

UNIVERSITY OF CAPE COAST

PUBLIC PERCEPTIONS OF HUMAN RIGHTS ABUSES OF THE GHANA
POLICE SERVICE IN THE JOMORO MUNICIPALITY

BY

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Development Studies, College of Humanities and Legal Studies, University of
Cape Coast in partial fulfillment of the requirements for the award of Master
of Philosophy degree in Peace and Development Studies

SEPTEMBER 2020

DECLARATION

Candidate's Declaration

I hereby declare that this thesis is the result of my own original work and that no part of it has been presented for another degree in this university or elsewhere.

Candidate's Signature:Date:

Name: Richard Amoah

Supervisors' Declaration

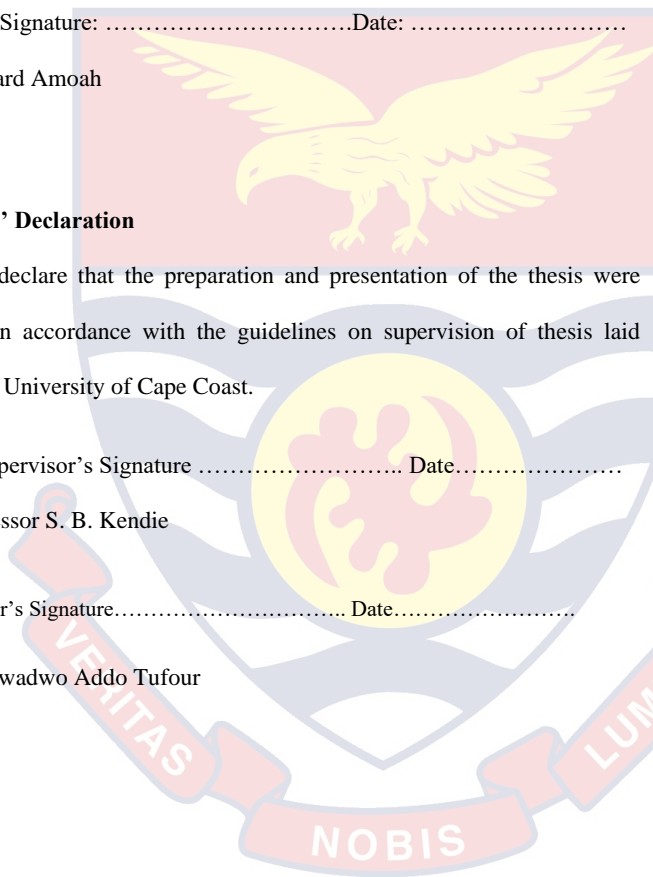
We hereby declare that the preparation and presentation of the thesis were supervised in accordance with the guidelines on supervision of thesis laid down by the University of Cape Coast.

Principal Supervisor's Signature Date.....

Name: Professor S. B. Kendie

Co-Supervisor's Signature..... Date.....

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ABSTRACT

The main objective of this study is to examine how the public perceive human right abuses in respect to the discharge of duties by personnel of Ghana Police Service in Jomoro Municipality. A case study research design was used to embark on this study. The study also employed the purposive and convenience sampling procedures where 452 respondents consisting of 384 residents, 68 police officers which included 2 station officers, 1 crime officer and 1 district commander in the Jomoro Municipality were selected to participate in the study. Two sets of questionnaires and an interview guide were used to gather the requisite data for the study. The research data were analyzed using descriptive statistics where frequencies and percentages were computed. The study found that the public (the people of Jomoro Municipality) perceive the personnel of the Ghana Police Service as corrupt, bullies and selfish in line of their work. The common patterns of human rights abuse by police personnel of the Municipality include corruption, illegal/unlawful arrest and detention, excessive use of force and police brutality, inhumane cells conditions, and failure to respond to complaints. Again, the category of the police personnel found to be perpetrators of the abuses were predominantly male junior officers who were also uniform personnel. It is imperative that police engage in trust building and establish appropriate communication structures with the public. Also, the police authorities should organize regular in-service training programmes on the code of ethics of the Ghana Police Service for the police officers, as well as organizing public education for the citizenry.

ACKNOWLEDGMENTS

No man is an island; hence, he can never stand alone unless supported by the efforts of other people. Similarly, the canopy of a single tree cannot make a forest unless it is linked up with that of other trees. By extension, this piece of academic work could not have seen the light of success without the support and motivation of some personalities. Indeed, no one is a repository of knowledge.

Considering the tenacity of some personalities leading to the production of this thesis, I wish to acknowledge all and sundry whose effort and contributions have made my dream a reality. First, I wish to acknowledge the unflinching support of my principal supervisor, Professor S. B. Kendie of the School of Development Studies (SDS), University of Cape Coast (UCC), who streamlined the work when I was going wayward and corrected errors in the work. He encouraged and motivated me when I decided to opt out by assuring me of a light at the end of the tunnel. Without his effort, my vision and aspiration to produce this document would have remained a mirage.

Also, my appreciation goes to the co-supervisor, Dr. Kwadwo Addo Tufour, and Dr. Osei Kufuor, Head of Peace Studies, Department UCC. Their collaboration with the main supervisor motivated me immensely. Furthermore, I am indebted to my former commander/superintendent John Ferguson Dzineku who inspired me to combine my scheduled duties with the academic work. Without him was a failure ab-initio. Once again, I am indebted to the following personalities who assisted me in data collection and analysis: Benjamin Adomako and Ackah Boasi, both of Half Assini, and Collins Owusu Asante of UCC.

DEDICATION

I dedicate this work to my wife, Mrs. Rachael Amoah, and children, Sarafina and Mandela.



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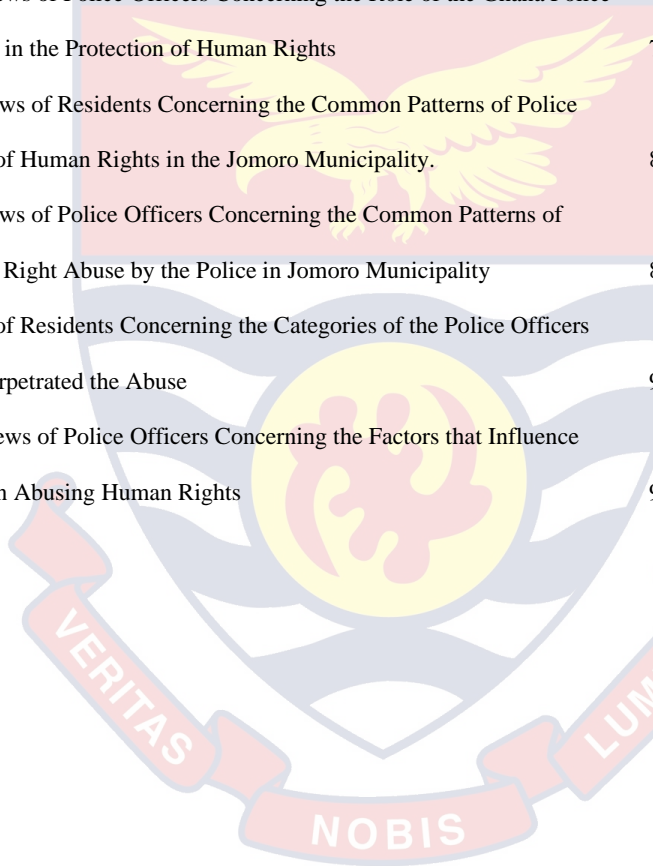
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LIST OF ACRONYMS

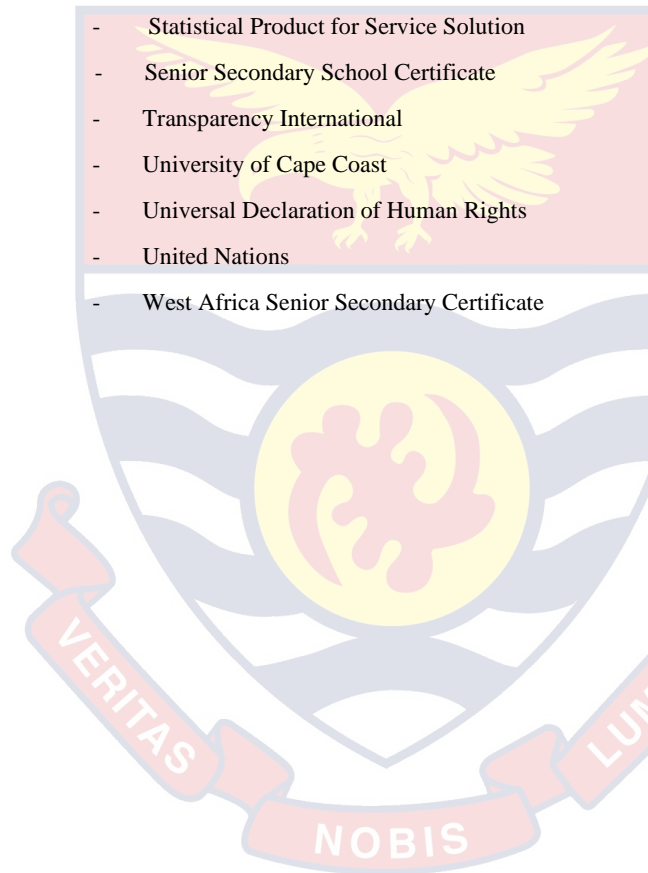
ACHPR	-	African Charter on Human and Peoples Right
ACHR	-	American Convention on Human Rights
ACS	-	Armoured Car Squadron
AI	-	Amnesty International
APHRM	-	Asian and Pacific Human Rights Mechanism
APRM	-	African Peer Review Mechanism
ASP	-	Assistant Superintendent of Police
BC	-	Before Christ
CADRI	-	Cairo Declaration on Rights in Islam
CDF	-	Children Defence Fund
CEDAW	-	Convention on the Elimination of all forms of Discrimination against Women
CEPS	-	Customs Excise and Preventive Service
CERD	-	Convention on Elimination of all forms of Racial
CHRAJ	-	Commission on Human Rights and Administrative Justice
CHRI	-	Commonwealth Human Rights Initiative
CI	-	Constitutional Instrument
CID	-	Criminal Investigation Department
CPPCG	-	Convention on Prevention and Punishment of the Crime of Genocide
CPRW	-	Convention on Political Rights of Women
CRC	-	Convention on the Rights of the Child
CRSR	-	Convention Related to Status of Refugees
DBS	-	Diploma in Business Studies
DOVVSU	-	Domestic Violence and Victim Support Unit
DSP	-	Deputy Superintendent of Police
ECHR	-	European Convention on Human Rights
EUAFR	-	European Union Agency for Fundamental Rights.
FPU	-	Formed Police Unit

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GBV	-	Gender Based Violence
GCC	-	Gold Coast Corps
GCPF	-	Gold Coast Police Force
GII	-	Ghana Integrity Initiative
GNRCR	-	Ghana's National Reconciliation Commission Report
GPS	-	Ghana Police Service
GSS	-	Ghana Statistical Service
HND	-	Higher National Diploma
HR	-	Human Resource
HRAC	-	Human Rights Action Centre
HRBP	-	Human Right Based Policing
HRM	-	Human Resource Management
HRSR	-	Human Rights Situation Report
HRW	-	Human Rights Watch
ICCPR	-	International Covenant on Civil and Political Rights
ICESCR	-	International Convention on Economic, Social and Cultural Rights
IEA	-	Institute for Economic Affairs
JHS	-	Junior High School
JMA	-	Jomoro Municipal Assembly
LI	-	Legislative Instrument
NAACP	-	National Association of Advancement of Coloured People
NCCE	-	National Commission for Civic Education
NGO	-	Non- Governmental Organization
NPTS	-	National Police Training School
NRC	-	National Research Council
PGC	-	Principle of Generic Consistency
PIPS	-	Police Intelligence and Professional Standards

POMAB	-	Police Management and Advisory Board
PPSB	-	Police Professional Standards Bureau
RDF	-	Rapid Deployment Force
SDS	-	School of Development Studies
SI	-	Service Instruction
SPO	-	Senior Police Officer
SPSS	-	Statistical Product for Service Solution
SSSC	-	Senior Secondary School Certificate
TI	-	Transparency International
UCC	-	University of Cape Coast
UDHR	-	Universal Declaration of Human Rights
UN	-	United Nations
WASSC	-	West Africa Senior Secondary Certificate



CHAPTER ONE

INTRODUCTION

Background to the Study

The commencement of human rights can be traced to the days of Cyrus the Great, first king of ancient Persia in 539 Before Christ (BC) when his armies conquered the city of Babylon. He freed the slaves and granted absolute freedom to the people to choose their own religion and established racial equality (<https://www.activesustainability.com>). These decrees were recorded on a baked clay cylinder in Acadian language. It is known as Cyrus cylinder and this ancient recording became the world's first recognized charter of human rights which is translated in six official languages of the United Nations (UN) parallel to the first four articles of the Universal Declaration of Human Rights 1948 (www.humanrights.com/Cyruscylinder.html).

