

# **GHANA POLICE SERVICE**



# **POLICE HANDBOOK**

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## **PREAMBLE**

The Police Handbook is made by the Inspector-General of Police under powers vested in him by the 1992 Constitution and the Police Service Act, 1970 (Act 350). It is intended to serve as a quick reference for Police personnel in their day-to-day duties to enhance their competences and ensure efficient service delivery to the public. It has been made very handy to fit in the pocket and personnel are encouraged to carry a copy whilst on duty.

Personnel are reminded of the vision of the Service – “To be a world-class Police Service capable of delivering planned, democratic, protective and peaceful services up to standards of international best practice” and encouraged to strive at all times to uphold the law in a courteous, fair, firm and impartial manner in order to win public confidence.

The handbook is not intended to replace or supersede any Rules and Regulations of the Ghana Police Service, Service Instructions (SI) or other laws of Ghana.

### **NOTE:**

Throughout this book any reference to a male is also a reference to a female.

## **0. PROTECTION OF RIGHTS AND FREEDOMS OF PERSONS**

### **0.1 POLICING IN A DEMOCRACY, ETHICAL AND LEGAL CONDUCT**

(From Code of Conduct/Ethics for the Ghana Police Service)

- ❖ Police officers shall at all times act impartially and in accordance with existing laws, which must be enforced on all persons without discrimination.
- ❖ Police officers shall respect and protect human dignity, maintain and uphold rights of all persons.
- ❖ Police officers shall perform their duties without partiality and discrimination to all persons.
- ❖ Police officers shall treat all suspects as innocent persons, politely, respectfully and professionally
- ❖ Police officers shall respect and uphold the rule of law.
- ❖ Police officers shall ensure that they treat all persons in a courteous manner and that their conduct is exemplary and consistent with the demands of the profession and the public they serve.

## **1. GENERAL ASPECTS ON POLICE ROLE IN PRELIMINARY INVESTIGATIONS**

### **1.1 THE POLICE DUTY**

#### **1.1.1 NECESSARY STEPS TO TAKE WHEN CRIMES ARE COMMITTED**

If there are grounds to suspect that a crime has been committed, the police must take steps necessary:

- ❖ To identify and arrest the perpetrator(s) of the crime;
- ❖ To prevent the perpetrator or accomplice from absconding;
- ❖ To detect and secure the clues to the crime and articles which might serve as evidence;

- ❖ To gather all information that might be of use for the effective conduct of investigations and prosecution.

### **1.1.2 GATHERING INFORMATION**

In order to perform the tasks referred to above (1.1.1), the police

- ❖ May take the necessary information from persons;
- ❖ May make necessary examination of vehicles, passengers and luggage;
- ❖ May restrict movement in the specified area for the time this action is urgently necessary;
- ❖ May take the necessary steps to establish the identity of persons and objects;
- ❖ May organize a search to locate an individual or things being sought;
- ❖ May make a search in the presence of a responsible individual of premises according to law;
- ❖ Take other necessary steps and actions necessary to assist investigations.

## **1.2 THE RIGHT TO REMAIN SILENT**

In gathering information, the police must inform the suspect that he is not obliged to give any statement or reply to any kind of questions asked except questions regarding his identity and address.

## **2. ARREST-Criminal and Other Offences (Procedure) Act, 1960 (Act 30, Act 653)**

### **2.1 GENERAL -Service Instruction Number 166**

A. It is the duty of all members of the Service to make themselves thoroughly familiar with their powers of arrest.

Normally, no arrest shall be made unless;

(a) The arrest is necessary to prevent a breach of the peace.

- (b) There is reason to believe the suspect may abscond or may be difficult to trace.
- (c) There is reason to believe that a further offence may be committed if the suspect is not arrested.
- (d) The arrest is necessary for the immediate investigation of the alleged offence.

B. Premature arrest shall be avoided. Hasty arrests frequently hamper the investigation and ruin what might otherwise be a successful case. Further, it may cause embarrassment to the Police Command.

C. All officers of the Service should make themselves acquainted with the Judge's Rules so that they may realize the effect a premature arrest may have on the investigation of cases.

## **2.2 RIGHTS OF ARRESTED PERSON(S)**

- 1) The right to be told in a language he understands, the offence committed leading to arrest.
- 2) The right to be told reason for restrain or detention
- 3) The right to be informed to remain silent
- 4) The right to be informed to consult a lawyer of his own choice
- 5) The right to be taken to a Police Station or any legitimate detention centre.
- 6) The right to be allowed to inform near relative of his arrest and location of his detention.
- 7) The right to be given an interpreter who can speak his language to facilitate process of enquiry.
- 8) The right to bail after 48 hours by Police or to be brought before a magistrate either for court bail or remand into Police or Prison custody.
- 9) The right not to be tortured coerced or humiliated
- 10) The right to be presumed innocent until found guilty.

### **2.3 MODE OF ARREST, Section 3**

In making an arrest, the Police Officer shall actually touch or confine the body of the person to be arrested, unless there is submission to the custody verbally or by conduct.

### **2.4 NOTIFICATION OF REASON FOR ARREST-*Article 14 (2), 1992 Constitution***

A Police Officer shall immediately inform the person arrested in a language that he understands of the reason for his arrest and his right to a lawyer of his choice.

### **2.5 ARRESTS WITHOUT A WARRANT, Section 10**

A Police Officer may arrest without a warrant any person who;

- ❖ Commits an offence in his presence
- ❖ Obstruct him in the execution of his duty
- ❖ Escapes or attempt to escape from lawful custody
- ❖ In possession of implements adopted or intended for use to unlawfully enter a building and fails to give reasonable excuse for the possession of the implement.
- ❖ In possession of a thing reasonably suspected to have been stolen
- ❖ Or whom the Police Officer reasonably suspects to have committed or about to commit an offence.

### **2.6 SEARCH OF ARRESTED PERSON, Section 8**

- ❖ A Police Officer shall search an arrested person and place in safe custody the articles other than necessary wearing apparel found on him.
- ❖ The search shall be made with strict decency and where a woman is to be searched, the search shall be made by a woman.

## **2.7 ARRESTED PERSON TO BE TAKEN TO POLICE STATION, *Section 9***

- ❖ A Police Officer making an arrest outside a Police Station shall immediately take the arrested person to the Police Station.

## **2.8 AN ARRESTED PERSON IN POLICE CUSTODY**

- ❖ A Police Officer shall ensure the arrested person while in custody is given reasonable facility for obtaining legal advice, taking steps to furnish bail where appropriate.
- ❖ A Police Officer shall not torture or subject an arrested person or a detained person to any form of cruel or degrading treatment.
- ❖ A Police Officer shall ensure that convicted persons are detained separately from un-convicted persons
- ❖ A Police Officer shall ensure that juvenile offenders in lawful custody are kept separately from adult offenders
- ❖ A Police Officer shall ensure that an arrested, restricted or detained person is brought before court within 48 hours after the arrest, restriction or detention.

## **2.9 ARREST OF PERSONS EMPLOYED ON EMERGENCY SERVICES -*Service Instruction Number 166***

A Person engaged on emergency service in connection with;

- (a) Electrical Power Stations
- (b) Water Works
- (c) Railways
- (d) Recognised Health Institutions
- (e) Fire Stations

shall **NOT** be arrested until the local head of department has been informed and has arranged for him to be relieved. However, such person shall be kept

under surveillance by the Police Officer intending to effect the arrest to prevent escape.

**2.10 ARREST OF MEMBERS OF EMBASSIES, HIGH COMMISSIONS AND OTHER DIPLOMATIC MISSIONS-Service Instruction Number 166**

Members of Embassies and High Commissioner's offices shall only be arrested if it is absolutely necessary to protect life or property or to prevent a breach of the peace.

Meanwhile, the Foreign Minister should be immediately informed. The Ambassador and other officials of the missions have some immunity and should not be subjected to arrest –Geneva Convention.

**2.11 ARREST OF NON-GHANAIS -Service Instruction Number 166**

Should a Non-Ghanaian whose country is represented by an Embassy or High Commission be arrested on a criminal charge, detained at a Police Station on suspicion, or proceeded against by means of a criminal summons, the facts shall be reported immediately to the District Commander who shall inform the Director-General/CID immediately by wireless message or by telephone if necessary, stating the brief facts of the case, and reporting to the Regional Commander that he has done so.

**2.12 ARREST OF MEMBERS OF GHANA ARMED FORCES AND OTHER SECURITY SERVICES -Service Instruction Number 167**

*(The expression "Ghana Armed Forces" includes the Ghana Navy, Army and Air Force)*

Station Officers shall report to the District Commander, every case in which a member of the Ghana Armed Forces or other Security Service is detained, arrested or is summoned before a Court for any offence.

