

The Icelandic Police and the Justice System

A short introduction





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Iceland: The Country and the Nation



Iceland is a volcanic island situated in the northwest part of Europe, just below the Arctic Circle. The island is volcanic and is 103,000 square kilometres. Most built-up areas are scattered around the coastline which is 4,970 km long. On 31 December 2004 the number of inhabitants was 293,577. The population is not evenly distributed and about 180,000 persons reside in Reykjavík, the capital, and the neighbouring communities.



An evening view from the Barðaströnd coast in Western Iceland.



Icelanders are of Scandinavian, Irish and Scottish origin. The first people known to have visited Iceland were Irish monks or hermits, but they left with the arrival of the pagan Norsemen who settled in Iceland in the period 870-930 AD. The Icelandic language dates back to Ancient Norse.

Executive power lies with the President of the Republic and the Government. Administration is in the hands of the Cabinet. In contrast legislative power lies with the President and the Parliament, known as Alþingi. The Alþingi was founded in 930 and re-established in 1845 after some temporary changes in the Icelandic legislative structure which were made in 1800. This makes Alþingi the world's oldest working Parliament. Iceland has a codified (civil) law system.



The Republic of Iceland, inaugurated on 17 June 1944, is a parliamentary democracy. The Parliament, Alþingi, elected by universal suffrage for a period of four years, wields legislative power. The parliamentary majority forms a Government headed by a Prime Minister which wields executive power. The President of the Republic, whose period of office extends for four years but can be renewed, appoints the Prime Minister upon the completion of the elections, but is not otherwise involved in the affairs of Government.

(Ref.: Tulinius, T. H. and Sigurjónsson, S., 2003.)



The Reykjavík Cathedral (tower to the left) was officially opened in the year 1796 and the parliament building (to the right) in 1881.

Origin of the National Police

In 1262-1264 Iceland submitted to the Norwegian Crown and concluded a special agreement with it, known as the Old Covenant. One of the provisions of the Covenant was that the king was responsible for maintaining law and order in Iceland. The new law codes brought changes. Executive power passed into the hands of Royal officials, Criminal Cases were prosecuted by the Crown and the duty of vengeance was abolished. The main Royal law enforcers were the Sheriffs (sýslumenn). Sheriffs were expected to arrest thieves and violent criminals and amendments to the law reiterated their duty to detain criminals until their Cases were heard. In many ways the Sheriffs were the policemen of their day.



The first design used as a police crest in Iceland was a hand with an eye in the palm. Its origin lies in the Middle East, going back to the time of the Old Testament or possibly earlier. Symbolising the presence of a divinity, the hand is a hand of judgement, help and protection and the eye is the all-seeing eye, ever watchful and protective. The symbols are known in Christian tradition; originally they were separate, the eye being first shown on the palm of the hand in the 14th century. At first the hand was vertical; later it was shown in the horizontal position as on the buttons of the uniforms of both the Danish and Icelandic police.



The year 1752 saw the beginning of an industrial project in Reykjavík, launched by a Company known as the Innréttingar. By the standards of the time this was a large venture and it marks the starting point of significant urban development in Iceland. It is not certain when the watchmen were first established, but they were issued a letter of appointment in 1778. The watchmen can be seen as the forerunners of the modern police, since in addition to patrolling the properties of the Innréttingar and raising the alarm in the event of a fire, they were expected to be on the lookout for any unusual activities. On 15 April 1803, by a Royal Decree, Reykjavík became a separate jurisdiction headed by a Magistrate, Rasmus Frydensberg, a Danish lawyer and two Danish policemen were engaged to assist him.



After violent rioting which broke out at an open meeting of the Reykjavík Town Council on 9 November 1932, a large part of the police force was out of action due to physical injury. That was one of the reasons why the Police Act was passed in 1933, providing for participation by the State in the financing of police forces and defining the scope of law enforcement. The Act included various provisions

on the functions, rights and duties of the police. It also authorized the Minister of Justice to call out the reserve force in circumstances that called for additional security.