Human rights have been defined in various contexts by many institutions, organizations and individuals. The Universal Declaration of Human Rights (UDHR 1948) defines human rights as the inherent rights to all human beings whatever the nationality, place of residence, sex, ethnic origin, colour, religion, language or any other status. It further declares that all men are equal and are entitled to human rights without discrimination. The United Nations also defines human rights as basic entitlements without which human beings cannot live. Similarly, Obaseki (1992) asserts that human rights are rights that are legally recognized and protected to secure for each individual the fullest and freest development of personality, spiritual and moral independence. Human rights are inalienable rights that belong to man by virtue of his humanity and therefore should be granted and guaranteed to

everyone. Nickel (1992) further defined human rights as “basic moral guarantees that people in all countries and cultures allegedly have simply because they are people”.

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Article one of the UDHR stipulates that all human beings are born free and equal, and endowed with conscience; hence, they must act towards one another in dignity. Thus, every individual in the society has the inherent right to be treated with dignity in all situations including the arrested and keeping in custody of suspects by the police. Rights of all individual including persons in police custody are protected basically by the Ghanaian Constitution as enshrined in chapter five, article 15 of the 1992 Constitution and by other various laws like Annotated of Criminal Procedure Act (ACT 30) and the Commission on Human Rights and Administrative Justice (CHRAJ) Act of 1993 (ACT 456).

These rights are also recognized by various international documents like Universal Declaration of Human Rights, International Covenant on Civil and Political Rights (ICCPR) 1966, International Convention on Economic, Social and Cultural Rights (ICESCR), Convention Relating to the Status of Refugees (CRSR) 1951, Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) 1979, Convention on the Rights of the Child (CRC) 1989, Convention on the Elimination of all forms of Racial Discrimination (CERD), Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG), Convention on the Political Right of Women (CPRW), The Slavery Convention (SC) 1926, convention against torture and other cruel, inhuman or degrading treatment or punishment and body of principles for the protection of all persons under any form of detention or

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imprisonment (Bourdieu, 1990). In addition to these international conventions, there are also regional Charters and Conventions promulgated by some regional groupings to support and affirm the ideologies of human rights as espoused by the international conventions. These regional conventions include African Charter on Human and Peoples' Right (ACHPR) (1981), European Convention on Human Rights (ECHR) (1950), American Convention on Human Rights (ACHR) (1969), Asian and Pacific Human Rights Mechanisms (APHRM) and Cairo Declaration on Rights in Islam (CDRI) (1990).

Apart from these international and regional conventions, there are also human rights based Non-Governmental Organizations (NGOs) across the globe. Their vision is to protect the rights of people and if possible eliminate all forms of human rights abuses. Many of these organizations monitor and document the violations of human rights both at the governmental and grass root levels. However, the success of these NGOs is partly dependent on public support and condemnation of abuses; hence, they are most effective when their call for reforms is supported by public advocacy. Some of these human rights organizations include Amnesty International (AI), Human Rights Action Centre (HRAC), Human Rights Watch (HRW), National Association for the Advancement of Coloured People (NAACP), the Children Defence Fund (CDF).

Human beings are basically endowed with some rights which are inalienable. These rights are neither privileges nor gifts given at the whim of a ruler or a government; rather, they are claims we have by virtue of the fact that we are human beings rather than citizens of a particular country (UDHR, 1948). On the contrary, since time immemorial, mankind had relentlessly been

pursuing these elusive basic rights and freedoms with little success. These rights which are supposed to be inherent and inalienable are abused or violated to an extent that the respect for dignity as human beings is no longer valued in many countries (Crawshaw, 2009).

According to the UDHR 1948, Human Rights have some attributes or characteristics and they include the following: Inherent, Inalienable, Universal, Indivisible, Fundamental, Absolute, Equal and Independent. It is the obligation of the police on behalf of the state and actors to ensure that these attributes are guaranteed. Article 4 of the African Charter on Human and Peoples' Rights also states that "Human rights are inviolable. Every human being shall be entitled to respect for his/her person. No one may be arbitrarily deprived of his /her right." This declaration is one amongst many such as the UN Declaration of Human Rights (Claire de Than, 2003).

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The police is, no doubt, under a legal duty and has legitimate power to arrest offenders with minimum force where necessary, to interrogate suspects during investigation of criminal offence but it must be remembered that the law does not permit the use of third degree methods and torture of suspect/accused in custody during interrogation and investigation of the crime (Magnarella, 2001).

In Ghana, there are frequent instances where the police, who are entrusted with the duty to enforce law and order, are seen to be violating the human rights of the citizenry. It is an admitted fact that when the police interrogate suspects in a crime, they employ third-degree methods. These include torture either by not recording the arrest or deprivation of liberty in the guise of a prolonged interrogation (Yamoah, 1997). According to the 2016

Country Reports on Human Rights Practices in Ghana, the Police Professional Standards Bureau (PPSB), formerly known as Police Intelligence and Professional Standards (PIPS), received about 900 reports including 52 cases of police brutality forming 5.5 percent cases received, 200 reports of unprofessional handling of cases, 145 reports of undue delay of investigation, 109 cases of unfair treatment, 50 cases of unlawful arrest and detention, 22 reports of extortion and a report each on stealing, shooting and robbery, as at August 20. As of the same period, 66 officers had been dismissed as a result of PPSB investigations but none had been prosecuted criminally. The report further stated that abuse of suspects and other citizens in the form of beatings, corruption, negligence, impunity and rape occurred throughout the country but some of these cases were general not reported officially because victims were reluctant to do so, owing to the uncertainty of getting justice. In the same report, it was stated that the UN special rapporteur, Juan Mendez, received reports in 2015 that torture and mistreatment occurred frequently during apprehension and interrogation of suspects and particularly as a means to extract confession by the police.

Similarly, the 2017 Human Rights Report on Ghana has it that the police as an agency of the government committed arbitrary or unlawful killings; persons tortured by the police sometimes died from the ordeal. As of September 2017, the PPSB had investigated 33 reports of police brutality. The report further indicated that there were reports of police collaboration with criminals and a widespread public perception of police ineptitude. The report emphasized that the police often failed to respond to reports of abuses and in many instances would not act unless complainants paid for police

transportation and other operating expenses. Once again, the report suggested that the police extorted money from citizens by putting up illegal checkpoints, arresting and detaining people unlawfully, as well as collecting debt. To corroborate this assertion, the report quoted a study conducted in 2016 by Ghana Integrity Initiative (GII) which indicated that 61% of the respondents had paid bribe to the police. The 2017 report further indicated that the PPSB received 642 cases during the year under review, including 131 unprofessional handling of cases, 127 misconduct, 93 unfair treatment, 75 undue delay of investigation, 39 unlawful arrest and detention, 33 police brutality, 19 fraud, 19 harassment and 16 reports of extortion.

The 2018 Human Rights Situation Report was not different from the 2016 and 2017 reports. The 2018 report highlighted among other things that the police committed arbitrary or unlawful killings which were described in some cases as having taken place in an “exchange of fire”. According to the report, the PPSB by September of the year under review had received 77 cases of police brutality and further suggested that people who had no legal representation were arbitrarily arrested, detained and in most cases detained beyond the mandated 48 hours. The report emphasized that by August 2018, PPSB investigated 233 cases of unprofessional handling of cases, 217 misconduct, 201 misconduct, 201 unfair treatments, 160 undue delays of investigation, 59 unlawful arrests and detention, 77 police brutality, 34 harassment, 14 frauds, 37 extortion and one rape. Juxtaposing the 2018 human rights report in Ghana with the two preceding years’ report, it could be concluded per the statistics that the human rights abuses of the Ghana Police

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worsened in the year 2018; a situation which ought to be addressed immediately.

According to the Commonwealth Human Rights Initiative (CHRI) 2007 study report, “Illegal arrest and detention is the most common Police related complaint made to the Commission of Human Rights and Administrative Justice”. The Constitution of Ghana requires that a person is not detained for more than 48 hours before being produced before court; this is routinely contravened by the police. These abuses are either perpetrated on the specific orders of superior police officers or with their knowledge or acquiescence creating the impression of criminalized policing in Ghana.

There are several factors that influence police abuses of human rights. These factors can be attributed to the fact that policing can be extremely difficult and demanding emotionally, intellectually and physically. In practicing their craft and profession, police officers can experience personal danger and discomfort, and severe trauma and anxiety (Crawshaw et al., 2007). The police are required to respond with restraint to physical attacks on their persons; they are required to respond dispassionately and compassionately to the immediate effects of serious criminality on victims; they experience the frustrations of being unable to deliver justice to the authors of shocking crimes; and they are subject to pressure from society, the news media, and from politicians to obtain results (Golder & Williams, 2006). In the case of really atrocious crimes, or where there is serious public concern about levels of criminality, or where law and order has become or has been made an issue of party politics, this pressure can be such that the police feel they are entitled, or perhaps even required, to adopt unlawful and inhumane

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methods (Crawshaw et al., 1998). Furthermore, people engaged in organized crime, or certain types of financial criminality, have at their disposal vast sums of money which can be, and is, used to corrupt the police (Kodumagulla & Suryanarayana, 2011).

In other instances, resistance of arrest by suspects upon invitation by the police, family interference, police inability to provide satisfactory assistance to victims of crime due to lack of infrastructure, insufficient police personnel which impeaches police visibility, and slow process in the apprehension and prosecution of offenders which reduces public confidence and satisfaction in the police service are some of the factors that combine to confront individual police officials with a variety of ethical problems and dilemmas (Ambroz, 2005).