The District Commander shall immediately inform the Officer Commanding the arrested officer's unit.

**3. USE OF FORCE - *Criminal and Other Offences (Procedure) Act 1960 (Act 30, Act 653)***

**3.1 POLICY**

Police Officers shall use force when necessary in the execution of their legitimate duties.

Police Officers shall not use force more than is necessarily required to achieve the object of law enforcement.

Police Officers shall only use force that is reasonable, necessary and proportional to the resistance level of the offender.

**3.2 JUSTIFICATION FOR USE OF FORCE**

Police Officers shall use force;

(a) To defend themselves and others against imminent threat of death or serious injury.

(b) To prevent the commission of a serious crime.

(c) Against a person who resists arrest, fights, escapes or endeavors to escape from lawful custody.

**3.3 DEFINITIONS**

**3.3.1 Resistance**, for the purpose of this policy, is considered as any type of rejection of a legal order from a Police Officer, issued to establish public peace and order, leaving the scene of an accident, temporary limitation of movement, apprehending, detaining or depriving of freedom

**a) Active resistance** occurs when an individual resists by using a weapon, tools or other objects, or physical force, and in this way prevents Police

Officers from performing their official duties. Inciting others to resist is also considered active resistance.

**b) *Passive resistance*** is determined when an individual disregards a legal order from a Police Officer, or places himself in a position that prevents the officer from performing his duty.

**3.3.2 Control** is the verbal or physical actions of the Police Officer to direct or regulate the actions of another person.

**3.3.3 Attack** is any direct attack;

- a)** That jeopardizes the life of a Police Officer;
- b)** On an individual or a building which is protected;
- c)** On individuals which is conducted with firearms, dangerous tools or other objects which can endanger lives;
- d)** By two or more individuals when help cannot be expected;
- e)** An attack from a more physically built individual trained in martial arts.

## **4. DEESCALATION AND JUSTIFIABLE FORCE**

### **4.1 DEESCALATION**

#### **4.1.1. THE DUTY TO DE-ESCALATE A TENSE SITUATION**

***Police Officers are required by duty to attempt to de-escalate a tense situation whenever tactically possible.***

#### **4.1.2 THE POLICE OFFICERS RESPONSIBILITY**

***Should a Police Officer because of anger, arrogance, personal involvement, prejudice, hatred or fear allow himself to escalate a situation to a higher degree of violence than otherwise necessary, then the officer shares responsibility for the consequences.***

## **4.2 JUSTIFIABLE FORCE**

### **4.2.1 THE PRINCIPLE OF PROPORTIONALITY**

Police Officers may use measures that are proportional

- ❖ To the subject's level of resistance;
- ❖ To the seriousness of the offence;
- ❖ To the officers need to control the resistance.

### **4.2.2 THREAT TO THE POLICE OFFICER**

- ❖ International standards recognize the vital role Police Officers play in the protection of the right to life, liberty and the safety for all persons. The threat to the life and safety of Police Officers must be seen as a threat to the stability of society as a whole, and officers will use appropriate force to overcome such threats.
- ❖ The Police Officer's escalation of force will be proportional to the subject's escalation of resistance and/or violent actions toward the officer.

### **4.2.3 REQUIREMENTS TO BE MET WHEN JUSTIFIABLE FORCE IS USED**

Police officers will ensure that the following requirements are met when justifiable force is used:

- ❖ The force will be in proportion to the seriousness of the offence and the legitimate objective to be achieved;
- ❖ The force will be minimized to preserve human life;
- ❖ Medical aid will be rendered to any injured or affected person (s) in need of assistance as soon as possible;
- ❖ Relatives or close friends of the injured or affected person will be notified.

## **5. SEARCH OF DWELLINGS, OTHER PREMISES AND PERSONS-**

*Criminal and Other Offences (procedure) Act 1960 (Act 30, Act 653)*

### **5.1 SEARCHES WITHOUT A WARRANT, Section 93, 94**

A Police Officer may search without warrant if he has reasonable cause to believe that a person has concealed on himself or conveying;

- ❖ an article which has been stolen or unlawfully obtained.
- ❖ an article in respect of which a criminal offence has been, is being or is about to be committed.

A Police Officer not below the rank of Assistant Superintendent of Police or who being below the rank has been authorized in writing by an officer of the said rank may enter a house, shop, warehouse, yard, boat, vessel or other premises which the Police Officer has reasonable cause to believe contains property which has been stolen or obtained by unlawful means.

### **5.2 SEARCHES WITH A WARRANT, Section 88 (1)**

Where a Police Officer has reasonable grounds to suspect that there is in a building, vessel or any other premises;

- ❖ a thing in respect of which an offence has been committed.
- ❖ a thing which is intended to be used for the purpose of committing an offence.
- ❖ a thing which has been unlawfully obtained.
- ❖ a thing of which possession is unlawful;

shall by evidence on oath, apply to a District Magistrate for a search warrant to be issued for the conduct of a search.

### **5.3 DETENTION OF ARTICLES SEIZED, *Section 91 (1)***

- ❖ A Police Officer shall bring before the Magistrate all articles seized under a search warrant.
- ❖ The Magistrate may detain or cause it to be detained, taking reasonable care that it is preserved until the conclusion of the case.

### **5.4 HOW TO CONDUCT A SEARCH**

#### **5.4.1 MAIN RULE, SEARCH IN DAYTIME, AND EXCEPTIONS, *Section 89***

A search shall be done in daytime (6.30 a.m. and 6.30 p.m.) but can also be done at any other time if authorized by a Court.

#### **5.4.2 SUMMONING TO ATTEND THE SEARCH**

The tenant, his representative or another adult tenant of neighbours shall be summoned to attend the search.

#### **5.4.3 USE OF FORCE IF LOCKED**

Locked premises, pieces of furniture or other articles shall be forced open only if the person in possession of them is not present or refuses to open them voluntarily. In opening them unnecessary damage shall be avoided.

#### **5.4.4 PERMISSION TO SEARCH OR INSPECT IN A MILITARY BUILDING**

A search or inspection in a military building shall be done with permission of the competent military officer.

#### **5.4.5 SEARCHING WITH CARE**

The search of a dwelling or person should be done with care so as not to upset the order of the household.

#### **5.4.6 SEARCH SHOULD NOT BE DONE IN THE PRESENCE OF COMPLAINANT**

Under no circumstance should searches be conducted in the company or presence of the complainant (s).

#### **5.4.7 ARREST/SEARCH SHOULD BE WITH THE COOPERATION OF LOCAL POLICE**

***As a general rule all arrests and search should be conducted with the co-operation of the local Police whose jurisdiction the arrest/search is going to be conducted.***

### **6. BREACH OF DISCIPLINE-Service Instruction Number 48**

**6.1** In accordance with the provisions of the Police Service Act (Act 350) the following constitute breaches of discipline for which Police Officers may be liable and for which punishment may be imposed in accordance with the provisions of the said Regulation: -

- 1) Disobedience of a lawful order given him by his senior in rank, whether verbally or in writing, or by authorized signal on parade.
- 2) Any oppressive or tyrannical conduct towards a junior in rank.
- 3) Failing to attend to any reasonable request made to him by any member of the public.
- 4) Lack of civility to any member of the public.
- 5) Neglect of duty.
- 6) Neglecting to assist any person injured or taken ill in any public place.
- 7) Withholding or failing to report promptly any complaint against a Police Officer.
- 8) Communicating to any unauthorized person matters connected with the Service without permission from the Senior Police Officer under whom he serves.
- 9) Accepting directly or indirectly any gratuity, present, subscription or testimonial without the knowledge and permission of the Senior Police Officer under whom he is serving.

- 10) Incurring debt without any reasonable prospect, or intention of paying it, or having incurred any debt, making no reasonable effort to pay it.
- 11) Divulging any matter or thing, which it is his duty to keep secret.
- 12) Absence from duty without good cause.
- 13) Conduct, disorder or neglect to the prejudice of good order and discipline.
- 14) Insubordination.
- 15) Disrespect in word, act or demeanour to his senior in rank.
- 16) The use of abusive or insulting language to, or quarrelling with any member of the Service.
- 17) Forcing a sentry; where there is a sentry guard and you are to stop but fail to do so.
- 18) The pawn, sale, loss by neglect, wilful or negligent damage or failure to report any damage to any of the articles of clothing, arms, accoutrements, or accessories issued to him, or any Government property committed to his charge.
- 19) Being inattentive on parade, or talking, singing or otherwise misbehaving himself on parade.
- 20) Being late for duty or parade.
- 21) Parading for duty, dirty or untidy in his person, arms, clothing, or accoutrement.
- 22) Drunkenness.
- 23) Drinking any intoxicating liquor when on duty.
- 24) Entering any place licensed for the sale of spirituous liquor when on duty, except when his presence is required in the execution of his duty.
- 25) Endeavouring at any time to conceal or disguise his Service number, name & rank (identity).
- 26) Smoking when on duty;
- 27) Failing to walk his beat properly or irregularity on beat or sentry.
- 28) Idling, gossiping, sitting, lying down without cause or sleeping when on duty.

