense. It is the responsibility of a professional police officer to take action against it. This responsibility can be social, pertaining to labour law or criminal. It is most difficult to define social responsibility as a specific measure can be used to determine how the police action had replaced the requirements imposed upon it or caused a situation that is not unlawful but socially condemnable. Labour law responsibility is most commonly the disciplinary offense of misdemeanour and damages. One of the requirements of a professional policeman is to make decisions when working. These decisions can be good or bad, therefore objectivity is one of the most important expectation in the course of a proper and continuous training of the professional apparatus. A lawful measure can also be implemented if the police's theoretical knowledge is appropriate and can apply additional tactical and technical knowledge based on theoretical knowledge. There are strict legal regulations in force regarding data protection, which the police has to comply with. During the action, the police may have access to various sensitive data, which is their duty to preserve. It is also inconceivable that you never make any negative statements about your own employer or staff. The rules of dressing specifically define which outfit to wear and what accessories. The position of the uniformed staff is simpler in this respect, as they do not have the freedom of dressing. In civilian clothing, the freedom to choose one's outfit is dependent on good taste, but it is expected that it will not be compelling or challenging in any way and it also should not express any affiliation whatsoever.

Police uniforms in the public area most often meet the citizens' expectations. Their work and often the whole police will be judged by their dress, behaviour, speech, professional skills and style. The police are expected to act exemplary, do not commit criminal offenses, any offenses, do not waste life, do not gamble or lead a scandalous and intemperate life. Such a behaviour often involves the violation of many other points in the Code of Ethics.

Communication

On the subjective side I would also include police communication, since the realisation of the objective conditions has to be known to the outside world in some way and it is only possible through communication. Acceptable police communication facilitates police action; it is a part of the culture of action. It can create a positive police image, but more importantly it can help to achieve the legitimate goal of avoiding the use of legal physical violence. If a police officer can adequately perform good communication, it can make a disadvantageous situation look less harmful. Every organization and the leaders thereof want to be successful in their work. This requires the understanding, recognition, support, acceptance and appreciation of the environment communicating with them, alien to their reputation, acknowledgment and acceptance. Reputation, therefore, means the expression and appearance of public opinion, the knowledge, experience, image of our consciousness, a picture of the general characteristics of a given organization or its member.

We can formulate the following expectations regarding communication: [3]

Rapid Response: A police officer in a given situation is responsible for coordinating the police action, that is to say, he is the master of the case. As a matter of the case, you are expected to respond primarily to the events, to recognise the situation and to handle it. The sooner and the more is done to ensure that the victims of the events are well informed about the issues they face, about the realistic threats and how they can be remedied, the sooner and the better we can report bad news.

Credibility: When it comes to police communication – no matter in what kind of form – citizens tend to identify the entire police with the communicator and their reputation is built on this. The policeman, who has a negative police image, will also behave negatively during a police communication. Credibility is also important for gaining and retaining the confidence of citizens and for preserving public confidence in the activities of the relevant body of the police and public officials.

Consistency: There are no two identical police measures, as the people performing the action are not the same. As two people are different from one another, so are two police measures different from one another. It is an important requirement of the police officers to have a united communication, i.e. the police on the spot should communicate the same position, instead of arguing with their counterparts.

Consistency: Consistency requires that, as we communicate, we respond similarly to similar situations of life. Life situations may be similar, still they are not the same and one needs to be able to detach himself/herself and handle each case objectively and communicate accordingly.

Understanding: Police communication must be clear to everyone. The parties opposing the acting police officer are not required to know the internal rules. The acting police officer commences, conducts and finishes the proceedings as a matter of course, in which he must communicate in an intelligible manner to the parties in order to avoid misunderstandings and paralyses. You have to steer the action, but this is only possible if your partner in communication understands it and accepts the signals from the police officer.

Impartiality: The police are the neutral party. Any contrary communication, expression should be avoided and prohibited.

Appropriate communication enriches the culture of the measure, increases trust in the police and helps to avoid conflicts. More detailed rules could be addressed in a separate study.