To be able to confront these dilemmas professionally, police officers must be familiar with the various international guidelines and bodies of principles such as the code of conduct for law enforcement officials and the basic principles on the use of force and firearms and be able to use them as tools in their everyday work. They must understand that international human rights standards concerning their work were developed to provide invaluable guidance for the performance of their crucial functions in a democratic society.

However, police officers in the line of duty ought to know not just what the rules are, but also how to do their job effectively within the confines of those rules. The process of upholding and respecting human rights by the police in the performance of their duties has proved to be a very challenging task for almost every country or state. Though the police are mostly expected

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to take the leading role in this process, the task, as challenging as it is, requires the efforts of all stakeholders and institutions within the state. In view of this, the study seeks to assess the extent to which the police respect the rights and freedoms of the individuals in Ghana, especially in Jomoro Municipality. The study, therefore, aims to investigate the public perception of the human right abuses of the Ghana Police Service in the municipality.

Statement of the Problem

Human rights are necessary consequences of citizenship, based on the reciprocity of rights and duties (Olugbemi Ed, 1987). They are neither donated to people through an act of benevolence by its leaders nor the ideological fancies of a particular group of persons, but are rights that encapsulate the collective vision, dreams, aspirations and fundamental beliefs of all people. Since independence, Ghana has ratified various regional and international human rights treaties including African Charter on Human and Peoples Right and Universal Declaration of Human Rights. Ghana is, therefore, linked to the collective endeavor of civilized conduct and cherished values of human existence. Human rights and dignity of all Ghanaians are, therefore, expected to be held in high esteem and protected as enshrined in the 1992 Constitution of Ghana.

However, various human rights reports on Ghana including those which were released in the democratic era consistently revealed that though Ghana has a national human rights commission and constitution to ensure that the rights of citizens are not trampled upon, successive governments (both military and civilian) through state institutions like the police, military and other security agencies have always treated the issue of human rights with

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contempt (Ghana Human Rights Report 2015-2019). The Ghana Police Service is established to protect life and property. It is legally mandated per Chapter 15 of the 1992 Constitution and Police Service Act, 1970 (Act 350) to ensure that the fundamental human rights of people living in Ghana are not violated. The service is further mandated to ensure strict enforcement of all laws in the country, including human rights laws but the police service being the government institution entrusted to ensure strict compliance of human rights laws often has personnel from the service perpetuating acts of human rights violations against the citizens of Ghana, especially the vulnerable who rather need police protection.

According to 2010 and 2013 CHRAJ reports, human rights abuses of the police are not limited to a particular jurisdiction but cuts across the country. However, occurrences of human rights abuses of the police in the cities and urban centers are much reported and discussed in both the print and electronic media to alert the appropriate authorities to address the problem. In contrast, human rights abuses of the police that occur in the semi-urban and rural areas often go unreported or under reported. This trend falsely suggests that human rights in the jurisdiction are well protected by the police.

The problems of human rights abuses of the police in Jomoro do not find their way into the media headlines easily to attract the necessary attention although there have been some instances of clashes between the police and the public, resulting in various forms of brutalities. For example, on the 28th day of March 2017, a suspect, Kwabena Assuah (deceased), a native of Ekpu, a suburb of Half Assini in the Jomoro Municipality, who was detained by the police at Half Assini, died in police cell. His death was suspected to be as a

result of police brutality and detention beyond the mandated 48 hours. Consequently, on the 29th day of March 2017, the youth of Ekpu community besieged the Half Assini police station and vandalized many items at the charge office and also assaulted police officers on duty (<https://www.graphic.com.gh>).

On April 11 of the same year, the police also organized an operation and invaded the Ekpu community to arrest perpetrators of the attack on the police but the operation was characterized by brutalities and other forms of human rights abuses, thereby causing the inhabitants of the community including children, women, aged, physically challenged, etc. to vacate their places of abode to seek refuge at unplanned and unknown destinations (<https://dailyguidenetwork.com>). Despite the sensational nature of the attack on the police and the counter attack on the public, it was not given the needed media publicity. The occurrence was captured by few media outlets within and without the municipality. Few print media used the incident as their caption whilst little time was devoted to discuss the issue by radio and television stations. However, the story would have been publicized and discussed passionately by all media stations for days if it had occurred in cities like Accra and Kumasi. Other similar brutalities had occurred in the municipality that never got the needed public attention. The inhumane actions meted out to the people of Jomoro by the police which amounts to abuse of the rights of the people calls for investigation into the public perceptions of human rights abuses of the Ghana Police Service in the Jomoro Municipality.

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Objectives of the Study

The main objective of the study is to investigate the public perceptions of human rights abuses by the Ghana Police Service (GPS) in the Jomoro Municipality.

Specifically, the research objectives were to:

1. Examine the role of the Ghana Police Service in the protection of human rights in the Jomoro Municipality.
2. Identify the common patterns of police abuses of human rights in the Jomoro Municipality.
3. Assess the categories of police personnel, whether men/women, senior/junior and uniform/plain cloth officers, more culpable of abusing the rights of people in the Jomoro Municipality.
4. Investigate the reasons that influence police human rights abuse in the Jomoro Municipality.

Research Questions

The study attempts to find answers to the following research questions:

1. What is the role of the Ghana Police Service in the protection of human rights in Jomoro Municipality?
2. What are the common patterns of police abuse of human rights in Jomoro Municipality?
3. Which category of the police personnel in terms of men/women, senior/junior, and uniform/plain cloth officers is more culpable of abusing the rights of people in Jomoro Municipality?
4. What identifiable reasons influence the police in abusing human rights in the Jomoro Municipality?

Significance of the Study

The study will help the Ghana Police Service, Ministry of Interior, social protection agencies, and all relevant security and human rights policy makers to identify the common patterns of police abuse of human rights of people in order to put in place appropriate strategies that are more human centered and culturally appropriate and to make the necessary modifications especially in resource allocations needed to fully address the root causes of human rights abuses of police officers and nip it in the bud. Also, the research will bring to light how human rights in Ghana is faring in the arena of the police service and bring to light the category of police which is noted for violating the rights of the citizenry, thereby informing the leadership of the Ghana Police Service to focus their attention on the category to address the issue of human rights abuse which brings the hard earned reputation of the institution into disrepute. The research will therefore unravel and reveal where the police falls short in promoting human rights in Ghana.

Additionally, this study will provide a potential reference point for future research particularly in the social sciences, including students of social work, social policy and gender studies as well as sociology and criminology. Finally, though some works have been done in the field already, there is limited if not nil literature on this topic relating to the Jomoro Municipality. This study will add to existing literature and also bring to fore issues that may motivate others to undertake in-depth research in other areas where there is the need to promote and protect the rights of women, children and entire citizenry.

Scope of the Study

The study is limited to the residents and police personnel in Jomoro Municipality of the Western Region of the Ghana. The study covers the role of the Ghana Police Service in the protection of human rights, common patterns of police abuses of human rights, the most culpable category of police officers in terms of human rights abuse, as well as the reasons that influence police human rights abuse.

Theoretically, the Interests' and the Will theories provide the basis for the study. The Interest theory (Benefit Theory), as explained by John Finnis (1980), states that the principal function of human rights is to protect and promote certain essential human interests such as life and its capacity for development, acquisition of knowledge, play as capacity for recreation, aesthetic expression, sociability and friendship, practical reasonableness and religion or capacity for spiritual experience. According to the Interest Theory, having a right to something means that it is in your interest, or is to your benefit, and someone else has a duty to provide it. Someone violates your right by not doing his or her duty to provide the thing that is in your interest. This theory, however, is not without challenges. For instance, securing the fundamental interest and aspirations of every individual to achieve a minimally good life would be complicated by social and cultural diversity. Also, specifying the set of interests that are sufficient reasons for rights is nearly impossible. The proliferation of interest based rights continues: welfare rights; healthcare rights; women's rights; animal rights; etc.

The Will Theory, also known as the Choice Theory as propounded H.L.A. Hart (1907-92), states that having a right to something means that you

have control over others' free will in regard to it; otherwise, they can do as they please. Someone violates your right by acting contrary to your will in regard to your right's object. Herbert L.A. Hart, a British legal scholar, is credited with developing the will theory of rights which emphasizes the importance of human freedom, or liberty. According to the theory, freedom is the most basic right and all other rights, moral or legal, are specific protected freedoms. Limiting anyone's freedom always requires the authorization of others' rights; and the subjects of rights remain free to "claim" them or not. The will theory, also known as the "choice theory," allows rights-holders free choice to insist upon their rights, or to waive them. One major challenge associated with the will theory is right-holders' cognitive capacities: having a right requires understanding how to claim or waive it, which infants cannot understand, nor can mentally incapacitated adults; so, like animals, they cannot have rights.

Limitations

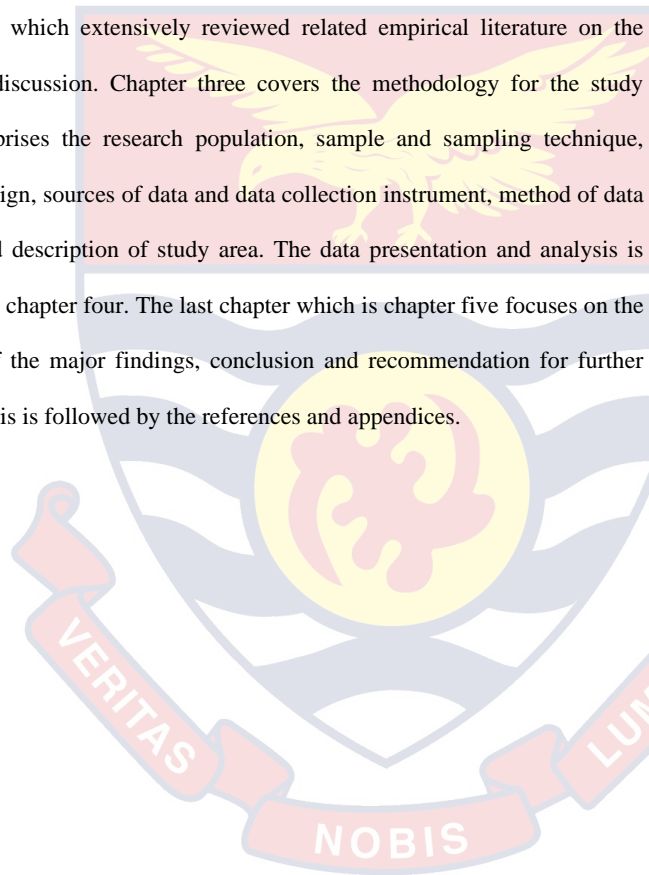
The study was carried out successfully but not without challenges. Numerous challenges were encountered including the following: First, the study was bedeviled with time and financial constraints as the researcher had to combine his work with the research and travel to the study area on many occasions for data collection. The study could not cover every aspect of Jomoro Municipality because of the aforementioned constraints. Inadequate access to information for the research writing, especially the appropriate literature, was another challenge the study was confronted with. Furthermore, some respondents were uncooperative, especially the police officers. Despite the assurance of anonymity and academic nature of the study, they were

doubtful and unwilling to volunteer responses to the questionnaire, especially the aspects that bordered on human rights abuses of police officers. On the part of the general public respondents, some of them were unwilling to answer the questionnaire because they deemed the exercise to be of no value. The researcher had to go through pains to explain further to convince the respondents to appreciate the need to help make the study successful. This uncooperative attitude of respondents delayed the data gathering. Notwithstanding the limitations, the reliability of the study was never compromised.