- 29) Leaving his beat, point, or other place to which he has been ordered without permission or without sufficient and proper reason.
- 30) Using unnecessary violence to, or ill-using any person in his custody.
- 31) Negligently permitting a prisoner to escape.
- 32) Failing to report the whereabouts of an offender or helping the offender to escape justice when he knows where such a person is to be found.
- 33) Omitting to make any necessary entry in any official document, book or paper.
- 34) Making or signing any false statement in any official record or document.
- 35) Prevarication before any court or at any inquiry.
- 36) Neglecting or refusing to assist in the apprehension of any member of the Service charged with any offence.
- 37) Protecting any person in any manner otherwise than is allowed by law.
- 38) Sexual Exploitation and Abuse (SEA)
- 39) Making or joining in making any anonymous complaint.
- 40) Conveying information directly or indirectly to any person of any warrant or summons, which has been issued or is about to be issued against such person.
- 41) Malingering or feigning sickness without due cause
- 42) Concealing any contagious disease, or neglecting or failing to report the fact if he is suffering.
- 43) Gambling or permitting or failing to report gambling in Police Stations or Barracks;
- 44) Failure to comply with or disobedience of any regulation made under the Police Service Act, or any Service Instruction made by the Inspector-General of Police.

## **7. DUTIES AT THE CHARGE OFFICE**

### **7.1 OFFICER IN-CHARGE OF THE CHARGE OFFICE-*Service Instruction Number 37***

**7.1.1** The Officer in-charge of a charge office (Non-Commissioned Officer-NCO) shall supervise duties at the Charge office and shall be responsible for the following duties: -

- ❖ Informing the Station Officer immediately a report of crime, accident or unusual occurrence is received.
- ❖ The safe custody of all articles on charge in the charge office and of any prisoner or detained person.
- ❖ The correct receipt and recording of all official telephone or other message received whilst he is on duty in the absence of a wireless operator.
- ❖ Shall maintain any other books or station records as may be directed by the Station Officer and as his essential duties permit and also see to it that correct entries are made in the relevant books.
- ❖ Where there is no CID, he shall take charge of the investigation of minor cases while on duty and refer serious cases to his station Officer.
- ❖ Ensures diligent recording of movement of all arms and ammunition from the armoury or being placed in the armoury.

### **7.2 STATION ORDERLY-*Service Instruction Number 38***

**7.2.1** The Station Orderly shall be responsible for making entries in the station diary and other record books that may be assigned. In the absence of an NCO in-charge of a charge office, he shall perform the duties of the Charge office NCO as stipulated in S.I 37.

**7.2.2** The Station Orderly shall be responsible for the following duties:

- ❖ The making of all necessary entries in the station diary for the period during which he is on duty
- ❖ The making of entries in the Register of Offence, unless the Station Commander details another member of the Service to do so
- ❖ The correct receipt and recording of all official telephone or other message received whilst he is on duty
- ❖ He shall take charge of the keys to the showcase in the charge office and make entries whenever any key or article is collected from his custody.

**8. PROCEDURE FOR MAKING COMPLAINTS BY MEMBERS OF THE SERVICE-Service Instruction Number 59**

**8.1 CONSTABLES**

**8.1.1** A Constable who has any complaint to make shall address himself to his NCO. If the NCO cannot deal with the case he shall take the Constable before an Inspector or Station Officer. Should the Inspector or Station Officer be unable to dispose of the complaint he shall refer it to the District/Divisional/Regional Commander. Where the Constable is aggrieved at or dissatisfied with the decision of either the NCO or the Inspector he may request to be taken before his Senior Officer.

**8.1.2** Should a Constable desire a meeting with his Senior Officer, he shall address such request through his NCO to the Station Officer who on ascertaining the reason for the meeting, shall arrange for the Constable to appear before the Senior Officer. Where the reasons for the meeting are personal or confidential, it shall not be necessary for the Constable to disclose them to the NCO or Station Officer. Every such request must be granted.

**8.1.3** Where a Constable is aggrieved or dissatisfied with the decision of his Senior Officer concerning a complaint made by him, he shall be at liberty to address his complaint in writing to his Divisional or Regional Commander through the District Commander and if aggrieved at or dissatisfied with the decision of the Divisional or Regional Commander, he may petition the IGP, the petition being forwarded through the usual channels.

**8.1.4** Every Senior Officer is bound to forward to the Divisional/Regional Commander concerned or to the IGP as the case may be, every complaint so made. Any complaint couched in improper language may be referred back to the constable for amendment before being forwarded.

**8.1.5** Every Member has the right to be taken before any Senior Officer who is visiting or inspecting his station so that he may make the complaint verbally instead of in writing. All such complaints, shall however, be previously referred to the Station Officer.

## **8.2 NCOs**

**8.2.1** An NCO who has a complaint to make shall address himself to the Senior NCO at his station and an NCO in charge of a station shall address his complaint to the Inspector in charge of the District Station if any, or direct to the District Commander. The complaint shall then be dealt with in exactly the same manner, as that of a Constable.

## **8.3 INSPECTORATE**

**8.3.1** An Inspector, who has a complaint to make shall address himself to his next Senior Officer and if he has no immediate Senior of the rank of Chief Inspector, then direct to the District Commander, who shall deal with the complaint in the same manner, as that of a Constable.

**8.3.2** No written application or request by a member of the Service shall be submitted directly to the Inspector-General of Police or to any Senior Officer of the Service except as provided for in this Service Instructions, and no member of the Service may employ a letter writer for the purpose of addressing any communication to a Senior Officer. All written applications or requests shall be submitted in the same manner as provided for in the **Service Instruction** for verbal request and, except where an application contains some personal matter, it shall not be enclosed in an envelope.

#### **8.4 SPOs**

**8.4.1** Any member of the Service of the rank of ASP or above who has a complaint to make shall address himself to his next senior in rank and follow the procedure laid down for other members of the Service as outlined above.

### **9. ARMS AND AMMUNITION-Service Instruction Number 96**

#### **9.1 POLICY**

**9.1.1** Rifles, shot guns and ammunition shall only be issued to Police employed on the following Duties;

- ❖ Armed guards on Treasuries, Banks, Post Office, or other sensitive public buildings.
- ❖ Patrol.
- ❖ Escort of prisoners, specie, bullion and important or valuable property warranting an armed guard.
- ❖ Riot duties, when ordered by a Senior Officer and in accordance with instructions.
- ❖ To effect the arrest of dangerous criminals.

- 9.2.1** Normally, ammunition will be issued at the minimum scale as determined by the IGP from time to time.
- 9.2.2** No firearms or ammunition shall be transferred from one station to another without the approval of the IGP, except arms that require repair and arms that have been repaired. Arms that require repair shall be dispatched to the Commanding Officer/NPTS through the Command levels and returned when repaired.
- 9.2.3** Every rifle, shot gun and item of ammunition shall be correctly recorded in the Arms and Ammunition Book at the Police Station to which it is on charge.
- 9.2.4** At every Police Station there shall be kept and maintained an Arms and ammunition book that shall be used for the purpose of recording details of arms and ammunition on charge, issues and receipt of ammunition and records of any ammunition expended.
- 9.2.5** The Arms and ammunition books shall be maintained by the Station Officer, the NCO in charge of the charge office or the station orderly according to the size of the station. It is the duty of the Station Officer to ensure that no arms leave the station or are brought to the station without a correct entry to that effect being made immediately in the Arms and ammunition Book.
- 9.2.6** All arms shall be cleaned and inspected daily. This shall be the responsibility of the Armourer or Officer assigned. Senior Officers and Station Commanders shall ensure that all ranks are regularly instructed in the correct method of cleaning arms and in the proper use of cleaning materials.

## **10. USE OF FIREARMS-Service Instruction Number 97**

### **10.1 GENERAL**

**10.1.1** All members of the Service shall be regularly instructed in the correct use of firearms and in the circumstances under which a Police Officer is justified in resorting to the use of firearms.

**10.1.2** It must be clearly understood that every Police Officer resorting to the use of firearms or ordering an armed party under his command to open fire will, almost certainly, be called upon to justify his action before a judicial tribunal of some kind.

