

The current challenges of the Hungarian neighbourhood police officers' form of service

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In the last years it's becoming clearer that the neighbourhood police officers' form of service is less and less able to fulfill its decades-old designation. It seems the form of service stands at a crossroads: renewal or termination. After long decades the differences of the rural and urban tasks are coming to the front again. Today we see that practice transforms the rules that don't work. Nowadays, the issue of the task system and contact with the population is constantly on the agenda. It has become clear that the prohibition of certain prohibited tasks for example the transfer of detainees was untenable. The previous strict rules on the neighbourhood police officer's operational area have become more nuanced. On the other hand, the ensurance of continous police presence in the area of competence of police forces has been brought to the fore. All signs point to the complex task system should be reconsidered. It is obvious that the contact with the population and municipalities has increasingly been pushed into the background since the time of the regime change. The same can be said about the tasks of the criminal service and, in general, about the complexity typical of the service of the district commissioner. In addition, the question of how compatible the sanctions are with the community police attitude is still on the agenda. The timeless basic principles of the service form formulated in the 1950s also need to be reconsidered. These are the main questions and problems of the neighbourhood police officers' form of service.

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I. The original purpose of the neighbourhood police officers' form of service

In Hungary the neighbourhood police officers' form of service² taken over to the Soviet sample was introduced in 1954. The essence of the form of service was initially to obtain information from the local residents. The precondition for this concept was that the neighbourhood police officer should know the population in the geographical area entrusted to him³. The flow of information was one-sided and served the interests of the police for decades. After the political transition (regime change) the police was slowly transformed from the violent organ of political power to an administrative authority that provides security for society. The „service nature” of the police came to the fore. As a result the flow of information became two-way. According to the existing neighbourhood police officers' regulation the basic purpose of the of the service is to keep contact with the population. At the same time the neighbourhood police officer has to be in touch with the municipalities and the civil and economic organisations. Furthermore the purpose of the service is to ensure police presence in public places, as well as the continous crime prevention, crime fighting and law enforcement.⁴

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² The „district commissioner” term is also used in English.

³ At that time, a neighbourhood police officer could only be a man.

⁴ 26/2015 (XII.9.) ORFK instruction on the regulation of the neighbourhood police officers' service

A The principles of the neighbourhood police officers' form of service

So far we we have distinguished the following principles:

- 1) Principle of territoriality: The neighbourhood police officer performs his activities in his own operational area, and can only be withdrawn from there in justified cases.
- 2) Principle of personal responsibility: The neighbourhood police officer is personally responsible for the public safety of his territory.
- 3) Principle of publicity: Familiarity and acquaintance are necessary for the effective work of the neighbourhood police officer.
- 4) Principle of complexity: The neighbourhood police officer carries out his or her duties affecting all segments of police work.
- 5) Principle of availability: The neighbourhood police officer often has to practice his or her profession outside of the time of service, when he or she is not in duty.⁵

B The task system of the neighbourhood police officer

At present the tasks of the neighbourhood police officer can be divided into three groups. Each group refers to the district commissioner's operational area. These are general or basic tasks, law enforcement tasks, and criminal tasks. The most crucial primary mission of the district commissioner is to maintain contact with the public, thereby establishing and maintaining good communication between the police and the people and building and maintaining trust in the police. This essential task requires the development of appropriate local and personal knowledge. It is also essential to guarantee that people can reach them easily they must meet at least once a month. The other primary general task of the district officer is analytical and evaluative work, which is also linked to the need to focus on the interests of the public, civil society organizations, and the local authority and to reflect the service character of the police. It was already recognized at the beginning of the service form that the urban district commissioners could not be as efficient as rural ones. Therefore, a distinction has been made between metropolitan and rural neighbourhood police officers. The distinction had disappeared over the years, but the difference remained.

The law enforcement tasks of the neighbourhood police officer can be divided into three groups: public order, traffic, and border police. The fourth group of tasks must also be dealt with is administrative law enforcement tasks, but this is distinct from the other three. According to the main rule the neighbourhood police officers are prohibited from administrative law enforcement tasks. On the other hand, they may participate in the preparatory infringement procedure in the entire territory of the police station.

The criminal tasks of the district commissioner can be divided into crime detection, crime prevention, and searching for wanted persons.