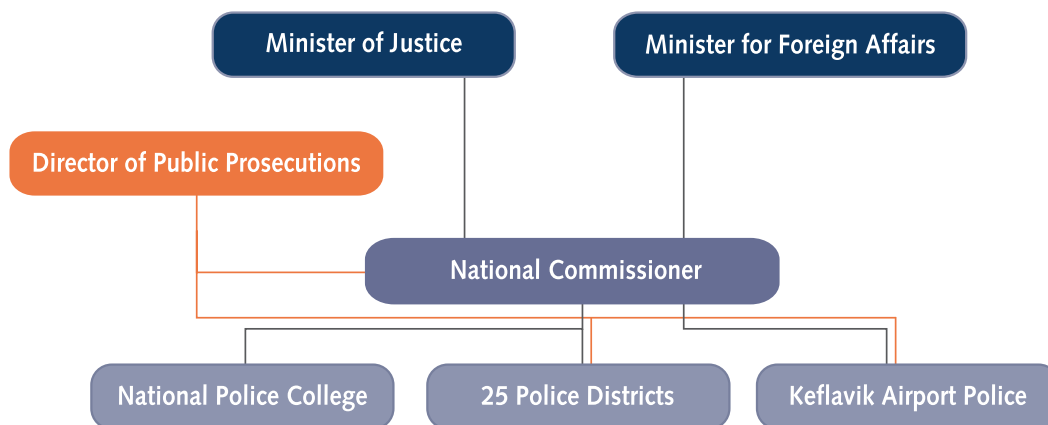
New police uniforms were adopted in 1930, with a new symbol. It is a six-pointed star, in the centre of which is a shield covering two crossed swords, with the police motto *Með lögum skal land byggja* ("Law makes our land habitable"). The star was the idea of the Reykjavík Police Commissioner at the time, Hermann Jónasson, and was drawn on his instruction by the draughtsman Björn Björnsson.

The Police Act was amended in 1972 with allowance made for the State to bear all the cost of general law enforcement in Iceland; thus the police became civil servants, instead of local authority employees. Other provisions defined the role of the police for the first time and laid down clearer rules than before on the command structure. Ever since this Act was passed there has only been one police force in Iceland: the National Police subject to and maintained by Central Government.

Organization of the Icelandic Police

All police activities in the country are operated by the State under one control. The Minister of Justice is the supreme commander of the police; the National Commissioner administers the police under authorization of the Minister.

STRUCTURE OF THE POLICE IN ICELAND





The responsibility for the Coast Guard (Landhelgisgæslan) is also in the hands of the same Ministry, while the Customs Service is the task and responsibility of the Ministry of Finance. There is one exception from the rule that the Ministry of Justice is responsible for the police. The Ministry of Foreign Affairs is responsible for the police at Keflavík International Airport which is based on the special status of that area as a military NATO base. It must though be stressed that the military personnel does not have any function in relation to border or security control at the airport terminal.



The Ministry of Justice also serves as a central authority in international mutual assistance in criminal matters and receives requests for such assistance, such as concerning extradition or confiscation of property deriving from criminal offences committed abroad.



A fleet of Police vehicles.



The National Commissioner of Police acts on behalf of the Ministry of Justice in police affairs, mainly in administrative duties vis-à-vis the regional Commissioners of Police. He also acts on behalf of the Ministry for Foreign Affairs, vis-à-vis the Commissioner of Police at Keflavík International Airport.



Under legislation passed the year 1976, a State Criminal Investigation Police (SCIP) began operations on 1 July 1977, taking over the investigation of criminal activities that had previously been under the control of the Reykjavík Criminal Court and the police commissioners of the Greater Reykjavík area. The SCIP was under a special Director.



A new Police Act took effect on 1 July 1997, replacing earlier legislation on the police and the SCIP. The SCIP was abolished and most of its functions were transferred to the local Police Commissioners and the National Commissioner of Police. The National Commissioner took over important administrative duties of the police from Ministry of Justice. Clearer rules were also set regarding police work and policemen's rights and obligations. This resulted in a fundamental change in the senior command structure of the police.

The Icelandic name for the National Commissioner of the Icelandic Police is "Ríkislögreglustjórinn". The National Commissioner of Police is in charge of police as an agent of the Minister of Justice. His role is to perform various administrative functions in fields related to law enforcement, such as providing general instructions to regional commissioners of police and making proposals for rationalisation, coordination, development and safety in policing. His office shall grant the regional commissioners of police assistance and support, and carry out any police work which calls for centralisation or coordination among the offices involved. His office is responsible for international police relations. Finally there are certain investigation departments under the office of the National Commissioner of Police, such as departments for economic offences, treason and related offences.

The National Commissioner is in charge of overall co-ordination of civil defence issues and the execution of those functions for which the state is responsible, in consultation with the Civil Defence Council.



For police purposes Iceland is divided into 25 districts which correspond to the administrative districts of the executive and the District Commissioners are also Commissioners of police; the exception to this is Reykjavík where there is a separate Police Commissioner. The Commissioners see to the day-to-day administration of the police in their districts and are responsible for police functions there. They also direct searches for missing persons along with rescue and salvage operations on land. Policemen have police powers in all parts of the country, regardless of district boundaries. Their working districts are those in which they are appointed, but exemptions are made for example when necessary to complete a project or investigation that extends into another district or necessitates travel through another district.