### **10.2 CIRCUMSTANCES JUSTIFYING THE USE OF FIREARMS**

**10.2.1** A variety of situations may confront a Police Officer at any time, but the following are normal circumstances in which he is justified in resorting to the use of firearms:

- ❖ When attacked by an armed criminal, his life is in immediate danger and all other means of defending himself have proved ineffective.  
In these circumstances it must be shown that the Police Officer's life was, in fact in immediate danger, that his attacker was armed with a weapon which was capable of causing death or grievous bodily harm and that he possessed no other means of self-protection, or other means have failed.
- ❖ To effect the dispersal of a riotous mob that is attacking or attempting to attack life and property.  
Under these circumstances it must be shown that every means available to Police, other than the use of firearms, had been tried and has failed; that the mob had been warned and the warning had been disregarded.
- ❖ To prevent the escape or to effect the arrest or recapture of a person convicted of a serious felony or under arrest charged with a felony.

- ❖ To effect the arrest of a person who has committed a felony and is resisting arrest by armed force in such a manner as to endanger the life of the Police Officer concerned.

**10.2.2** When firearms are used, firing shall be confined to the minimum number of rounds necessary to restore the situation, to effect the required arrest or to prevent the escape of the felon, or to effectively protect the Police Officer concerned from death or harm.

**10.2.3** Firing shall, where possible, be directed at the ringleader(s) of a mob and shall be directed so as to be effective. Fire shall be aimed at the knees of the rioters or of the ringleaders. The object of firing a rifle is to disperse a riotous mob and to impress upon the persons concerned that Police is determined to preserve peace.

**10.2.4** The use of firearms shall not, in any circumstances, be employed as an instrument of punishment, and firing shall cease immediately the objective has been attained, hence the instruction regarding the minimum number of rounds to be used. Under no circumstance shall Police fire over the heads of a crowd. The danger of this action lies in the fact that the crowd will not realise the determination of Police to disperse it and, also, it endangers the lives of persons not concerned in the riot.

**10.2.5** On every occasion that a firearm is discharged by a member of the Service in the execution of his duty, or an armed party opens fire on a riotous mob, an entry shall be made in the Station Diary at the relevant Police Station showing the reasons and the circumstances under which the firearms were used. The entry shall include the number and name of each of the Police Officers concerned, or the Police Officer who gave the order to fire, the number of rounds fired and the result. Whenever possible empty shells shall be collected and brought back to the Station. The entry in the Station Diary shall include the number of empty shells returned and number of live rounds.

**10.2.6** When an armed sentry is posted in a position of vital importance the Guard Commander shall be given instructions with regard to the circumstances under which a sentry may open fire-*Service Instruction Number 99*.

### **10.3 USE OF POLICE BATON**

The use of an intermediate control device, currently the issued police baton, may include any approved control or restraint device that is not expected to be lethal when Police Officers properly use the device, and is justifiable force when the officer believes he cannot establish control without the use of such device or the baton.

The baton and any other intermediate control device shall **NOT** be used;

- ❖ Against minors under the age of 12 years;
- ❖ Elderly persons; (65 upwards).
- ❖ Incapacitated persons including those seriously ill and women whose pregnancy is obvious, unless these persons directly endanger the life of the Police Officer or other persons

## **11. TRAFFIC CONTROL AND ROAD ACCIDENTS**

### **11.1 TRAFFIC CONTROL-*Service Instruction Number 141***

#### **11.1.1 PUBLIC FUNCTIONS, PROCESSIONS etc.**

- ❖ On all occasions when a public function is to take place and of which by reason of its importance or its magnitude, requires special traffic arrangements in accordance with the Police Service Act, the District Commander concerned shall draw up a plan for approval to the Regional Commander.
- ❖ Details regarding the directions of traffic, creation of one way routes, parking arrangement etc. shall then be forwarded to the local

Information Officer (ISD) and to the Local Press for broadcast to the public.

- ❖ The Senior Police Officer in charge of the area of Jurisdiction, before publishing these traffic arrangements, shall first submit them to the Regional Commander for approval.

## **11.2 DUTIES OF A POLICE OFFICER AT SCENE OF ROAD ACCIDENT-Service Instruction Number 147**

### **11.2.1 INTRODUCTION**

Road accidents are investigated to care for the injured, protect the rights of the involved parties, determine the causes of the accident so that methods of prevention may be developed, and when a traffic law is violated, to gather evidence necessary to prosecute the violator. A Police Officer who neglects his duty at the scene of accident shall be sanctioned.

### **11.2.2 POLICY**

Police Officers must investigate or assist at each accident scene which is brought to their attention. This responsibility applies whether the officer is dispatched to the accident scene or is informed of the accident through a third party.

### **11.2.3 DUTIES**

The duties of a Police Officer at the scene of a road accident include, but are not limited to the following:

- ❖ The first Police Officer who arrives at the scene of a road accident shall immediately be responsible for the following;
  - (a) Aiding injured persons if any
  - (b) Re-opening the road to normal traffic
  - (c) Informing the nearest Police Station of the accident

- (d) Preserving evidence at the scene
  - (e) Ensuring that drivers and witnesses will be available or can be traced for later investigation.
- ❖ If any person has been injured and his injuries require immediate attention the Police Officer should render first aid to the best of his ability. The patient should be made as comfortable as possible and a doctor or ambulance sent for by the quickest means available. If the patient's injuries are of such a nature that he can be safely moved, he should be sent to hospital, to a doctor or to his home by any suitable means of transport.
  - ❖ If any person has been killed, the service of a hearse should be asked for. The dead body should be screened from public view by using any material available. The body should be conveyed to the mortuary under the supervision of a Police Officer or a reliable person.
  - ❖ If the vehicle(s) involved in an accident is/are in such a position as to obstruct the road, it is the duty of the Police Officer to ensure that the normal flow of traffic is restored as soon as possible. This will be done by arranging a temporary diversion, but should conditions render this impracticable, the Police Officer will take and record in his notebook the following measurements.
    - (a) The distance from each side of the road to the sides of each vehicle measured from the outside of the front and rear wheels.
    - (b) The distance from the estimated point of impact to the front bumper of each vehicle.
    - (c) The length of any skid and/or tyre marks, which appear to have been made by the vehicle(s), involved. When this has been done he will carefully mark on the road surface the exact position of every wheel of the vehicle(s) involved. He will then cause the vehicle(s) to be moved to permit the flow of traffic.

- ❖ In cases where the road is only partially blocked and there is sufficient space to permit the normal flow of traffic the vehicle(s) involved in the accident will not be moved before the investigation officer arrives, but the officer at the scene will control the movement of other vehicles.
- ❖ Information will be sent by the quickest possible means to the nearest Police Station giving details of the location of the accident and whether the services of an ambulance and/or tow truck as well as "red" danger light are required.
- ❖ In every case, the Police Officer will record in his notebook the name(s) Number(s) and address (s) of the driver(s), number(s) of the Driving License(s) and the identification number(s) of the vehicle(s) involved. The driver(s) will be requested to await the arrival of the investigation officer.
- ❖ Witnesses should be treated with every consideration. They will be requested to wait at the scene pending the arrival of the investigating officer but, if they so desire, they may proceed forthwith to the Police Station or to their destination(s) for their interrogation later. Before they leave the scene the Police Officer will record their names, telephone contact and addresses in his note book.
- ❖ The police officer will make a rough sketch of the scene of the accident (in his note book if necessary) and will record the following particulars on the sketch;
  - (a)The width of the road measured at the approximate point of impact.
  - (b)The position of the vehicle or vehicles involved.
  - (c)The distance from the approximate point of impact to the front bumper of each vehicle.

- (d) The distance from each side of the road to the relative sides of each vehicle measured from the outside of the front and rear wheels.
  - (e) The Length of any skid and/or types of marks and their positions in relation to the vehicle or vehicles involved.
  - (f) The relative position of casualties, blood stains, broken glass, oil marks etc.
  - (g) The relative position of any obstruction on or near the scene e.g. parked vehicles, road barriers, excavations etc.
- ❖ Any sketch or drawing of the scene of an accident should be countersigned by drivers of the vehicles involved in the accidents, signifying their agreement with the positions of vehicles and any persons or objects involved in the accident as portrayed by such sketch or drawing. Any disagreement by any of the parties involved should be recorded. Where possible, photographs, video cameras of the scene of accident shall be taken.
  - ❖ When the investigating officer arrives at the scene of the accident the Police Officer who has carried out preliminary investigations will give him full particulars of action taken, evidence adduced, and the stage the investigations have reached.

***NOTE: On no account will a Police Officer express to a member of the public or to Insurance Company any opinion as to the cause of an accident. Particulars supplied to Insurance Companies will be purely factual and given under the signature of the Senior Police Officer in charge of the command.***

## **12. EXHIBITS AND SPECIMEN -Service Instruction Number 207**

### **12.1 GENERAL**

When a Police Officer, in the course of investigating crime, takes possession of any article which appears to be in connection with the case (Exhibits) or

which may be used in evidence, the greatest care shall be taken with regards to their handling.