Nonetheless, the enumerated challenges were tactically surmounted in diverse ways. Regarding the time and financial constraints, the researcher sought permission occasionally from his superior officers to make time for the data collection and other research related activities whilst funds were also solicited from friends and relatives to overcome the financial burden. Extensive reading was made through internet as well as visitation to other tertiary institution libraries to gather relevant literature materials. Focused on resolving the research challenges, the police officers were engaged in dialogue by the researcher who is also a police officer to explain further the purpose and relevance of the study with recourse to ethical considerations. They were eventually convinced and voluntarily participated in the study as respondents. Natives of the study area were also recruited to assist in the data collection from the public; hence, the sampled respondents gave information willingly without doubting the anonymity of respondents as promised them by the researcher.

Organization of the Study

The study is organized into five chapters. The first chapter which is the introduction covers the background to the study, problem statement, objectives of the study, research questions, significance of the study, scope of the study and limitations, as well as organization of the study. This is followed by chapter two which extensively reviewed related empirical literature on the subject of discussion. Chapter three covers the methodology for the study which comprises the research population, sample and sampling technique, research design, sources of data and data collection instrument, method of data analysis and description of study area. The data presentation and analysis is contained in chapter four. The last chapter which is chapter five focuses on the summary of the major findings, conclusion and recommendation for further research. This is followed by the references and appendices.



CHAPTER TWO

REVIEW OF RELATED LITERATURE

Introduction

This chapter reviews the various literature that border on the activities of the police as they work to ensure respect for and securing the rights of the citizens. It begins with a review of the Interests' theory and the Will theory which served as the theoretical basis for the study. Also, literature on the historical perspective on human rights in the Ghanaian context, the concept and definition of human rights, policing in Ghana, as well as police abuse of human rights in Ghana are presented. The chapter concludes with an empirical review on related researches that have been done in the area, as well as a summary of the chapter.

Theoretical Review

This segment of the work seeks to explore relevant theories underpinning the study. Basically, the interest and the will approaches provide the theoretical basis for the study. These two theories are discussed in the subsequent paragraphs of the study.

Interests' Theory

According to Rainbolt (2006), Interest Theory was first proposed by Jeremy Bentham and further elaborated and defended by philosophers like David Lyons, Joseph Raz and Neil McCormick. These philosophers argue that a person has a right when others have duties that protect one of the person's rights. Raz (1986) contends that a person has right if the person's interest is sufficient for holding some other persons to be under duty. Another philosopher, Pogge (1995), argues that the moral burden of securing human

rights should fall disproportionately upon institutions because they are best placed and most able to effectively perform the task. He posited further that non-governmental organizations and private citizens have an important role to play in support of human rights nationally and internationally but the onus must fall upon the relevant national and international institutions. Philosophically, Orend (2002) also states that object of human rights is to secure minimal level of descent and respectful treatment. Generally, advocates of interests' theory argue that the principal function of human rights is to protect and promote certain essential human interests. Securing human beings' essential interests is the principal ground upon which human rights may be morally justified.

The interest approach is primarily concerned to identify the social and biological prerequisites for human beings leading a minimally good life. The universality of human rights is grounded in what are considered to be some basic, indispensable, attributes for human well-being, which all of us are deemed necessarily to share. Philosopher John Finnis provides a good representative of the interests' theory. Finnis (1980) argues that human rights are justifiable on the grounds of their instrumental value for securing the necessary conditions of human well-being. He identifies seven fundamental interests, or what he terms 'basic forms of human good' as providing the basis for human rights. These are: life and its capacity for development; the acquisition of knowledge as an end in itself; play as the capacity for recreation; aesthetic expression; sociability and friendship; practical reasonableness, the capacity for intelligent and reasonable thought processes; and finally, religion, or the capacity for spiritual experience. According to

Finnis, these are the essential prerequisites for human well-being and, as such, serve to justify our claims to the corresponding rights, whether they are of the claim right or liberty right variety.

Typically, this approach attempts to provide what James Nickel (1987:84) has termed 'prudential reasons' in support of human rights. Taking as the starting point the claim that all human beings possess basic and fundamental interests, advocates of this approach argue that each individual owes a basic and general duty to respect the rights of every other individual. The basis for this duty is not mere benevolence or altruism, but individual self-interest. As Nickel writes, 'a prudential argument from fundamental interests attempts to show that it would be reasonable to accept and comply with human rights, in circumstances where most others are likely to do so, because these norms are part of the best means for protecting one's fundamental interests against actions and omissions that endanger them' (Nickel, 1987:84). Protecting one's own fundamental interests requires others' willingness to recognize and respect these interests, which, in turn, requires reciprocal recognition and respect of the fundamental interests of others. The adequate protection of each individual's fundamental interests necessitates the establishment of a co-operative system, the fundamental aim of which is not to promote the common good, but the protection and promotion of individuals' self-interest.

For many philosophers such as Nickel, Finnis, Raz and Orend, the interests approach provides a philosophically powerful defense of the doctrine of human rights. It has the apparent advantage of appealing to human commonality, to those attributes we all share, and, in so doing, offers a

relatively broad-based defense of the plethora of human rights considered by many to be fundamental and inalienable. The interests approach also provides for the possibility of resolving some of the potential disputes which can arise over the need to prioritize some human rights over others.

However, the interests approach has been subjected to some significant criticisms. For example, according to the cultural relativism perspective of human rights, combining the appeal to fundamental interests with the aspiration of securing the conditions for each individual leading a minimally good life would be complicated by social and cultural diversity. Clearly, as the economic philosopher Amartya Sen (1999) has argued, the minimal conditions for a decent life are socially and culturally relative. Contextually, this can be, for instance, explained that providing the conditions for leading a minimally good life for the residents of East Legon in Accra would be significantly different to securing the same conditions for the residents of Nzemetianu in the Jomoro Municipality. It is further argued that interests themselves may be ultimately identical; adequately protecting these interests will have to go beyond the mere specification of some purportedly general prerequisites for satisfying individuals' fundamental interests.

Other criticisms of the interests' approach by Amartya Sen have focused upon the appeal to self-interest as providing a coherent basis for fully respecting the rights of all human beings. This approach is based upon the assumption that individuals occupy a condition of relatively equal vulnerability to one another. However, this is simply not the case. The model cannot adequately defend the claim that a self-interested agent must respect the interests of, for example, much less powerful or geographically distant

individuals, if she wishes to secure her own interests. On these terms, why should a purely self-interested and over-weight individual in, say, Takoradi care for the interests of a starving individual in some distant and impoverished village in Jomoro? In this instance, the starving person is not in a position to affect their overweight counterpart's fundamental interests. The appeal to pure self-interest ultimately cannot provide a basis for securing the universal moral community at the heart of the doctrine of human rights.

The Will Theory

In contrast to the interests' theory, the will theory attempts to establish the philosophical validity of human rights upon a single human attribute: the capacity for freedom. Will theorists argue that what is distinctive about human agency is the capacity for freedom and that this ought to constitute the core of any account of rights. Ultimately, then, will theorists view human rights as originating in, or reducible to, a single, constitutive right. Philosopher H. L. A. Hart, for example, inferentially argues that all rights are reducible to a single, fundamental right. He refers to this as 'equal right of all men to be free' (1955:77). Hart insists that rights to such things as political participation or to an adequate diet, for example, are ultimately reducible to, and derivative of, individuals' equal right to liberty. Another philosopher, Henry Shue (1996), develops upon Hart's inferential argument and argues that liberty alone is not ultimately sufficient for grounding all of the rights posited by Hart. Shue argues that many of these rights imply more than mere individual liberty and extend to include security from violence and the necessary material conditions for personal survival. Thus, he grounds rights upon liberty, security, and subsistence.

The moral philosopher Alan Gewirth (1978) has further developed upon such themes. Gewirth argues that the justification of our claims to the possession of basic human rights is grounded in what he presents as the distinguishing characteristic of human beings generally: the capacity for rationally purposive agency. Gewirth states that the recognition of the validity of human rights is a logical corollary of recognizing oneself as a rationally purposive agent since the possession of rights are the necessary means for rationally purposive action. Gewirth grounds his argument in the claim that all human action is rationally purposive. Every human action is done for some reason, irrespective of whether it is a good or a bad reason. He then asks what is required to be a rationally purposive agent and answers that freedom and well-being are the two necessary conditions for rationally purposive action. Freedom and well-being are the necessary means to acting in a rationally purposive fashion. They are essential prerequisites for being human, where to be human is to possess the capacity for rationally purposive action. As essential prerequisites, each individual is entitled to have access to them.

However, Gewirth (1982) argues that each individual cannot simply will their own enjoyment of these prerequisites for rational agency without due concern for others. He bases the necessary concern for others' human rights upon what he terms the 'Principle of Generic Consistency' (PGC). Gewirth (1982) argues that each individual's claim to the basic means for rationally purposive action is based upon an appeal to a general, rather than, specific attribute of all relevant agents. I cannot logically will my own claims to basic human rights without simultaneously accepting the equal claims of all rationally purposive agents to the same basic attributes. Gewirth (1982) has

argued that there exists an absolute right to life possessed separately and equally by all of us. In so claiming, Gewirth echoes Dworkin's (1992) concept of rights as trumps, but ultimately goes further than Dworkin is prepared to do by arguing that the right to life is absolute and cannot, therefore, be overridden under any circumstances.

He states that a 'right is absolute when it cannot be overridden in any circumstances, so that it can never be justifiably infringed and it must be fulfilled without any exceptions.' Will theorists then attempt to establish the validity of human rights upon the ideal of personal autonomy: rights are a manifestation of the exercise of personal autonomy? In so doing, the validity of human rights is necessarily tied to the validity of personal autonomy. On the face of it, this would appear to be a very powerful, philosophical position. After all, as someone like Gewirth might argue, critics of this position would themselves necessarily be acting autonomously and they cannot do this without simultaneously requiring the existence of the very means for such action: even in criticizing human rights, one is logically pre-supposing the existence of such rights.

Despite the apparent logical force of the will approach, it has been subjected to various forms of criticism by some philosophers. Rorty (1993) has argued that human rights are based not upon exercise of but a sentimental vision of humanity. The criticism further focuses upon the implications of will theory for so-called 'marginal cases', human beings who are temporarily or permanently incapable of acting in a rationally autonomous fashion. This would include individuals who have been diagnosed from suffering from dementia, schizophrenia, clinical depression, and, also, individuals who

remain in a comatose condition, from which they may never recover. If the constitutive condition for the possession of human rights is said to be the capacity for acting in a rationally purposive manner, for example, then it seems to logically follow that individuals incapable of satisfying these criteria have no legitimate claim to human rights. Many would find this conclusion morally disturbing. However, a strict adherence to the will approach is entailed by it. Some human beings are temporarily or permanently lacking the criteria Gewirth, for instance, cites as the basis for our claims to human rights. It is difficult to see how they could be assimilated within the community of the bearers of human rights on the terms of Gewirth's argument. Despite this, the general tendency is towards extending human rights considerations towards many of the so-called 'marginal cases'. To do otherwise would appear to many to be intuitively wrong, if not ultimately defensible by appeal to practical reason. Therefore, strictly applying the will theorists' criteria for membership of the community of human rights bearers would appear to result in the exclusion of some categories of human beings who are presently recognized as legitimate bearers of human rights.