According to the main rule the neighbourhood police officers may not be entrusted with any task which would divert him from his original basic activity. They may not be assigned to or be called upon to perform the following functions:

- detention guard service;
- security guard service;
- on-call service;
- accident scene investigator's tasks;
- administrative law enforcement tasks (except for the preparatory procedure for offenses);
- preparation, delivery, and service of temporary preventive detention orders, criminal detention orders, and orders for the arrest of offenders;

⁵ Dávid Papp, *Neighbourhood Police Officers' Service*, in *Public Order* ed. by Miklós Tihanyi (Budapest: Ludovika University Publishing House, 2022)

- guarding a suspect under criminal supervision who is confined to a dwelling;
- courier, other transport, and procurement tasks.⁶

A district commissioner may not be assigned as a constable to an event organized in his or her operational area, which is under the subject to the Law on the Right of Assembly or related to the elections. However, they may be assigned to a temporary team duty company and temporarily reassigned to perform criminal investigation duties.

II. Problems and challenges of the neighbourhood police officers' service form

The problem of the decline of the neighbourhood police officers' service form has been on the agenda for years. It's clear today, that the service form is unable to comply with the original purpose. This crisis can be traced back to several reasons. The staff shortage caused by mass termination causes serious trouble mainly in the public services. The patrol service is most affected by the problem. The other challenge is the task surplus which is partly caused by shortage of staff and partly by the new types of challenges (for example illegal migration and COVID-19). In addition the police have serious difficulties in attracting and retaining generation Z employees. It can be stated that the police is not a very attractive career path among young people these days. This is especially true for the staff of non-commissioned officers. Today the classic neighbourhood police officers' form only works in appearance. The district commissioners are mainly involved in providing the patrol service. It is exponentially true of the capital. The regulation and the practice seem to be irreversibly drifting apart. The standard-setter tries to adapt to the practice with minor or major modifications, but this does not seem to be expedient.

A The main current modifications

As we can see in the first chapter of the article the prohibition of the escort guard and duty commander tasks were removed from the regulation of the neighbourhood police officers' service during the last amendment. In addition, the operational area has remained, but has significantly lost its importance. The contact keeping with the population is still linked to the operational area, but creating police presence and crime prevention, crime fighting and law enforcement tasks are linked to the whole area of the police department, in the capital the entire area of Budapest. With an amendment, the rules on leaving the operational area still remain. It still follows from the principle of territoriality that a district commissioner must spend as much time as possible in his or her operational area, but the rules of removing are already valid for the area of the police department. The neighbourhood police officer may be removed from the area of competence of the police department on an ad hoc basis and only for the reasons specified in the neighbourhood police officers' regulations. These are the following cases:

- notification of staff (ordering an alert);
- ordering increased control;
- particular legal order;
- particularly justified, urgent police action (threat to life, limb, or property);
- carrying out a team duty;
- escort guard tasks;
- duty commander tasks.⁷

⁶ 26/2015 (XII.9.) ORFK instruction on the regulation of the neighbourhood police officers' service

⁷ 26/2015 (XII.9.) ORFK instruction on the regulation of the neighbourhood police officers' service

III. Summary

The neighbourhood police officers' form of service definitely stands at a crossroads: renewal or termination. The question is whether it is necessary at all. It sure, under the current circumstances, it doesn't function properly. Within the ranks of the police, district commissioners are only referred to as overpaid patrolmen. They are suffering from identity disorder as most of their work is patrol duty. With the challenges of the age, basic principles such as the principle of territoriality, which are almost seven decades old, are fading. This leads to the conclusion that the form of service needs to be fundamentally reconsidered. But, all the same, contact with the population and the accessibility of the service police by the population must remain the most important. It is necessary to simplify the complicated regulation and the complex task system. It is necessary to consider how fines are compatible with the community police attitude.⁸ It would be important to separate confidence building and sanctions. This could be done on a territorial or personal basis.

IV. References

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- Miklós Tihanyi, 'The development possibilities of the district commissioner service, or the knowledge-based police' *Belügyi Szemle* 61, no 6 (2013), 87-107.
- 26/2015 (XII.9.) ORFK instruction on the regulation of the neighbourhood police officers' service

⁸ Miklós Tihanyi, 'The development possibilities of the district commissioner service, or the knowledge-based police' *Belügyi Szemle* 61, no 6 (2013), 87-107.