**12.1.1** The exhibits shall immediately be sealed, labelled and dated by the officer in-charge of the case. Care shall be taken to ensure their safe custody and that they remain in the same condition as when they came into possession of the Police.

**12.1.2** In packaging exhibits suspected to bear blood stains, scraps of flesh, pieces of hair etc. care shall be taken to package them so that they do not come into contact with any part of the container, touched or interfered with.

**12.1.3** Packaging, sealing and signing shall be done in the presence of the suspect and an independent witness, if available.

**12.1.4** Documentary exhibits which are to be sent for Forensic examination shall be photocopied before the original is submitted for examination.

**12.1.5** The original packaging shall not be changed/tempered with.

## **13. SCENE OF INCIDENT PROCEDURES**

### **13.1 GENERAL GUIDELINES**

#### **13.1.1 CRIME SCENE**

A crime scene is the location:

- ❖ Where an offence has occurred;
- ❖ The approaches;
- ❖ The adjoining areas and escape routes.

### 13.1.2 CRIME SCENE CONTAMINATION

The police officer must be aware that in any action or activity, either by police, citizens or the environment, it is the tendency to alter or destroy the original scene of the crime. The crime scene must be preserved to be properly processed by the police and evidence technicians.

### 13.1.3 CRIME SCENE PROCEDURES

In order to isolate and secure the crime scene area the Police Officer shall:

- ❖ Approach the scene with extreme caution;
- ❖ Isolate by rope or cordon an area larger than the immediate area of the scene, including any possible entrances or escape routes;
- ❖ Deny public access and control access point possibly by posting a guard;
- ❖ Ensure safety of technical and crime scene teams within the crime scene;
- ❖ Make a record of the scene.

### 13.1.4 SECURING EVIDENCE

Look for and secure evidence of all types and categories:

- ❖ **Impressions:** fingerprints, firearms evidence, blood splatter and shoe prints.
- ❖ **Traces:** hair, fibre, glass, paint, soil and accelerant.
- ❖ **Objects:** documents, tape, drugs, weapons and clothing.
- ❖ **Conditional evidence:** if lights were off and door open.
- ❖ **Transient evidence:** weather, odour and temperature.

### 13.1.5 ANSWERS TO QUESTIONS

When the Police Officer establishes that an offence has indeed been committed and the integrity of the crime scene has been secured, he shall try to find answers to the following questions:

## **WHO**

- ❖ was the victim of the crime?
- ❖ was the perpetrator of the crime?
- ❖ are the witness (s)?
- ❖ are the suspect (s)?

## **WHEN**

- ❖ did the crime occur?
- ❖ did the deceased discovered?

## **WHERE**

- ❖ did the key events that produced the crime take place? (for example in the case of a body found in suspicious circumstances, there will be clues present that indicate whether the person died in site or somewhere else).
- ❖ and how did the people involved in the crime enter, if applicable, leave the scene?
- ❖ where those people who were involved in the crime located at the time of its commission, and were they standing, sitting, kneeling, etc at the time?
- ❖ did any inanimate objects that were involved in the incident originate from and where did they go after the crime?

## **WHAT**

- ❖ was the sequence of events that occurred during the commission of the crime?
- ❖ was the motive?
- ❖ was the Modus Operandi (MO) of the criminal(s) involved?  
[MO – the way in which the perpetrator of the crime carries out the act]
- ❖ inanimate objects (tools, vehicles, weapons etc) were involved in the crime?

- ❖ was placed at the scene during the crime?
- ❖ was removed from the scene during the crime?

#### **WHY**

- ❖ did the crime happen where it did?
- ❖ did the crime happen when it did?

In order to obtain such information, it is necessary to carry out a number of actions. Key among these are those listed below:

- ❖ The preservation of the scene in the state – which it was found by restricting access to trained, authorized personnel only and, where necessary protecting it from the elements.
- ❖ The recording of the scene, in the state – which it was found, by notes and, where appropriate, photographs, video recording and sketches.
- ❖ The construction of systematic log of all actions taken at the scene and by whom these actions were taken.
- ❖ The systematic search for and recovery of physical evidence.
- ❖ The packaging and labeling of the physical evidence.

#### **13.1.6 HEALTH PROCEDURES**

The Police Officer shall:

- ❖ Secure the health of injured persons;
- ❖ React and follow the first aid instructions;
- ❖ Alert the medical personnel.

#### **13.1.7 PERSONS PRESENT**

The Police Officer shall make sure that persons present, stay in the vicinity and that they do not destroy evidence, and if not advised otherwise, primarily question the people who are present at the scene:

- ❖ To obtain the facts pertaining to the cause of the matter under investigation;
- ❖ To determine the identity of the victim and the person who committed the crime;
- ❖ To identify all the persons who are in some way involved with the incident.

#### **13.1.8 INFORMATION TO THE STATION**

Inform your station about the situation and request assistance; wait until you get permission to leave the scene.

### **14. INTERVIEWS**

#### **14.1 GENERAL**

The primary purpose or objective of all questioning is to obtain information from the person being interviewed to:

- ❖ Establish the facts pertaining to a case or matter under investigation;
- ❖ Determine the identity of the victim and the perpetrator;
- ❖ Record the facts of a case for later testimony;

A confession of a suspect does not present complete evidence when a Police Officer takes a statement.

#### **14.1.1 HOW TO CONDUCT QUESTIONING OR AN INTERVIEW**

Before questioning or interviewing, you must:

- ❖ Identify yourself as a Police Officer;
- ❖ Always be polite and courteous;
- ❖ Explain the purpose of the interview;
- ❖ Be straight forward and direct;

- ❖ Begin with questions the person should not be afraid to answer such as their name, address and employment;
- ❖ Remain neutral;
- ❖ Use calm conversational voice;
- ❖ Do not be judgmental;
- ❖ Do not ask leading questions;
- ❖ Do not express emotions
- ❖ Be aware that all people are presumed to tell the truth;
- ❖ Be aware that the suspect is innocent until proven guilty;
- ❖ Be clear and concise;
- ❖ Do not use police terms or words the person will not understand;
- ❖ Take very careful notes of all interviews/discussions.

## **14.2 VARIOUS TYPES OF INTERVIEWS**

### **14.2.1 INTERVIEW OF A COMPLAINANT**

The interview of a complainant is normally the first information received about a crime or incident and you must:

- ❖ Try to obtain as much information as possible;
- ❖ Be aware that the complainant may or may not be the victim;
- ❖ Be aware that sympathy and understanding must be part of your approach;
- ❖ Be aware that you should not rush the interview.

### **14.2.2 INTERVIEW OF A WITNESS**

In interviewing witnesses you must:

- ❖ Try to find out the relationship between the witness and the crime
- ❖ Be aware that a witness may be a victim, a passerby who saw nothing, someone who saw everything or even the suspect;
- ❖ Avoid giving the witness information about the crime;
- ❖ Be alert to any indication of deception.

### **14.2.3 SUSPECT OR DEFENDANT INTERVIEWS**

When you interview the suspect or the defendant you must:

- ❖ Deal with the person in a calm and objective manner;
- ❖ Do not use knowingly false statement, promises or deceptions concerning particular benefits, exhaustion, threats or improper methods or approaches that influence freedom of choice;
- ❖ Do not use willpower of the person being questioned in order to obtain a confession or a statement;
- ❖ Remember that the suspect has the right to avoid self-incrimination.

### **14.2.4 INTERVIEWING CHILDREN**

You must know that:

- ❖ Children do not think, act or respond like adults;
- ❖ Children are much more likely to be truthful and frank;
- ❖ Privacy is equally as important for the child as it is for the adult;
- ❖ You should avoid interviewing children in public;
- ❖ A child who is a suspect should never be interviewed alone;
- ❖ If a child is uncooperative or very frightened, you must make no attempt to interview him/her without the presence of a parent or person in authority.

## **15. VEHICLE AND BUILDING SEARCHES**

### **15.1 PURPOSE OF SEARCH**

Building and vehicle searches are conducted:

- ❖ To arrest an offender;
- ❖ To discover items of evidential value;
- ❖ To assist members of an investigative team;

- ❖ To search for explosive devices or bombs in structures;
- ❖ To develop information concerning criminal activity that is under investigation.

## **15.2 GUIDELINES FOR CONDUCTING BUILDING SEARCHES**

### **15.2.1 PRECAUTIONS**

The Police Officer shall:

- ❖ Establish a perimeter to prevent the suspect's escape and ensure that all exits from the building are covered by police personnel;
- ❖ Do not attempt to make an arrest of an armed suspect alone or with only one other officer;
- ❖ Call for back up;
- ❖ Have a plan, each member should know his or her own role;
- ❖ Make sure that the point of entry into the building is safe.