Despite the criticisms of the interest and will theories, the philosophical foundation and justifications of both theories make them appropriate to be used as theories underpinning the study of perceptions of human right abuses by the Ghana Police Service in Jomoro Municipality. Contextualizing the interest theory in this study as posited by the proponents of the theory, the people of Jomoro have various interests which need to be protected and they have rights to such interest because the Ghana Police Service as an institution has the responsibility to protect those rights.

Furthermore, Oren stated that the object of human rights is to secure minimal level of decent and respectful treatment. An aspect of the study, therefore, seeks to examine how the police who are entrusted to secure the rights of the people of Jomoro treat them with respect and dignity. The two theories underpinning the study are, therefore, justified.

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The Concept of Human Rights

Human rights are rights inherent to all human beings, irrespective of a person's nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. Everybody is equally entitled to human rights without discrimination. These rights are all interrelated, interdependent and indivisible. The parliament and the executive are entrusted with the creation and implementation of the laws of the land, whilst the judiciary protects its execution. Besides these basic 'institutions', there are other bodies which strengthen and enhance the existing mechanisms: The modern concept of human rights developed in the aftermath of the Second World War dedicated government agencies, socially inclined non-government organizations, local community groups and international co-operation agencies in fact to provide the bulwark of human rights protection across the globe (Elliot, 2005).

The phrase "human rights" is relatively modern; the intellectual foundations of the modern concept can be traced through the history philosophy and the concepts of natural law rights and liberties as far back as the city States of Classical Greece and the development of Roman Law (Nishesha, 2010 as cited in Pravin (Ed.) pp. 197-199). Respect and realization of human rights requires an evolving culture that is more sensitive to the basic

needs of every human being. It respects the need for ensuring to everyone justice, social, economic and political, and provides fair and equal opportunities for growth and development to every individual and group of people. It protects everyone from being subjected to the whims of state and its arbitrary exercise of power and use of force by its agencies (Chaffee, 2001).

Human rights refer to the “basic rights and freedoms that all human beings have.” Rights are inherent to all human beings, regardless of nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible (United Nations High Commission on Human Rights, 2010). According to the Universal Declaration of Human Rights (UDHR) proclaimed by the United Nations General Assembly on December 10, 1948: “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.”

Human rights have been defined as basic moral guarantees that people in all countries and cultures allegedly have simply because they are people. Calling these guarantees “rights” suggests that they attach to particular individuals who can invoke them, that they are of high priority, and that compliance with them is mandatory rather than discretionary. Human rights are frequently held to be universal in the sense that all people have and should enjoy them, and to be independent in the sense that they exist and are available as standards of justification and criticism whether or not they are recognized and implemented by the legal system or officials of a country (Nickel, 2002).

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The moral doctrine of human rights aims at identifying the fundamental prerequisites for each human being leading a minimally good life. Human rights aim to identify both the necessary negative and positive prerequisites for leading a minimally good life, such as rights against torture and rights to health care. This aspiration has been enshrined in various declarations and legal conventions issued during the past fifty years, initiated by the Universal Declaration of Human Rights (1948) and perpetuated by, most importantly, the European Convention on Human Rights (1954) and the International Covenant on Civil and Economic Rights (1966). Together, these three documents form the centerpiece of a moral doctrine that many consider to be capable of providing the contemporary geo-political order with what amounts to an international bill of rights (Fagan, 2005).

Thus, the doctrine of human rights is ideally placed to provide individuals with a powerful means for morally auditing the legitimacy of those contemporary national and international forms of political and economic authority which confront us and which claim jurisdiction over us. This is no small measure of the contemporary moral and political significance of the doctrine of human rights. For many of its most strident supporters, the doctrine of human rights aims to provide a fundamentally legitimate moral basis for regulating the contemporary geo-political order (Klang & Murray, 2005).

At the international level, human rights are often defined, expressed, or guaranteed by law in the form of treaties, conventions, customary international law, general principles, and other legal instruments recognized by almost all states, specifically the 192 sovereign countries that belong to the United Nations. International human rights law also obliges governments to act in

certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals or groups. These obligations are intended to prevent abuse of authority by agents of government. It is important to note that respect for human rights remains inviolable over the performance of police duties and functions unless it is proven that the exercise of certain rights run counter to the requirements of morality, law and public order, and the general welfare of the people. Moreover, no one needs to give you these rights and no one is supposed to take them away or deprive you of these rights. Everywhere you go, your rights must be respected even as you respect the rights of others (Brine, 2010).

Policing in Ghana and Human Rights

The public is well aware that the police can violate human rights, by, for example, using excessive force which the police often describe as minimum force. The positive effect of police work on human rights is less clearly embedded in public consciousness (Atuguba, 2007).

Human rights protection is a major objective and foundation of policing; hence, the police make a fundamental contribution to the protection of human rights. Enduring social peace can only be achieved if human rights are respected and protected and this is in everyone's interest. Police are a key element in maintaining social peace. By detecting and preventing crimes, they help to protect and maintain respect for human rights. Human rights enhance effective policing by providing strict principles on legality, necessity and proportionality. These principles create confidence in the state and strengthen the rule of law (Gillespie, 1955; Goldsmith, 2003).

Policing based on human rights helps to enhance the successful administration of justice by ensuring a greater respect for human rights when the police gather evidence which is then used in court proceedings. Respecting human rights helps to ensure that evidence is not declared inadmissible because of misconduct. Human rights are based on human dignity and everyone is entitled to them (Karikari, 2002). The human rights of a criminal can be limited to a certain extent, with detention typically restricting the right not only to personal freedom but also to family and privacy through limitations on visiting hours, telephone use or the general rules in detention. A total denial of a criminal's rights would, however, undermine the very idea of human rights, which protects a minimum of humanity and dignity in all situations (Goldsmith, 2003).

Viewing human rights as merely an obstacle to police work shows a lack of understanding of the beneficial effects of human rights for a just, peaceful and inclusive society, for individuals as well as for the police. When a negative perception of human rights surfaces, one needs to make sure to have a thorough discussion of the functions of human rights as well as the role of the police in human rights protection (Atuguba, 2007). In severe cases, such as child abuse, some participants may find it difficult to understand why a purported abuser should be treated with respect and dignity. Such emotionally charged arguments pose particular challenges for law enforcement officers (Levi & Stoker, 2007).

Human Rights-Based Policing

Human Rights-Based Policing (HRBP) is the comprehensive, systematic, and institutional compliance with international human rights

standards and practices in the conduct of police or law enforcement functions (Ghana Police Service Handbook, 2011). It is also an approach to policing that defines the relationship between individual citizens and various groups or sectors of society as claim holders whose rights have to be respected and protected by the police as duty holders who have obligations to respect, protect and fulfill human rights (Boyuo, 2012). HRBP also aims to empower claimholders to claim their rights, while strengthening the capacities of duty-holders to meet their duties and obligations as human rights protectors.

Mainstreaming human rights-based approaches in police work is done by incorporating human rights principles and practices into police doctrines, strategies and plans. These principles and practices are also applied to all police systems, procedures, methods, and tactics. To be truly effective, even police equipment, supplies, and facilities are reviewed and upgraded to enable a police organization to meet human rights standards for law enforcement (Appiahene-Gyamfi, 2002).

Human rights-based policing is considered to be institutionalized when human rights principles and practices are taught and applied at all levels, in both operational and administrative functions of the police organization. Once human rights-based policing is institutionalized, it enhances its effectiveness and credibility in networking with other government and non-government agencies to address various human rights issues and concerns (Thompson & Lee, 2004). Human Rights-Based Policing is a strategic approach for reorienting the police organization from the traditional policing models or theories based purely on social control or repression to a new paradigm anchored on genuine respect for human rights and dignity, transparency,

accountability, rule of law, and people's active participation in democratic governance (Walker, 1997).

Characteristics of Human Rights-Based Policing

Human rights-based policing has several characteristics which are briefly explained as follows:

- 1. Strict observance of police policies and procedures:** Human rights-based policing entails strict observance of police policies and operational procedures. Most, if not all violations of human rights occur when police officers do not follow established policies and procedures. Shortcuts, omissions, or blatant disregard for procedures are unacceptable behaviour that violate our national laws, standard of operation rules and regulations, and generally accepted socio-cultural norms. When police officers follow and apply proper procedures, they uphold human rights while doing all that is possible to ensure that the subsequent case to be filed in court against a suspect would prosper, in the higher interest of justice (Lumina, 2008).
- 2. Adherence to international human rights standards for law enforcement:** Human rights-based policing is about adhering to international standards of human rights in law enforcement. There are at least ten (10) basic international human rights standards for law enforcement that all police organizations around the world must strive to attain. By adhering to international standards, the police is able to comply with a uniform set of principles and practices that is expected from all police officers by the international community (Loader, 2000).
- 3. Professional competence and courteous service:** Human rights-based policing is demonstrated through professional competence and courtesy. In

order to prevent human rights violations, the police must only use calibrated force to subdue suspects. This can only be taught through realistic simulation of incidents involving both armed and unarmed suspects, as well as compliant and resisting persons (National Research Council, 2004) (NRC). They must understand that force is only used when normal persuasion fails and when it is absolutely necessary to overcome a threat to public safety. The police arrest and restrain persons or suspects on the basis of “probable cause” while judges adjudicate and punish on the burden of proof “beyond a reasonable doubt” which is a higher legal standard. However, it is clear that the police must use commensurate degrees of force in order to effectively enforce the law and ensure public safety (Tyler, 2001).

4. **Respect for rule of law and civilian supremacy:** Human rights-based policing is anchored on the rule of law and recognition of civilian supremacy. From the term “law enforcement”, it is understood that there can be no enforcement apart from the law. Any act of enforcement (that is, the use of police powers or any manner of application of force) apart from the law may be considered criminal, or at the very least, an abuse of authority. Respect for rule of law and civilian supremacy is best exemplified when the police practices accountability for all its actions or, as the case may be, inaction on matters related to the protection of people’s legal rights (Ansah-Koi, 2001).
5. **Pro-democracy and pro-citizen:** Human rights-based policing is democratic and citizen centered. Democratic values are best demonstrated by the police when it seeks greater participation by the community in

maintaining peace and order. The police organization must always remain responsive and relevant to the needs of the community which is actually the main clientele. Through dialogues and consultations with stakeholders, the police are able to learn about the issues and concerns that must be addressed at the community level. In most, if not all situations, full cooperation between the police and the community is required in order to solve peace and order problems (Anamzoya & Senah, 2011).