Tourist Police Seasonal Programs

Several county police headquarters have signed a cooperation agreement with the schools in their area, whereby pupils studying there can provide community service, and for years, college students have also helped the work of the police in tourist-frequented places mainly by interpreting and providing information and guidance. They provided tourists with crime prevention and tourist bulletins. Young people working with the police helped to find abandoned and lost property.

The Tiszai Water Police Department of the Jász-Nagykun-Szolnok County Police Headquarters along with the Szolnok College and with the support of the Hungarian Tourist

Office launched the Tourist Police program on 20th July 2015. By 20th August 2015, the college students helped the police work in the area of competence of the Tiszai Water Police Department in tourism-frequented areas such as Szeged, Csongrád, Tiszakécske, Szolnok and Kisköre. The students who spoke foreign languages helped the work of the volunteers by interpreting. The tasks of the students included filling out questionnaires provided by the College of Szolnok and the Hungarian Tourist Office, disseminating other publications and keeping in touch with the local Tourinform Offices. [4]

The Szabolcs-Szatmár-Bereg County Police Headquarters in Nyíregyháza also guarded the security of those seeking relaxation by a beach director and Tourist Police. During the tourist season, the staff of the Nyíregyháza Police Station paid special attention to the places visited by tourists and those who wanted to relax. In the summer, young people speaking foreign languages drew attention to ways of preventing crime. In the tourist season, high school students speaking foreign languages, who served their volunteer community, helped to provide information to visitors of Nyíregyháza. For the first time, the Tourist Police Service has been supplemented by Transylvanian students so that tourists from Romania can also be better informed. Hungarian-speaking Transylvanian students served in Nyíregyháza–Sóstógyógyfürdő in the team of the Crime Prevention staff of Nyíregyháza from 20th July to 25th July 2015. [5]

In the area of the Baranya County Police Headquarters, pupils with community service speaking foreign languages were at the disposal of tourists and foreigners. In a pavilion set up for this purpose, crime prevention and tourism bulletins were available and helped to guide them. The Baranya County Police Headquarters concluded a cooperation agreement with several schools in Pécs, Mohács, Hops and Pécsvárad, whereby pupils studying there were in their service from 1st July to 31st August 2015. [6]

The Heves County Police Headquarters provided the opportunity for students in Eger and Gyöngyös between the 15th of June and the 30th of June 2015 to fulfil the required fifty-hour community service in the law enforcement area. The purpose of the program was to help high school students during the summer tourist season to assist in the police's crime and accident prevention work with interpreting, as well as providing information and guidance to tourists, mainly foreigners. The students took part in a general training on the 15th of June 2015 and soon after started a kind of professional training with uniformed police officers. [5]

Summary

The task of the police is to ensure that the task of law enforcement is accomplished by scientific means and methods. Magyary Zoltán, the father of the Hungarian public law, says in connection with this: "Due to the specificity of the task of law enforcement, the legislature is forced to abstain from the detailed regulation of the tasks and to consider the discretion and choice of the authorities which are more familiar with the unforeseen circumstances of the incurred or threatening disorder, to confine themselves to the establishment of legal barriers to threats." [7] Constructing the right concepts and funds is thus left to the care of the profession, even if it is initiated by law.

Feedback on the measures and confidence in the police is regularly done by specialised institutions. About 10 years ago, TÁRKI conducted the New Europe Barometer survey

in Hungary in 2005. [8] During the research, the opinion of the population on the crime prevention work of the police was investigated among 13 countries of the post-socialist block. Of the 13 countries, the highest recognition of the police was in Hungary, with the surveyed population in Hungary saying that the police worked well. In another study, the TÁRKI Social Research Institute Value Creation reported—in a Polarizing Political Space—entitled *The Social/ Cultural Conditions of Economic Growth*, [9] which was conducted in Hungary on the role of trust, norm tracking, state role and democracy. The culture and acceptability of police measures are, according to the opinion, appropriate.

Nearly 10 years after the results of the investigation, in the opinion of the Hungarian Academy of Sciences, the police enjoy most of the citizens' confidence. In contrast, according to other social institutions, there is more distrust than trust. As a conclusion of my study, I believe that policing measures in line with the listed criteria are characterized by the police's work, the justification of which is also reflected in the data of the social research institute.

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