### **15.2.2 BEFORE ENTERING**

Before entering you shall:

- ❖ Attempt to contact the suspect;
- ❖ Identify yourself as a Police Officer;
- ❖ Order the suspect to come out;
- ❖ Tell him/her to walk towards you with the hands up over the head;
- ❖ Wait for a reaction to your verbal command;
- ❖ Make every attempt to remove innocent civilians from the building before search begins;
- ❖ Do not allow civilians to assist you;
- ❖ Search for and find the one suspect, but assume always that there is another.

## **15.3 GUIDELINES FOR CONDUCTING VEHICLE SEARCHES**

### **15.3.1 SAFETY PRECAUTIONS**

Before conducting a vehicle search:

- ❖ The vehicle must be located out of other vehicular traffic.
- ❖ The area must be secured;
- ❖ All suspects must be under control;
- ❖ Call for back up to assist when necessary
- ❖ Any crowd that has gathered must be under control;
- ❖ An Officer should search at any given time
- ❖ Additional police personnel must be available to assist and maintain control while one officer searches;

### **15.3.2 INFORMATION TO BE RECORDED**

When a vehicle is searched, the record shall contain:

- ❖ A complete physical description of the vehicle, make, model, colour, number of doors;
- ❖ Chassis number, manufacture number, year of manufacture, registration plate, engine number;
- ❖ Owners name and address;
- ❖ Insurance and/or inspection information;
- ❖ Physical damage to the vehicle, exterior, interior, etc.

### **15.3.3 EQUIPMENT**

When conducting a search the following equipment is needed:

- ❖ Gloves to protect your hands and to prevent leaving prints on items of evidence;
- ❖ A flashlight (torchlight);
- ❖ Evidence bags and marking material for any items recovered/seized;
- ❖ Small tools (screw drivers, knife etc.)

#### **15.3.4 SEARCH FOR EVIDENCE WHEN THE CAR IS STOLEN OR RECOVERED**

Find out the method in which the car was stolen:

- ❖ Hot-wired, bypassing the key;
- ❖ Ignition lock pulled with a lock puller;
- ❖ Stolen by it being towed or pushed away.
- ❖ Was it jacked or robbed;
- ❖ How entry was gained;
- ❖ Is something stolen and how;
- ❖ Look for other evidence like blood, footprints, tools to remove radio, additional number plates etc.

#### **15.3.5 STOLEN VEHICLE USED IN ANOTHER CRIME**

If it is suspected that the vehicle has been used in another crime:

- ❖ Look for evidence in the vehicle
- ❖ If it was a robbery, look for items from the crime within the vehicle such as; bank bags, money, wallets, grocery bags, receipts, notes, etc.;
- ❖ If it was a sexual assault, look for items of clothing, semen, blood, dirt, hairs and fibre.

#### **15.3.6 VEHICLE USED TO TRANSPORT DRUGS OR CONTRABAND**

If it is suspected that the vehicle has been used to transport drugs or contraband:

- ❖ You must be careful not to stick yourself with needles or be cut by razor blades or other items;
- ❖ It is recommended to have a drug dog (if available) to go over the car first before you search;
- ❖ Plan the police response around the safety of the victim, the neighbours and the police;
- ❖ Note suspicious persons, vehicles or activity near the scene and record vehicle registration information of the vehicles in the area;

- ❖ If the suspect is located at the scene, detain him/her and follow the appropriate arrest procedures;
- ❖ If the suspect has managed to escape, obtain descriptive information and broadcast it on the police radio;
- ❖ If appropriate, notify the investigative team;
- ❖ Search the surrounding areas and neighbourhood for any of the property that may have been discarded;
- ❖ Once the situation is secured, obtain all the necessary information for the preliminary report;
- ❖ In all cases remember to take precautions so that he does not destroy evidence, foot and finger prints, tyre marks, etc.

## **16. VIOLENT CRIME CASES**

Violent Crimes includes; murder, robbery etc.

### **16.1 ACTION IN VIOLENT CRIME CASES**

In violent crime cases the Police Officer shall:

- ❖ Keep very exact record of time of arrival and all the procedures carried out at the scene;
- ❖ If possible try, whether the scene is indoors or outdoors, to ensure that all personnel use the same route to the scene and off;
- ❖ Avoid stepping in, or kicking over, potential items of evidence, like blood splatters, etc.;
- ❖ Always check the victims injuries, start first aid and call for medical assistance;
- ❖ Attempt, before the victim is removed, to ask him/her the identity of the person who caused the injuries;
- ❖ Try, if the suspect is not known by name, to get a good physical description;

- ❖ Try, if possible to get a photo of the victim at the scene before he/she is moved and if this cannot be done, make a note and a sketch or diagram of how you found the victim and recover potential item of evidence like clothes, spent bullets, weapons etc.;
- ❖ If the victim is dead, do not rush to remove him/her from the scene;
- ❖ Seal off the area to keep off unwanted and unnecessary persons and to protect items of potential evidence for technical examination;
- ❖ Request additional assistance to handle the situation and inform your department.

## **16.2 SHOOTING INCIDENTS**

### **16.2.1 ACTION IN SHOOTING INCIDENTS**

If there is a shooting incident:

- ❖ Secure and isolate the scene;
- ❖ Check the condition of the victim, ensure first aid and medical assistance;
- ❖ Check all the people who were present at the scene;
- ❖ Search for all the weapons, bullets and cartridges;
- ❖ Search for all the bullet hit spots and make an estimation and evaluation of shooting lines and places;
- ❖ Mark all the findings and their positions on the scene;
- ❖ Remember the gun powder residue, investigation of the hands and clothes, also sleeves, of all possible persons as this indicates who has fired a gun recently;
- ❖ If you confiscate the weapon from a suspect, check the condition of weapons, ascertain and ensure it is safe;
- ❖ Be very careful that you do not destroy the finger prints on the gun;
- ❖ Do not put anything inside the barrel and do not fire the gun;
- ❖ Ensure that persons present at the scene, do not wash their hands before examination of gun powder residue.

### **16.2.2 SPECIAL TECHNICAL EVIDENCE IN SHOOTING INCIDENTS**

In case of shooting incident technical evidence is:

- ❖ **Weapon:** make, serial number, fingerprints, blood and tissue;
- ❖ **Bullet and cartridge:** if this can identify the weapon
- ❖ **Suspect:** if there is powder residues on hands and clothes
- ❖ **Victim:** gun shots, fight wounds, blood marks, hair, and filament.
- ❖ **Crime scene:** locate all the shots fired at the scene, fingerprints, foot/shoe prints, tyre marks and clothes.

### **16.3 SPECIAL ACTION IN RAPE CASES**

In rape cases, follow the procedure of violent crime guidelines, and in addition:

- ❖ Do not let the victim destroy physical evidence by washing up or cleaning clothes before the victim is examined by a doctor;
- ❖ Isolate and examine closely the scene;
- ❖ Remember that the victims and witnesses primary statements are the basic keys to solve these crimes;
- ❖ Always compare the statements to the evidence and marks at the scene.

## **17. DOMESTIC VIOLENCE-*Domestic Violence Act, 2007 (Act 732)***

### **17.1 MEANING OF DOMESTIC VIOLENCE, *Section 1***

#### **Definition:**

Domestic violence means engaging in the following within the context of a previous or existing domestic relationship:

- a) An act under the Criminal Code 1960(Act 29) which constitutes a threat or harm to a person under that Act.

- b) Specific acts, threats to commit or acts likely to result in Physical Abuse (Example: Physical assault, use of physical force against another person, deprivation of food).
- c) Sexual Abuse
- d) Economic Abuse
- e) Emotional, verbal or psychological abuse; namely any conduct that makes another person feel constantly unhappy, miserable, humiliated, ridiculed, etc.
  
- f) Harassment (sexual harassment and intimidation by inducing fear in another person )

Domestic violence can happen to anybody irrespective of gender, social status, age, religion, educational background, etc.

## **17.2 RESCUE**

Anybody can be a victim who needs to be rescued.

- ❖ Where the victim(s) is a child he should be rescued and after the interview be handed over to Social Welfare for shelter.
- ❖ Rescuing of child victim should be done in conjunction with social welfare.
- ❖ Where the victim is a woman, the assailant could be detained (that is where they live in the same room) while the victim stays
- ❖ An adult who is rescued could be advised to live with a trusted friend or family member while Police continue with investigations
- ❖ At the scene where possible witness to the crime could be interviewed
- ❖ The management of the crime scene should follow the same steps as indicated under crime scene management.