6. **Legality, necessity and proportionality:** The work of the police is bound by clear, precise and accessible laws. Particularly, strict regulations and scrutiny apply to the use of force. The use of force is allowed only as a last resort, when all other options are either exhausted or considered ineffective. The use of force and all other acts of policing are strictly bound by the principles of necessity and proportionality (Tankebe, 2008)
7. **Transparency:** Accountability contributes to the transparency of police work, another key element of democratic policing. The main findings of external mechanisms should be published, helping open up the police system (Felson et al., 2002). Transparency also means that police must work with the media in a responsible manner, taking into account data protection and the presumption of innocence. Transparency includes the public dissemination of reports, including crime statistics, and results of internal investigations as well as establishing communication structures with communities.
8. **Professionalism and effectiveness:** Ensuring that human rights are the benchmark of policing both requires professionalism and tends to enhance it. The professional gathering of intelligence and evidence reduces the

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temptation to extract confessions under duress and thus contributes to upholding the prohibition of torture and inhuman treatment. Effective interrogation of a suspect, where the officer tailors' tactics to each individual while strictly respecting human rights principles, requires legal and sociological knowledge as well as various skills: rhetorical, psychological and analytical (Tankebe, 2008). Upholding human rights standards, professional standards and technical policing ability are interdependent skills. A police officer who lacks technical policing skills is more likely to behave badly in order to get results. Equally, a police official who relies on bad behaviour to get results will not develop the necessary technical policing skills to become a competent professional. Human rights challenge the police by pushing for the application of best practice and technical skills to achieve good results. Because the police are the most visible face of government power, for most citizens, they are expected to deal effectively with crime and disorder and to be impartial, producing justice through the fair and reduced use of authority. The standards by which the public judges police success have become more exacting and challenging (National Research Council, 2004).

9. **Trust and confidence:** The trust and confidence of the public are a necessary prerequisite for effective police work. Effective policing is not possible if certain sectors of the population do not feel that the police protect and respect them. It is imperative that the police engage in trust building and establish appropriate communication structures with the public (Mishler & Rose, 1998). Measures to establish transparency and accountability of the police contribute to trust building. Programmes to

actively reach out to the population include establishing institutionalized dialogue with communities, such as forums of open discussion, community advisory boards and open days (Lyons, 2002). The community policing approach can inspire the establishment of appropriate communication structures. Obviously, clear acceptance of and acting in accordance with human rights is highly relevant for building and maintaining trust. The principle of non-discrimination is of particular relevance in relations with marginalized groups (European Union Agency for Fundamental Rights, 2010; Kaariainen & Siren, 2011).

The Relationship between Human Rights and Policing

The relationship between human rights and policing is considered by examining the ways in which human rights regulate police powers and functions, what the relationship between human rights and policing should be; and then by considering some positive aspects of the relationship and some negative aspects (Awasthi & Kataria, 2002). Maintaining social order is such a fundamental police function, and social order is so fundamental to the realization of human rights that the protection of human rights can be seen, in itself, as a police function.

The very specific ways in which the police protect particular human rights give further support, if it were needed, to the notion that the protection of human rights is a police function (De, 1998). Indeed, the protection of human rights should stand alongside the prevention and detection of crime, the preservation of social order, and the provision of assistance in emergencies as one of the primary functions of policing.

In addition to protecting human rights as one of their primary functions, the police are also required to respect human rights. That is to say, when they are exercising their powers (for example, to use force, to deprive people of their liberty, or to carry out search or surveillance activities), the police must obey the laws designed to secure human rights. Protection of and respect for human rights are so integral to policing that the removal of any tension between policing and human rights that exists in practice, the creation of a human rights culture within police agencies, is one of the most pressing tasks presently facing police leaders (Diwan, 2001).

The creation of such a culture can, perhaps, be promoted by recognizing the entitlement of the police to human rights. This recognition should go beyond the entitlement of the police to all human rights as members of the human family, to recognize that the police have special needs as far as human rights are concerned. For example, the ways in which a police official is recruited, trained, equipped, briefed, deployed and supervised can have a direct impact on whether or not he or she is killed or survives in a potentially lethal situation (Jayapalan, 2001). Governments and police leaders, and indeed the community the police serve, have crucial responsibilities to acknowledge and to meet the special human rights needs of the police. Many other examples of these needs could be given - especially in relation to the economic, social and cultural rights of the police.

The relationship between human rights and policing should, therefore, be characterized by concepts of protection, respect and entitlement. However, the protection of human rights by the police is a very positive aspect of the relationship and deserves further consideration (Parushar, 2001). There is an

argument that respect for human rights is somehow opposed to effective law enforcement, that in order to enforce the law, to capture the criminal and to secure his or her conviction, it is necessary to “bend the rules” a little. We have all seen the tendency to use overwhelming force in controlling demonstrations, physical pressure to extract information from detainees or excessive force to secure an arrest. According to this way of thinking, law enforcement is a war against crime and human rights are merely obstacles thrown in the path of the police by lawyers and NGOs. In fact, violations of human rights by the police only make the already challenging task of law enforcement more difficult. When the law enforcer becomes the lawbreaker, the result is an assault on human dignity, on the law itself and on all institutions of public authority.

The effects of police human rights abuse and violations are manifold (Pogge, 2002):

They erode public confidence;

They hamper effective prosecutions in court;

They isolate the police from the community;

They result in the guilty going free and the innocent being punished;

They leave the victim of crime without justice for his or her suffering;

They force police agencies to be reactive rather than preventive or proactive in their approach to crime;

They bring agents and institutions of public authority into disrepute; and

They exacerbate civil unrest.

Respect for human rights by law enforcement agencies actually enhances their effectiveness. Where human rights are systematically respected, police officers

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have developed professionalism in their approaches to solving and preventing crime and maintaining public order. In this sense, respect for human rights by the police is, in addition to being a moral, legal and ethical imperative, a practical requirement for law enforcement. When the police are seen to respect, uphold and defend human rights:

Public confidence is built and community cooperation fostered;

Legal prosecutions are successful in court;

Police are seen as part of the community, performing a valuable social function;

The fair administration of justice, hence confidence in the system, is served;

An example is set for respect for the law by others in society;

Police are able to be closer to the community and therefore will be in a position to prevent and solve crimes through proactive policing;

Support is elicited from the media, from the international community and from higher authorities; and

A contribution is made to the peaceful resolution of conflicts and complaints.

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In so doing, the clause that introduces these should read this way:
“When the police are seen to respect, uphold and defend human rights, the following are the desired effects or outcomes:”

Human Rights Abuse by Ghanaian Police

The police are the first, and often the only, experience that people in the community have with the criminal justice system. Unfortunately, in Ghana this experience is marred by widespread corruption, illegal arrest and detention, excessive use of force and a failure to respond to complaints. These are all hallmarks of a regime-style police service that is not held accountable for its actions (CHRAJ, 2007). When cases are reported at police officers stations, it often becomes an opportunity to collect bribes. They create the impression that they cannot help much; sometimes advising victims to go

home and let sleeping dogs lie. However, immediately some few cedis change hands, they come alive with enthusiasm to attend to the work for which they are paid with taxpayers' money. Over the years, the image of the Ghana Police Service has been synonymous with bribery and corruption. A recent corruption perception survey conducted by Ghana Integrity Initiative, the local branch of Transparency International, indicates that the Ghana Police Service is unrivalled as far as corruption is concerned (Ghana Web, 2006). The pioneers of the Ghana Police were drawn from military sources without proper civil police training. They were held in such dread that children were frightened by the mere mention of the word 'police.' Any member of the public found in the company of a policeman was considered to have been involved in some trouble. The police were tolerated in the society through fear. In the minds of many, it was the symbol of the imperial powers. (Agbitor, 2012).

“None of the civilian and military regimes during the mandate period (1957-1992) made any serious attempt to provide mechanisms that would enable the service to exercise its functions in the society efficiently and honestly, while respecting individual dignity, rights and liberties” (Ghana's National Reconciliation Commission Report (GNRCR), 2004, cited in Commonwealth Human Rights Report 2007). Since the 1960s, there has been a general impression from the various discussions that the Ghana Police has continued to violate and infringe on the human rights of citizens.” According to Country Review Report of the Republic of Ghana – African Peer Review Mechanism, 2010, “Suspects were detained or held in custody without trial

indefinitely and, in some cases in the past, extra-judicial killings were carried out”.

Furthermore, one finds it hard to believe that torture is still a common practice in most part of the world including Ghana. It is easier to ignore or avoid the issue altogether, because it is too difficult or unsettling to imagine that even in the 21st century, torture still exists. Although torture in adults is well documented, studies that document its use against children are rare and it is even more disturbing to visualize that children are deliberately subjected to pain and suffering in many of the countries throughout the world (Kennedy, 2009).

Article 15(2a) of the 1992 Republican Constitution of Ghana explicitly states that “No person shall, whether or not he is arrested, restricted or detained, be subjected to torture or other cruel, inhuman or degrading treatment or punishment”. On the contrary, there are credible reports that the police beat and abuse suspects, prisoners, demonstrators, and other citizens (2009 Country Report on Human Rights Practices).

On August 8, 2009 at Osu in Accra, the police shot an 18-year-old son of a former member of parliament in the leg outside a nightclub as he was leaving the venue with friends.(2009 Country Report on Human Rights Practices). On the 26th day of March, 2017, a 48-year-old man, Assua Boah of Ekpu, a suburb of Half Assini, was arrested and detained in police cells at Half Assini to assist investigation into a case of unlawful entry and stealing in which he was suspected to be involved. Having been allegedly detained in custody for more than 48 hours without bail or being arraigned before court, he was alleged to have been assaulted and tortured to compel him to give a

confession statement, a situation which allegedly resulted in his untimely death on 28th March, 2017. The next day, irate youth from the community of the deceased embarked on a demonstration and consequently vandalized the Half Assini police station. The police, in retaliation, embarked on a swoop and arrested hundreds of suspects including innocent ones and subjected them to series of maltreatment through which many of the arrested people sustained various forms of bodily harm.

Reasons why the Police Violates Human Rights

Policing can be extremely difficult and demanding - emotionally, intellectually and physically. In practicing their craft and profession, police officers can experience personal danger and discomfort, and severe trauma and anxiety. Police are required to respond with restraint to physical attacks on their persons; they are required to respond dispassionately and compassionately to the immediate effects of serious crimes on victims; they experience the frustrations of being unable to deliver to justice the perpetrators of felonious crimes; and they are subjected to pressure from society, the news media, and from politicians to obtain results (Golder & Williams, 2006). In the case of really atrocious crimes, or where "law and order has become or has been made an issue of party politics, this pressure can be such that the police feel they are entitled, or perhaps even required, to adopt unlawful and inhumane methods. Furthermore, people engaged in organized crime, or certain types of financial criminality, have at their disposal vast sums of money which can be, and is, used to corrupt the police (Kodumagulla & Suryanarayana, 2011).

These are some of the factors that combine to confront individual Police officials with a variety of ethical problems and dilemmas. They are factors that create or reinforce a sub-culture which can be inimical to human rights and the rule of law, a sub-culture which can be comfortable with the absurd and sinister notion of "noble cause corruption - law breaking for the purposes of law enforcement. They derive from the nature of the Police task and the nature of Police organization and their relationship to political systems and the societies within which they function (Ambrož, 2005).

These critical factors, and especially elements of police sub-cultures, have been identified and discussed in a number of sociological studies. For example, one such study in which a number of others are summarized argues that policing is characterized by wide discretionary powers, low visibility, and minimal supervision. These working conditions have given rise to an occupational culture that consists of a range of informal assumptions, values and accepted practices that tend to circumvent or defy legal rules and formal instructions (Thomas, 2006). Features of this occupational culture include a sense of mission, orientation towards action, pessimism concerning the social environment, an attitude of constant suspicion, an isolated social life, a strong code of solidarity, political conservatism, racial prejudice, sexism, categorization of people as either rough or respectable, a code of silence, and a readiness to conceal police misconduct (Yash, 2001).