The District Commissioners represent the complete administrative branch of the Government locally, one in each district. Accordingly these officials serve the functions of being Regional Commissioners of Police, among other administrative tasks, such as being Chiefs of Customs, responsible for the collection of various fees for the State, execution of Judgments and various matters in the field of Family Law and the Legal Competence Act. However, in Reykjavík which is by far the largest district, these functions are divided between three institutions, the Reykjavík Commissioner of Police, the Reykjavík Commissioner of Customs and the Magistrate of Reykjavík.



The role of the regional Commissioners of Police can be said to be mainly twofold. Firstly they are in charge of the police forces, each in their jurisdiction. They shall be in charge of the day-to-day control and operation of the police and shall be responsible for the execution of the functions of the police within their areas. Accordingly there is no specific border police; this task falls basically within the realm of general police work. Secondly the Commissioners of Police are responsible for investigation work regarding criminal offences committed in their district, and they have prosecution powers in a great majority of offences before the eight District Courts in the country. Border control is one of the various tasks they perform in the operation of the police.



The police are responsible for maintaining law and order. It is the role of the police to ensure public safety and guarantee the security of the citizens under law, to prevent crime, to investigate criminal offences, to provide service and assistance to the public and to assist the authorities and maintain peace and public order. The service and assistance role of the police accounts for a large part of its day-to-day duties.

Police are required to show vigilance in their work and be well aware of their duties and responsibilities. They have to demonstrate conscientiousness, impartiality, fairness and moderation. Although they are permitted to use force if necessary they must take particular care not to use greater force than is necessary to overcome the resistance of a person suspected of having committed an offence.



Iceland has no armed forces and the police is organized along non-military lines. Accordingly the members of the police force have civil status. The police in Iceland are very restricted in their use of force and the police are unarmed while on duty except for a short baton and an OC-canister, but all policemen are trained in the use of firearms. A Special Weapons and Tactics Team is operated within the National Commissioner of police (the so-called "Viking Squad"). The Unit acts as an intervention unit in all cases where opponents use firearms and the regular police are not capable of dealing with the situation. The unit acts for all of Iceland and its territorial waters, as well as other special duties such as VIP protection.

Force is used by the police only as a last resort, and before doing so they try every other means of disarming people or using persuasion to make them desist from what they propose to do. A number of policemen have received special training in negotiating techniques for this purpose, and they are called in in cases involving weapons and where there is a threat to human life. The team is also trained in riot control.



The National Police College is an independent institution under the Minister of Justice, standing in the same relation to the National Commissioner as the regional commissioners' offices.

To qualify for admission to the college, applicants must be Icelandic citizens, aged between 20 and 35, in good mental and physical health, have completed two years of post-compulsory education or the equivalent, have good language skills, a driving licence, be able to swim, and have a clean criminal record. A special entrance examination is held, with the emphasis on knowledge of Icelandic and general physical stamina.



Trainee policemen receive an all-round introduction to police work in the General Department of the college, where they remain for three terms of training. During the first of these they receive no wages, but studies qualify for a grant from the Icelandic Student Loan Fund. The main subjects covered are Law (the legal system, criminal law, the Police Act, etc.), police skills, Icelandic and special subjects including psychology and ethics. Essential First Aid is also taught, and practical exercises and physical training account for a large part of the syllabus. The teaching is based on particularly life-like methods and the practical assignments call for skill and resourcefulness as well as theoretical understanding. In their third term, trainees may be called in to reinforce the regular staff if it is faced with large and demanding tasks. In between the terms, trainees undergo practical training with the force.

In the Further Studies department of the college, policemen receive continuing education, further training and training in special fields. The Police College is also a forum for studies of police work and it acts in an advisory capacity to the government on matters concerning the police.

Under the Police Act and regulations, the day-to-day running of the Police College is under the control of its director, assisted by two chief superintendents.



The National Commissioner of Police issued a code of ethics for the police in June 2003, after seeking comments and taking into account suggestions on the issue from the Ethics Institute at the University of Iceland. These rules were intended to harmonize the disciplinary measures used by the individual police commissioners and promote quality in the functioning of the force.

The code of police ethics states that members of the police are to seek to combat corruption in the force, reporting it to their superiors if they come across it.

Training in ethics forms part of the curriculum at most levels in the National Police College and is based on the code of ethics. Each police commissioner is responsible for the functioning of the police unit under his jurisdiction. This involves supervisory duties to ensure that the police observe laws and regulations in all their work. Furthermore, the National Commissioner of Police makes checks on his own initiative of working methods and procedures in the police.

The Director of Public Prosecutions

The Director of Public Prosecutions is in overall command of police investigations and is required to monitor their progress. He is the highest holder of prosecution authority. His role is to ensure that legally prescribed sanctions are applied against persons who have committed criminal violations, and to supervise the exercise of prosecution authority by Commissioners of Police and The National Commissioner of Police. The Director of Public Prosecutions prosecutes the more serious offences against the Criminal Code, including offences committed in official capacity and he also prosecutes all Cases before the Supreme Court. Prosecution in other cases is in the hands of the Police Commissioners.