## **17.3 TAKING COMPLAINTS**

- ❖ Complaints should be taken in confidence due to the private nature of the complaint.

- ❖ Complainants should be advised to seek medical attention immediately where necessary.
- ❖ As early as possible victim should be referred to a counselor.

#### **17.4 INTERVIEWING VICTIMS (ADULTS)**

Police;

- ❖ Should build trust
- ❖ Watch his body language as this could put off the victim thereby not being able to open up to Police.
- ❖ Should not judge the victim according to his personal perception about issues.
- ❖ Should not discuss an abuse case in the presence of another victim. Else victim may think the same will befall him should he lodge the complaint and leave
- ❖ Should assure the victim that what happened to him could have happened to anyone.

#### **17.5 VICTIM STAGES**

- ❖ Trauma
- ❖ Guilt
- ❖ Low Self-Esteem
- ❖ Lack of trust
- ❖ Embarrassed
- ❖ Denial (this normally happens where police upon information moves in to rescue a victim)

#### **17.6 INTERVIEWING OF CHILDREN**

- ❖ Children should be interviewed in the presence of a parent or relative. However, where the parent or relative is a suspect or accomplice in the case a social welfare officer should be present
- ❖ To interview a child you need to build trust
- ❖ The child must not be condemned as being a bad girl or boy

- ❖ Interviewing a child can take hours. Hence patience should be a virtue if any success is to be achieved
- ❖ Due to the age of the child being interviewed, one should expect inconsistency in narration of events. This does not necessarily mean the child is lying.

### **17.7 THE "CYCLE OF VIOLENCE"**

Everyday life is filled with conflicts and opportunities for stress. For abusers, when these tensions are experienced, the relief comes in the form of abusing a loved one. After the episode is completed, the abuser will do everything to apologise to the victim. In many cases the victim will accept the apologies and continue to remain in the relationship. If this cycle is not broken, the violence will escalate in frequency as well as in severity.

There are three stages of the "cycle of violence"; the first leading to the second, which lead to the third and back to the first.

First, the tension building stage when:

- ❖ Conflicts arise between partners and is not positively resolved;
- ❖ Conflicts accumulate and minor irritations are magnified, use of verbal and emotional abuse is present.

The Second stage is violent incident stage and may last minutes or, intermittently, for days or weeks, and is when:

- ❖ The abuser emotionally explodes and assaults the victim in some way;
- ❖ In the beginning, the assault will typically be less severe than as the abuse continues.

The Third stage is the honeymoon stage when:

- ❖ After a violent episode the abuser becomes apologetic and remorseful;
- ❖ The abuser promises anything the victim wishes to hear, never to be violent again, to stop drinking or other substance abuse.

Eventually the honeymoon stage will disappear to be replaced by the tension and violence stages again.

**NOTE:** Every case of abuse is different. In some instances cases of abuse do not necessarily fall under the three stages of violence as stated above. In some instances the physical abuse might be the first time yet could be very severe or fatal.

### **17.8 SUPPORT SERVICES:**

- ❖ Social Welfare (for shelter, maintenance issues etc.)
- ❖ Legal Aid (for civil issues like divorce etc.)
- ❖ FIDA
- ❖ Family Tribunal (Custody, access, divorce, protection order, maintenance etc.)
- ❖ Government Hospitals
- ❖ Recognized NGO'S

## **18. INVESTIGATION OF CRIMES: UNNATURAL DEATH AND DEAD BODIES -Service Instruction Number 182**

### **18.1 GENERAL**

**18.1.1** In every case reported or known to the Police in which:

- ❖ Death occurred in a sudden, violent or unnatural manner,
- ❖ A dead body is found and reasonable suspicion exists that the death resulted from unnatural cause(s), or
- ❖ Any reasonable suspicion exists that any person is criminally responsible for such death, the Police shall immediately commence inquiries.

**18.1.2** Under no circumstances shall death from natural cause(s), accidents or suicide be presumed. Investigations shall not be delayed until post-mortem examination has been performed.

**18.1.3** After preliminary investigations at the scene have been completed and Measurements, photographs, finger-prints, descriptions, etc., have been taken no delay shall take place before the body is removed to the mortuary. In a serious case it may be necessary to request the Medical Officer to visit the scene personally but this request should only be made by a Senior Police Officer if available or the Officer in Charge of the Station.

**18.1.4** Identification of the dead body must be as complete as possible. It must be first hand and be proved by two or more witnesses who knew the deceased well and who must be present at the mortuary to identify the body to the Medical Officer in the presence of the Police Officer in charge of the case.

**18.1.5** If the body passes through different hands, Police will call as witnesses for identification all those who handled it to prove to the court, in the case of inquest, that the body is the same. Hence, as few people as possible shall be permitted to take charge of a body and only one member of the Service shall be responsible for this duty for the sake of continuity in the investigations.

**18.1.6** Where an unidentified body is found and decomposition does not render or make it possible for identification, photographs, and finger-prints shall be taken and sent to CID Headquarters, Accra together with a brief report on the case.

**18.1.7** A member of the Service in charge of the case shall be present at the mortuary during the post-mortem examination and, immediately on its conclusion, he shall obtain a brief verbal report from the Medical Officer as to the cause of the death; e.g. Natural cause, poison, gun-shot wounds, knife wounds, suicide, strangulation etc.

## **19. PROHIBITED DRUGS**

### **19.1 GENERAL GUIDELINES**

#### **19.1.1 PERSONAL SAFETY PRECAUTIONS**

If the Police Officer finds a working drug laboratory:

- ❖ Do not smoke, there is a risk of explosion;
- ❖ Open the windows;
- ❖ Turn off the electricity power under the cooking equipment;
- ❖ Do not close down running water cooling down the cooking equipment.

#### **19.1.3 SEARCH FOR EVIDENCE AND OTHER ACTIONS**

In a drug case the Police Officer must:

- ❖ Confiscate all identifiable drug substitutes and parcels which might be drugs for laboratory examination;
- ❖ Take possession of all the equipment used to prepare drugs and to take drugs;
- ❖ Pack all evidence items in different paper bags, mark them carefully;
- ❖ Inform your station about the situation and ask for additional assistance;
- ❖ In premises, check quickly all the rooms, especially toilets and bedrooms, there is a high risk of destroying evidence by flushing it down in the toilet.

#### **19.1.4 HOW TO HANDLE SUSPECTS**

The Police Officer must:

- ❖ Make sure that every person involved in the crime or crime scene are checked carefully;
- ❖ Separate all persons so that they cannot speak to each other;
- ❖ Hand-cuff them so that they cannot dispose of any evidence as investigations at the scene continues;

- ❖ Be aware that the police have the authority to intervene already at low levels of illicit drug consumption and thus stop a further career of drug abuse.

## **19.2 DRUG KNOWLEDGE**

### **19.2.1 INDICATORS OF DRUG USE**

The following types of drugs and items indicate drug use:

- ❖ Marijuana: marijuana cigars and parts of plant;
- ❖ Hashish: aluminum foils, pipes, scale and knives;
- ❖ Heroin and amphetamine: razor blades, carpet knives, spoons, needles, fine sugar, ascorbic and lemon acid, small plastic bags and filters from cigars.
- ❖ Cocaine: straws, rolled bills, mirror, blades and spoons.
- ❖ Ecstasy: small tablets.

### **19.2.2 EVIDENCE**

Possible evidence in drug cases is:

- ❖ Powder, parts of/whole plants, liquids, tablets and capsules;
- ❖ Wrapping paper, plastic and tape, finger prints.

### **19.2.3 SYMPTOMS OF IMMEDIATE USE OF NARCOTICS**

For symptoms of immediate use of narcotics look for:

- ❖ Euphoria (excessive excitement);
- ❖ Difficulty in breathing
- ❖ Darkened finger tips
- ❖ Constricted pupils, pinpoint eyes;
- ❖ Reduced vision;
- ❖ Needle, track marks, syringes etc;
- ❖ If pain tolerance gets higher.

## **20. FIRE CASES**

### **20.1 GENERAL GUIDELINES**

#### **20.1.1 SAFETY PRECAUTIONS IN EXTINGUISHING A FIRE**

When initial extinguishing of a fire is started:

- ❖ Do not extinguish with water any fires on electric installations as well as flammable substances such as petrol and acids;
- ❖ Evacuate all persons from the fire area;
- ❖ Remove all persons whose presence will disrupt the firefighting process.

#### **20.1.2 IN FIRE-CASES:**

- ❖ It is important to investigate the fire scene to establish certainty of the cause of the fire and if there is any kind of criminal acts involved;
- ❖ When you arrive at the fire scene, note the present state of the fire, where the fire is most powerful, are there separate fire spots, how and in what direction is the fire expanding;
- ❖ Collect information about the fire from witnesses and Fire Service staff
- ❖ When the fire has been extinguished, check the locks of the windows and doors to establish any interference;
- ❖ Try to find V-shaped burn marks; indicating the fire starting point;
- ❖ If there are any deceased persons, do not move the bodies; cover them from damage to allow processing of the scene first.