These working conditions and cultural features identified in the study are inimical to the development of a human rights culture within police organizations and they are inimical to the delivery of effective policing (Thomas, 2006). In other words, they are not conducive to the delivery of

effective and complete policing. In addition to considering why the police violate human rights, other important steps in seeking to build a human rights culture within police organizations include expressing and emphasizing the reasons why the police should obey the law, and why the ethics of policing are important (Pogge, 2002).

The Role of the Police with regard to Human Rights

The role of the police is scientific method of investigation, the avoidance of third degree methods, efficiency in professionalism and to act as a protector and saviour of the community. The basic role of the police is to function as a law enforcement agency and render service to the citizenry in accordance with law. A welfare state is a police state in which only protection of law and order is the main function of the state. This function is carried out with the help of the police. This is regarded as a sovereign function. This function by the state is considered as the most important and fundamental. The state has to implement many measures for the benefit and welfare of the people (Egede, 2007).

The police in a democratic polity perform multiple and complex tasks towards this objective. The police ought to be an effective organization for the prevention, detection and investigation of crime, maintenance of law and order, protection of lives, liberties, and honour and possessions of the people, to bring offenders to justice and rendering of honest and impartial service to the people (Ghana Human Rights Reports, 2011). However, the changing internal security scenario has added a new dimension to the tasks of the police and brought the police service closer to the center of state of governance within the increasingly tentative internal security situation in all parts of the

country. Consequently, it is urgent and imperative to secure a police organization that is structurally cohesive, functionally competent and operationally oriented to fulfill the wide ranging goals of the organization in providing efficient as well as quality services to the people. In performing this, the police must maintain highest standards of integrity professionalism and service orientation while acting within the framework of the constitution and laws of the land (Ahemba, 2008).

The police in Ghana have to perform a difficult and delicate task, particularly in view of the deteriorating law and order situation, communal riots, political turmoil, students unrest, terrorist activities, and among others increasing number of underworld armed gangs and criminals. Many hard core criminals like extremists, the terrorists, drug peddlers, smugglers who have organized gangs have taken strong roots in the society (Tatchell, 2006). It is being said in certain quarters that with more liberalization and enforcement of fundamental rights, it would lead to difficulties in the detection of crimes committed by such categories of hardened criminals as they are often engaged in soft peddling interrogation with too much of emphasis on protection of their fundamental human rights. To deal with such a situation, a balanced approach is needed to meet the ends of justice (Okeke, 2000).

Historical Perspective on Human Rights in Africa

Respect for human rights and individual liberties have not been consistently adhered to in Africa or any other place across the globe (Lauren, 2008). The notion of dictatorial chiefs and hereditary rulers over small and large kingdoms are characteristics of some parts of pre-colonial Africa as well as other countries and cultures. Highly stratified and hierarchical political

systems with clear demarcation between ruler and subject are scattered throughout the pages of history. Vincent (2008) lays out an impressive array of politically governing systems that neither recognized nor respected human rights, and where inequality and domination were exacted on the poor and defenseless. Example is the hierarchical society like the pharaohs of ancient Egypt. Further destabilizing attempts in establishing early human rights governance strategy was the international recognition of the “doctrine of sovereignty” that gave the state and the ruler of the state supreme power.

Vincent (2008:27) states, “From the time it was first enunciated to the present, no doctrine has served to thwart international human rights more severely than this one”. However, U.N. Secretary General, Kofi Annan, in a speech to the General Assembly on September 2000 (UN Millennium Summit) remarked, “National sovereignty must not be used as a shield for violations of people's rights, and the international community must find better ways to enforce international and human rights laws, including ensuring gross violations are punished, to protect the vulnerable and Security Council should consider armed intervention in cases of mass murder”. Vincent wraps up his discussion on the evolution of human rights with the sobering statement that “No place on earth by the end of the eighteenth century, therefore could claim that human rights for all were somehow broadly based or solidly founded in their histories or cultures”.

This is not to say that some hierarchical rulers and kings, even though they yielded great power, did not rule over stable and secure societies where trade flourished and other levels of more traditional power checked the exhaustive rule of the kings. Owusu-Ansah (2000) in particular cites the

examples of several West African kingdoms such as the Asante, Benin, Oyo, and Dahomey, although not democratic in the sense we know democracy, but were peaceful and had a recognized religious culture that offered some protection against the divine right of the kings and rulers.

Empirical Review

Historical Perspective on Human Rights in the Ghanaian Context

Ghana has been a signatory to many international human rights treaties since independence. The signing of these treaties is an indication of the country's commitment to uphold and defend all human rights laws. The move by the country further confirms its position on protection of human dignity. The table below shows the various international treaties signed by Ghana since 1958.

Table 1: Ghana's Stances on International Human Rights Treaties

Treaty	Organization	Introduced	Signed	Ratified
Convention on the Prevention and Punishment of the Crime of Genocide	United Nations	1948	-	1958
International Convention on the Elimination of All Forms of Racial Discrimination	United Nations	1966	1966	1966
International Covenant on Economic, Social and Cultural Rights	United Nations	1966	2000	2000
International Covenant on Civil and Political Rights	United Nations	1966	2000	2000
First Optional Protocol to the International Covenant on Civil and Political Rights	United Nations	1966	2000	2000
Convention on the Non-Applicability of Statutory Limitations to War Crimes and	United Nations	1968	-	2000

Table 1 continued

Treaty	Organization	Introduced	Signed	Ratified
Crimes Against Humanity				
International Convention on the Suppression and Punishment of the Crime of Apartheid	United Nations	1973	-	1978
Convention on the Elimination of All Forms of Discrimination against Women	United Nations	1979	1980	1986
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	United Nations	1984	2000	2000
Convention on the Rights of the Child	United Nations	1989	1990	1990
Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty	United Nations	1989	-	-
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	United Nations	1990	2000	2000
Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	United Nations	1999	2000	2011
Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict	United Nations	2000	2003	-
Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	United Nations	2000	2003	-
Convention on the Rights of Persons with Disabilities	United Nations	2006	2007	2012
Optional Protocol to the	United	2006	2007	2012

Table 1 continued

Treaty	Organization	Introduced	Signed	Ratified
Convention on the Rights of Persons with Disabilities	Nations			
International Convention for the Protection of All Persons from Enforced Disappearance	United Nations	2006	2007	-
Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	United Nations	2008	2009	-

Source: Freedom House Report (2014)

The signing of the international human rights treaties signifies its willingness to be subjected to internal human rights review. Freedom House is an international non-governmental organization which was established in 1941 and based in United States of America. The organization conducts research in various countries across the world including Ghana to assess their performance in human rights protection especially in areas of political rights and civil liberties. According to Freedom House research conducted in Ghana from 1972 to 2013 using rating scale of 1 to 7 with score of 1 being most free and 7 being least free.

The study revealed that, in 1972, Ghana under the leadership of President Kofi Abrefa Busia was not free in terms of political and civil rights of the citizenry. The situation was same from 1973-1976 under the presidency of Ignatius Kutu Acheampong. However, the situation was described as partly free under same president during 1977 and 1978. Similarly in 1979, Ghana under President Fred Akuffo was described partly free. The study further described the political and civil rights of Ghanaians in 1980 under President Hilla Limann as free, an improvement upon his predecessors. Surprisingly, his

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performance declined in 1981 and described as not free. The status continued under President Jerry John Rawlings from 1982-1991.

However, the trend changed from not free to partly free between 1992 and 1999 under the same administration of Jerry John Rawlings, probably owing to the transition from the military rule to democratic rule. The situation further improved to free in 2000 under same President Rawlings. The free political and civil status was maintained from 2001 to 2013 under the leadership of Presidents John Agyekum Kufuor, Evans John Atta Mills and John Dramani Mahama.

The Constitution of Ghana and the Human Rights

Human Rights are considered to be part of a higher law, a body of universal principle of rights and justice superior to laws created by governments (Encyclopedia Britannica Vol.6). Rights and freedoms are inherent in our humanity and not given by the state, so, in principle our rights and freedoms cannot be abrogated or taken away by anybody or authority, not even the government except on certain conditions to restrain a person from committing crime. Human rights are, therefore, fundamental, universal, inalienable and indivisible. Following the examples of those who framed the Constitution of leading democracies in the world and also reflecting on the poor records of some of our past governments on human rights, framers of the 1992 Constitution deemed it necessary to dedicate a whole chapter to fundamental rights and freedoms of people (see Chapter five of 1992 Constitution of Ghana).

It, therefore, guarantees all the elaborate systems of human rights and fundamental freedoms. Each article under chapter five of the Constitution,

from articles 13 to 30, deals with a specific aspect of human rights. The first fundamental right enshrined in the constitution is the right to life. This is appropriate since human rights and freedoms are around the concept of the dignity and worth of the individual human being. It is followed by the protection of persons, which is assured by specific restraints on the powers of the state to deprive one of his/her liberty and elaborates procedures to be followed when a person is lawfully arrested (Appiahene-Gyamfi, 1998).

The general fundamental human rights are fully guaranteed as stipulated in chapter five of the 1992 Constitution of the republic of Ghana. These include freedom of expression, freedom of the press, freedom of thought, conscience and belief, freedom of religion, freedom of association and freedom to form or join any political party. The Constitution goes beyond the classical model to protect certain economic, educational and cultural rights. Full attention is paid to the rights of vulnerable groups such as women, children and physically challenged persons. Enacting the laws is one thing and seeing to their implementation is another. It is upon this that CHRAJ was established in accordance with chapter 18 of the 1992 Constitution of the republic of Ghana to see to the realization of all these laudable and lofty constitutional provisions for the citizenry.

Human Rights Implementation

From a legal perspective, human rights implementation refers to the obligation of state and non-state actors to ensure compliance with human rights law. International and national human rights law imposes these obligations upon them. For example, the International Covenant on Civil and Political Rights requires a state to implement this particular human rights

framework (Bimpong-Buta, 2009). Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such legislative or other measures as may be necessary to give effect to the rights recognized in the present Covenant (Art.2 (2) of the ICCPR). Thus, one of the most important human rights treaties calls upon states to create measures, which guarantee respect for the basic norms, standards and values that are protected by this Covenant (Kennedy, 2011).

As a consequence, active or passive involvement by state or non-state actors is supposed to guarantee adherence to human rights by enforcing human rights through the creation of legal structures, monitoring mechanisms, awareness education, facilitating advocacy, establishing dialogues, allowing access to justice, training specific groups and spreading information. Passively, this is accomplished by refraining from interfering with the active enjoyment of human rights (Uvin, 2007).

Nevertheless, by concentrating upon the state as the prime actor for the protection and effective realization of human rights, dilemmas are created. This perspective on human rights implementation focuses on the rather classic view of state-citizen relations (Donnelly, 2003). However, in the case of non-state actors, how can compliance with human rights be ensured? In addition to these considerations, it is vital to be aware of the complexities of enforcing human rights implementation against the will of state or non-state actors (United Nations, 2008).

Human rights implementation takes place on international, national and local levels. International human rights implementation mostly occurs through the UN or regional human rights systems. Although their role is mostly supervisory, their instruments have preventive as well punitive characteristics (Nowak, 2003). These mechanisms, assisted by NGO's and international bodies, stimulate the enforcement and protection of human rights. Treaty bodies, for example, call for governments to submit reports on their national human rights situation. This is often supplemented by reports of civil society.

