



International Council of Police Representative Associations

ICPRA Report to RSPSA- October 2008

The following is a report of contacts between the International Council of Police Representative Associations and both Royal Swaziland Police and its' Staff Association. This follows a meeting with same on 26 September in Durban South Africa and includes observations on developments in country in the following weeks.

Background

ICPRA and Scottish Police Federation wrote to the Government Minister and Police Commissioner suggesting that real benefits could accrue from improving police officer representation. Following further letters to King Mswati III via the Swazi embassy in the UK, copied to the Authorities a response was received from RSP seeking information principally on dispute resolution mechanisms.

Telephone contact was made with the signatory, Lydia Dlamini, Assistant Commissioner and Director of Legal Affairs who agreed to receive a composite response from ICPRA. Dale Kinnear and Joe Grant with the significant assistance of Monique Marks compiled a report (July 08) on the Industrial Relations landscapes of member countries utilising Canada, Australia and the UK as specific examples.(Appendix A)

An invitation to present to RSP Executive Command and Staff Association on the ICPRA paper was forthcoming and such took place on 26 September at the University of KwaZulu Natal, Durban, South Africa. A power point presentation in support of the ICPRA paper was prepared (Appendix B).

ICPRA Aims correspond with the following Objects of the organisation

- to promote the rights, efficiency and welfare of Police Officers worldwide;

- to foster and assist in the establishment of police representative associations across the world;
- to promote international improvements in policing methods and the standard of policing; and
- to enhance the professional standing of members of ICPRA.

Specifically in Swaziland the objectives sought are as follows

1. To promote the establishment of collective bargaining rights for police/prison officers.
2. To assist with the professional development of police officer representatives with particular emphasis on the leadership of same.

ICPRA- Current Activity

The RSP delegation who attended UKZN comprised eight officers, i.e two Assistant Commissioners, one x senior superintendent, acting superintendent, inspector, sergeant and two constables.

The workshop commenced at 9.00 am and very much followed the path laid out in the presentation. It was clear that RSP wished to demonstrate that they did indeed have a Staff Association and were making efforts to improve the bargaining position of police officers. It also became clear throughout the day that the relationship between RSP and SWAPU is antagonistic and at best may be described as very poor.

The interactions were principally convivial with discussion challenging at times around the way forward, but what became clear was the apparent desire of RSP to improve and be seen to improve police officer representation, to such an extent that the Assistant Commissioner was keen to hear about ICPRA and expressed an interest in membership of it for the Staff Association.

The Staff Association constitution together with the Bargaining agreement between the Swaziland Government and Staff Association was made available at the end of the day by the Staff Association Chair.

Subsequent examination of it reveals the following points of note:

- A marginally autonomous body with heavy linkage to RSP

- No right to take industrial action
- No right to affiliate with outside bodies.
- Inclusion of RSP Staff Officer as ex-officio member of all Committees
- The right to Collective Bargaining with Government
- Access to Arbitration which is binding.

A central question remains around how officers are elected into representative positions ie whether nominated by Commissioner for election or peer nomination/election.

Whether the Documents provided are in Draft form?

It was helpful to note the agreement of all participants with the following:

- Appoint External mediator – to facilitate a meeting between Staff Association and SWAPU
- Review current labour legislation as it pertains to the police (labour relations act; police act)
- Review current constitution of the police association – define roles, functions
- Define the necessary skills and knowledge of association members
- Circulate other country association constitutions and labour relations frameworks (Lesotho, Canada, South Africa, Australia)
- Review existing grievance procedures and dispute resolution – utilising same from Scotland, Canada
- Meeting to be arranged between RSP officials and the Safety and Security Sector Bargaining Council (South Africa)

Additionally, the Staff Association representatives were keen to establish whether assistance was available to improve members negotiating skills in light of the proposed collective bargaining agreement with Government and were receptive to the suggestion that they take some time to prepare strategy documents under the following headings “Organisation, Communication and Bargaining”

An additional paper outlining work necessary to formulate these documents was subsequently emailed to the Staff Association (Appendix C).

Following the Durban workshop, media reports were received indicating that RSP Commissioner had initiated Court proceedings against the General Secretary of SWAPU, therefore ICPRA Chairman wrote to the Commissioner on 6 October (Appendix D)

It has recently become clear that the action for Contempt of Court has been put off until 24 October, albeit no reason is known for this delay.

Attempts to initiate contact with either RSP or RSPSA in order to follow up the action points agreed at the Durban workshop, have proved fruitless to date, however it is believed that best efforts should continue to initiate the agreed mediation prior to the next Court date.

Joe Grant

October 2008

Appendix A	ICPRA Report- Recommendations for a new labour relations framework for the Royal Swaziland Police
Appendix B	ICPRA Presentation to RSP
Appendix C	Outline Strategy Exercise
Appendix D	ICPRA letter to RSP Commissioner 6 October 2008