#### **20.1.3 THE CAUSE OF FIRE**

The start or cause of fire:

- ❖ Can be a deliberate act;
- ❖ Can be from cigarette smoke, flammable liquid, fire place, failure with electricity equipment or wiring;

- ❖ Can be used to cover up and destroy the evidences of violence or some other crime.

#### **20.1.4 PHYSICAL EVIDENCE**

Remember the existence of:

- ❖ Footprints and tyre marks;
- ❖ Glass;
- ❖ Containers of burning, flammable liquid;
- ❖ Locks.

### **21. FIRST AID AND HEALTH PRECAUTIONS**

#### **21.1 FIRST AID**

##### **AIM**

To asses and provide life saving interventions for the victim with minimal or no medical equipment.

It must not delay activation of medical assistance when required.

#### **21.2 POSITION OF VICTIM**

As a general rule, a victim should not be moved, but there are times when you should do so:

- ❖ If the area is unsafe for you or the victim, move the victim to a safe location.
- ❖ If the victim is face down and needs CPR, turn the victim face up.
- ❖ If the victim is unresponsive, and is breathing spontaneously, turn the victim onto his side (recovery position) with the victim's hand in front

#### **21.3 GENERAL ASSESSMENT FOR IMMEDIATE ACTION (A B C)**

- ❖ does he breath and is the airway clear
- ❖ is he conscious and alert , drowsy or unconscious
- ❖ how is the pulse
- ❖ is the victim bleeding

## **21.4 CALLING FOR HELP**

Where medical assistance is required immediately, call the nearest Hospital/National Ambulance. Clearly state;

- ❖ Who is calling
- ❖ What has happened, and nature of accident
- ❖ Your location
- ❖ Number of casualties
- ❖ Nature of injury/illness and condition of the victim
- ❖ What kind of help is needed

## **21.5 SOME MEDICAL EMERGENCIES**

### **21.5.1 BREATHING DIFFICULTIES**

**Causes** – airway obstruction, cardiac arrest, head injury, chest injury, shock, intoxication, severe illness

#### **Assessment**

- ❖ Check the casualty's breathing by placing your ear and cheek by their mouth and nose whilst looking at their chest:
- ❖ Look for movement of their chest and upper abdomen.
- ❖ Listen for normal breathing
- ❖ Feel for breath on the side of you cheek (Normal breathing is between 12 -24 breaths per minute)

#### **What to do**

Look in the mouth. If any solid or liquid is found, place the victim onto their side and clear the airway.

- ❖ if nothing is found in the mouth, leave the casualty on their back
- ❖ open the airway using the head tilt/chin lift techniques.
- ❖ Place one hand on the casualty's forehead and two fingers under the chin.
- ❖ Tilt the head back and lift chin up opening the airway

### **21.5.2 BLEEDING**

#### **What to do**

- ❖ Elevate the wounded extremity
- ❖ Apply pressure on the wound to stop the bleeding
- ❖ Use clean dressing for the wound if available
- ❖ If the dressing is soaked place another one on top of it and continue the pressure
- ❖ Check the victims pulse for at least 10secs
- ❖ If there is no pulse start CPR and get medical help

### **21.5.3 UNCONSCIOUS VICTIM**

#### **Causes**

- ❖ Blood circulation problems
- ❖ Blood oxygenation problems
- ❖ Metabolic problems (diabetes, overdoses)
- ❖ Central nervous system problems (head injury, stroke, tumour, epilepsy)

#### **What to do**

- ❖ Check airway and make sure it's clear
- ❖ Check for breathing

- ❖ If victim is breathing position victim on his side and get medical assistance
- ❖ If no breathing and no pulse, start CPR and call for medical assistance

#### **21.5.4 FAINTING**

Commonly occurs due to the following;

- ❖ Seizure activity
- ❖ Inadequate supply to the brain (Low blood sugar)
- ❖ Inadequate oxygen supply to the brain.

Usually, when the casualty collapses normal circulation to the brain resumes. The casualty usually regains consciousness within a minute or two.

Injury can occur from falling onto the floor.

#### **What to do**

- ❖ If the victim responds, leave them on their back
- ❖ If possible, raise the victim's leg approx. 20-30cm
- ❖ Loosen any restrictive clothing around the waist and neck
- ❖ If the casualty is unresponsive, unconscious and breathing normally place them into the recovery position, call for help.
- ❖ Monitor their Airway and Breathing until help arrives.

#### **21.5.5 BURNS**

- ❖ Immediately cool the burned area with cold water
- ❖ Do not remove the burned clothes
- ❖ Do not break blisters or apply cream
- ❖ If the victim is conscious, give frequent drinks of water
- ❖ If the face is affected sit them up and watch for breathing difficulties
- ❖ Transport for further medical treatment

### **21.5.6 HEAT EXHAUSTION AND HEAT STROKE**

These are potential dangerous conditions caused by heat exposure and affect mostly non-acclimatized, dehydrated persons. If heat exhaustion is not treated immediately, the condition can progress to heat-stroke, which is a life threatening emergency.

❖ **Symptoms:**

Thirst, vomiting, muscle cramps, headache, hot (red skin, confusion; rapid pulse, unconsciousness).

❖ **Prevention:**

- a) Stay in shade areas, avoid physical work during hot day-time;
- b) Drink before exposing yourself to the heat, ensure adequate fluid intake more than listening to your thirst, increase quantities when temperature or humidity rise.

❖ **Treatment:**

Treat the early signs of heat exhaustion by moving the patient to a cool and shaded place, splash the victim with ample water, supply cold drinks continuously.

### **21.5.7 BACK INJURIES**

If there is (because of pain) suspicion of severe injuries in the back/vertebral pain, you should:

- ❖ DO NOT MOVE THE PATIENT, BUT STABILIZE THE POSITION (for example with a rolled blanket).
- ❖ IF IT IS NECESSARY TO MOVE, PUT PATIENT ON A SOLID FLAT SURFACE.

### **21.5.8 FRACTURES AND LACERATIONS**

Immobilization and external fixation is the best way to prevent further tissue damage. This reduces both pain and loss of blood.

Procedure is to:

- ❖ Avoid unnecessary movement of limbs;
- ❖ Cover the wound and arrest bleeding;
- ❖ Prepare material for external fixation and;
- ❖ When necessary, prepare lengths and soft cover or splint the fracture to the other non-injured limb, immobilizing the joint above and below.

### **21.5.9 BRUISES**

In case of bruises the procedure is to:

- ❖ Clean the area and apply an ice-pack directly to the damaged area for 10 minutes;
- ❖ Cover with a clean bandage;
- ❖ Elevate and splint the affected area.

### **21.5.10 CUTS**

In case of cuts the procedure is to:

- ❖ Use antiseptic solutions e.g. Dettol or soap;
- ❖ Protect the wound with proper dressing;
- ❖ Immobilize to prevent swelling and infection;
- ❖ If the cut is deep or extensive or involves face, hands, the patient may need suturing as a medical treatment.

## **21.6 BASIC ADULT CARDIOPULMONARY RESUSCITATION (CPR)**

### **1. CALL**

Check the victim for unresponsiveness. If there is no response, call for help and return to the victim.



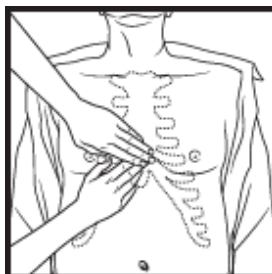
## 2. BLOW

Tilt the head back and listen for breathing. If not breathing normally, pinch nose and cover the mouth with yours and blow until you see the chest rise. Give 2 breaths. Each breath should take 1 second.



## 3. PUMP

If the victim is still not breathing normally, coughing or moving, begin chest compressions. Push down on the chest 1½ to 2 inches 30 times right between the nipples. Pump at the rate of 100/minute, faster than once per second.



**CONTINUE WITH 2 BREATHS AND 30 PUMPS UNTIL HELP ARRIVES**

**NOTE:** This ratio is the same for one-person & two-person CPR. In two-person CPR the person pumping the chest stops while the other gives mouth-to-mouth breathing.

**21.7 CPR FOR CHILDREN**

CPR for children is similar CPR for adults. The compression to ventilation ratio is 30:2. There are, however, 3 differences.



1) If you are alone with the child give two minutes of CPR before calling for help



2) Use the heel of one or two hands for chest compression

3) Press the sternum approximately one-third the depth of the chest