According to the Police Act, a complaint against a police employee for an alleged punishable offence committed in the course of his work shall be submitted to the Director of Public Prosecutions who shall be in charge of the investigation of the Case. In the course of investigation of such cases the Director of Public Prosecutions may make use of the authorizations which the police normally have. The police shall assist the Director of Public Prosecutions with the investigation of Cases under the Act as requested.

Reported Crimes

The Icelandic Criminal Law are divided into two main parts, the penal code (hegningarlög) and a special law (sérrefsilög), which is for minor offences and offences concerning the various fields of society.

One of the duties of the National Commissioner is to supervise the systematic collection and processing of data on crime and criminals for use in criminological studies and dissemination to the district commissioners for use in law enforcement and policy formulation.

The crime rate in Iceland is relatively low. Statistics for the past few years show that the numbers of offences committed in each category have remained broadly similar. In 2003, 89,121 offences were recorded in police dossiers, of which 64,510 (just over 72%) were traffic offences. Violations of the Criminal Code amounted to about 20% of all recorded violations, and about 8% were violations of other types. The annual rate of homicide in Iceland between 1999-2003, was one per 100.000 inhabitants and the annual rate of robbery for same period was 13 per 100.000 inhabitants.

The ordinary judicial court

The ordinary judicial court may be divided into two groups, District Courts and the Supreme Court. The District Courts are independent and can be found in each of their eight districts. Before 1992 both the police and the courts in each district were governed by the sheriff (judge and revenue officer of the district).

The Supreme Court, the highest court in Iceland, was established by law in 1919. The Court acts as a Court of Appeal. The Supreme Court consists of nine judges of which three to five are assigned to each case (seven in very serious or important cases).



The Supreme Court house.

Prisons in Iceland

Prison sentences were first legalised in Iceland in the 17th century. Before that, offenders were whipped, branded or executed. Offenders who were sentenced to imprisonment were at first sent to Copenhagen, where they served their prison sentence in hard labour. This arrangement was considered too expensive and in the 18th century (1765-71) a prison was built in Reykjavik, but it was only in use for about fifty years.

The building now houses the prime minister's office. About fifty years later another prison was built in Reykjavík, Hegningarhúsið (1874). Currently there are five prisons in Iceland, two of them, including the Hegningarhúsið, are situated in the capital area and three in the country. The largest prison, Litla-Hraun, which is situated about 65 kilometres south-east of Reykjavik, was established in 1929, when a hospital building was converted into a prison. A new prison building for 55 inmates has been constructed at Litla-Hraun so the prison currently houses up to 87 inmates. (Ref.: Sigurðsson, J. F., 1998)



Now housing the Prime Minister's offices, this building on Arnarhóll in Reykjavík was Iceland's first prison.

Human Rights

The Icelandic Constitution includes various provisions defending human rights. Article 65 states that all persons are equal before the law and enjoy human rights without respect to their gender, religion, opinions, national origin, race, colour, financial standing, family and standing in other respects. Furthermore, women enjoy the same rights as men in all matters. Legislation on judicial procedure and the Police Act contain various provisions designed to guarantee the right of individuals in their dealings with the authorities.

The Civil Servants' Rights and Obligations Act includes a provision stating that the director of a public institution shall give an employee a written reprimand if he has, in the course of his work, shown unpunctuality or other negligence, disobeyed the lawful instructions or prohibitions of his superior, displayed ignorance or lack of care in his work, failed to achieve satisfactory results in his work or been drunk at work, or if his conduct and actions, either on or off the job, are considered uncalled for, unseemly or incompatible with his job in other ways. Before this is done, however, the employee is to be given an opportunity of presenting his side of the matter where this is possible. If, after being given a written reprimand for one of these reasons, the employee fails to mend his ways, he may be temporarily suspended from his job.

The Parliamentary Ombudsman is elected by the Alþingi (parliament) for terms of four years at a time. His role is to ensure high standards in public administration and defend the rights of the individual in dealings with the authorities. The Ombudsman works independently, and examines cases both at his own initiative and in response to applications.



Ranks:



Cap 1

Cap 2

National Commissioner



Deputy National Commissioner, Police Commissioners
and the Director of the Police College



Deputy Commissioner



Chief Superintendent / Detective Chief Superintendent



Superintendent / Detective Superintendent



Chief Inspector / Detective Chief Inspector



Inspector / Detective Inspector



Sergeant



Police Officer / Constable



Trainees, temporarily employed policemen and reservists



Ranks and insignia of the Icelandic Police

Epaulette strap	Slide-on epaulette strap	Collar insignia on jacket	Sleeves	Arm patch	Cap patch/badge

Photo: Gutenberg hf.

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