In response, a treaty body will make comments and recommendations. A report of a Special Rapporteur might follow-up on this. If the situation does not improve, stronger measures such as sanctions could be initiated. In spite of this extensive framework of possibilities, it is significant to be aware of the related political factors. For instance, the implementation of human rights by the UN is a process that is subjected to political pressures (Freeman, 2002). This leads to selective attention to human rights problems, political bargaining and delays in the implementation of human rights. Although there are possibilities on an international level to enforce human rights, for political reasons, these are used with caution (Nowak, 2003).

Despite this international human rights framework, implementation on a national level dominates. To quote Donnelly (2003: 34), 'Human rights norms have been largely internationalized, their implementation, however, remains almost exclusively national,' thus stressing the national character of realizing respect for human rights. Because it demonstrates that particular society's commitment, implementation within national states prevails. Yet

how do states put human rights into practice? Most have ratified binding international treaties and subsequently codified them directly or indirectly into national law. In some countries, they become part of the constitution, while in others, separate laws are developed. As such, international human rights law is translated on a national level.

Nonetheless, on a societal level, respect for human rights is not only dependent upon laws, but also an effective organization, infrastructure, fair administrative procedures and a widespread culture of rights that reflects respect for human rights norms, values or standards (Halliday & Smith, 2005). Although legal recognition of human rights is often a first step, it is through other structures that social change is realized; the reason being that changing individual behavior is complex (Cotterrell as cited in Dror, 1992). Indirectly, the creation of structures like social institutions or institutional frameworks encourages the actual social change. Consequently, an indirect rather than a direct usage of law, including human rights law, facilitates how they are put to use. Hence, from a socio-legal perspective, human rights implementation seeks to influence social behavior with the ultimate objective to have people comply with the norms, values or standards that human rights law portrays.

Implementing human rights remains complicated. The problem with human rights is that it is not clear which community they address and which remedies they provide (Ignatieff, 2000). There are no clear-cut solutions to successfully increase respect for human rights. Yet in order to understand human rights implementation, it is relevant to consider the societal context. Thus, the kind of structures that are initiated to realize respect for human rights norms, values and standards is related to how society operates. Their

effectuation, however, depends on how and in which part of society they are put into practice. For example, human beings can be prevented from issuing complaints about police violence (Caldeira, 2001).

As a consequence, individual protection and human rights implementation are affected. Throughout the globe, large groups of people are socially excluded and de facto they are not able to take part in formal society. Brazil's favelas are no-go areas for the police because residents have no confidence in the state's capacity to guarantee their right to security; they opt to do it themselves (Dowdney, 2003). In addition, the implementation of human rights varies according to the organization and resources of different states

Brief History of the Ghana Police Service

Policing in Ghana, the then Gold Coast, was originally organized by traditional authorities led by local kings or chiefs. Unpaid messengers were employed to carry out executive and judicial functions in their respective communities (Agbemanbese, 2012). Professional policing was introduced by the British colonial authorities in 1831. The then colonial administrator, Captain George Mclean, Governor of the Gold Coast, recruited 129 men called the Gold Coast Corps (GCC) to patrol the trade routes between Ashanti Kingdom and the Coast to protect colonial merchants and officials around the castle.

In 1871, when Great Britain had full control of the Gold Coast colony, it became imperative to provide a strong force to that effect. Captain Glover recruited a force of 700 Hausa men from Northern Nigeria to participate in the Ashanti war on behalf of the British and in 1876, this group of men constituted

the Gold Coast Constabulary. In 1884, the Gold Coast Police Force (GCPF) was formed with 400 out of the 700 who formed the Gold Coast Constabulary. The remaining 300 became the Gold Coast Regiment, first and second battalions. The Police Ordinance was passed in 1894 to give a legal backing to the formation of civil Police Force in the colony. In 1902, the Gold Coast Police was divided into two separate branches of Escort and General Police as well as Mines and Railway Police units which were legalized by the Police Amendment Ordinance of 1904. In 1907, the Northern Territories Constabulary was formed from the second battalion of the Gold Coast Regiment but it was amalgamated with the GCPF in 1929. Real police work started in the then Gold Coast, now the Republic of Ghana, in the year 1931. The first twelve women were enlisted into the service in 1952 to perform duties such as supervision of delinquent children.

After the establishment of the GCPF, various units and departments were also formed to enhance the administration of police activities and also to ensure effective policing that will meet the objectives of establishing the institution. The following are some of the units that were formed; the marine police (Water Police) was formed in 1916 to ensure security on the territorial waters of the country but was disbanded in 1942 and its duties were taken over by the Customs, Excise and Preventive Service (CEPS).

The marine police was re-introduced in April 2011 (<https://mobile.ghanaweb.com>). They are often stationed at the coastal areas. In 1921 and 1922, the Criminal Investigation Department (CID) and Finger Prints System were respectively introduced (Anane-Appiah, 2011). Also, the Police Training Depot was opened on the 14th day of March 1930 for the training of recruits,

refresher and promotion courses for junior ranks. The Police Reserves which has now been changed to Rapid Deployment Force (RDF) was formed in 1948 to combat rioting and lawlessness in the country. Similarly, the Police Wireless Communication came into use in 1949 with the formal opening of the Information Room in Accra by his Excellency the Governor Charles Noble Arden Clerk in June 1950. The name was changed from Ghana Police Force to Ghana Police Service upon the attainment of independence to give it a human face and to serve the citizens better. In addition, the Armoured Car Squadron (ACS), now the Formed Police Unit (FPU), was established in 1958 to perform special duties like the Presidential Guard. In 1958, the first Ghanaian Police Commissioner, Mr. E. R. T. Madjitey, was appointed to head the service (Boyuo, 2012).

Furthermore, Police College was opened in 1959 to train Senior Police Officers (SPOs) (Ghana Police Service Squad Note Book). In 1970, the Ghana Police Service received legal backing with the promulgation of the Police Service Act, 1970 (Act. 350). Owing to the increasing number of Gender Based Violence (GBV) and issues of sexual and other forms of abuse that occur between people of close relations and usually against children and women, DOVVSU was established in 2007 to address such cases by providing financial and psycho-social support to victims of such cases.

The GPS is the main law enforcement agency in the country. The service is under the control of the Ghanaian Ministry of the Interior, and employs over 33,000 officers across the country. The administration and organization of the Ghana Police Service takes its source from the national level with a unified command under the Inspector General of Police (IGP).

The IGP is responsible for exercising general day to day supervision over the operation and administration of the police service subject to any directive from the Minister of Interior. Activities of the Ghana Police Service are, therefore, directed by the IGP from the national Police headquarters, Accra. However, there are SPOs who assist him in the headquarters administration and for the purpose of effective administration, the service has been divided into eleven regions including all the ten regions in Ghana with Tema also classified as a region. It is worthy to note that all the training institutions in the Ghana Police Service are also aggregated and recognized as a region. Every region is headed by a commander. Each region is further divided into Divisions and as at 30th December 2016, the Ghana Police Service had 83 divisions across the country. Similarly, every division is headed by SPO to ensure efficient delivery service in terms of security to the citizenry at the grass root. The divisions are further divided into districts which are also headed by SPOs with 295 Police districts across the country. Each district is made up of Police stations and posts with 1092 of them across the country (Statistics Office, Police Headquarters, 2016). The stations and posts are headed by other ranks, usually a Chief Inspector or an Inspector.

CHAPTER THREE

RESEARCH METHODS

Introduction

This chapter examined the methodology that was used to carry out the research. It comprises the study area, the population from which sample was selected, the research design, sample and sampling procedure, research instrument, data collection procedure and data analysis procedure.

Study Area

Jomoro was one of the 22 districts in the Western Region (see Fig. 1). It was carved from the then Nzema district in 1988 by LI 1394 with Half Assini as its capital town. However, the district was elevated to municipal status by his Excellency the president Nana Addo Danquah Akuffo-Addo. The municipality was officially launched on the 15th day March 2018 by the Deputy Western Regional Minister, Hon. Eugenia Kusi (Jomoro Municipal Assembly, JMA 2018). The municipality is located in the south western part of the Western Region of Ghana. It is located between latitude 4°, 80" N and 5°, 21" N and longitude 2°, 35" W and 3°, 07" W. The district shares boundary with the Wassa Amemfi municipality, and Aowin Suaman district to the north, Nzema East district to the east, The Republic of La Cote d' Ivoire to the West and the Gulf of Guinea to the south. The district covers a total land area of 1,495 square kilometres which represents about 5.6% of the total land size of the Western Region. The total population of the people of Jomoro is 150,107, representing 6% of the total population 2,376,021 in the Western Region of Ghana. Out of the district's total population, 73,560 are males whilst 76, 546 are females, representing 49% and 51% respectively.



Figure 1: Map of Jomoro Municipality

Source: Ghana Statistical Service, GSS.

Administratively, Half Assini is the district capital whilst Elubo is classified as the commercial capital. The municipality has one police divisional command at Half Assini headed by a chief superintendent. The division supervises two district commands at Half Assini and Elubo headed by a deputy superintendent and assistant superintendent respectively. Half Assini district commands five police stations whilst Elubo district commands only one station. The total population of police officers in the Jomoro district is seventy-three. Four of these officers are senior police officers including the divisional commander, Elubo and Half Assini district commanders and a crime officer. The remaining 69 officers are junior ranks ranging from constables to Chief Inspectors. Out of the total police population in Jomoro municipality, sixty-two are males and eleven females. The same population consists of eleven detectives and sixty-two general duty officers. Juxtaposing

the total population of 150,107 in the district, and the police population of 73 personnel, it gives police-citizen ratio of 1: 2,056, which is about 250% above the national ration of 1:833 as at 31st December, 2016. The district ratio is also about 400% above the United Nations approved ratio of 1:500 or better (Ghana Police Service Annual Report 2016, page 38).

Various kinds of crimes are recorded by the police in the municipality. It is a judicial notice that some crimes do occur undetected or unreported. However, averages of eighty-four (84) cases are recorded monthly (District CID headquarters, Half Assini). Most prevailing cases in the municipality include burglary, stealing, fraud, assault, causing harm, escape from lawful custody, resisting lawful arrest, defilement, entering reserved forest without lawful authority, possessing and use of narcotic drugs as well as other domestic violence related cases. Available crime statistics at both Half Assini and Elubo police districts indicate that there was no record of human rights abuse by any police officer but that does not preclude its occurrence. Statistics available at the two police district commands further disclosed that an average of seventy-nine suspects are arrested monthly. This figure is very close to the average number of total cases reported within a month. This does not mean suspects involved in every case reported are arrested. Unequivocally, some reported criminals forever escape police arrest but the number of suspects arrested are close to the number of cases reported because some cases involve syndicate; hence, two or more suspects are arrested in connection with a particular case.

Population

Polit and Hungler (1996) describe a population to mean the entire aggregation of cases that meets a designated set of criteria. In this case, whatever the basic unit, the population always comprises the entire aggregation of elements in which the research is interested.

The population of the study comprised all police officers and residents in the Jomoro Municipality of Western Region, Ghana. There are 73 police officers, including 11 women and 62 men. Four of them are Senior Police Officers (SPOs) and 69 are junior officers. Out of the total police population in the municipality, 13 are in the CID whilst 60 are uniform personnel (Half Assini Divisional Police Headquarters, 2017). The Jomoro Municipality also has a resident population of 150,107 (Jomoro Municipal Assembly, 2018).

The Ghana Police Service in Jomoro is selected for the study because for some time now, public perception of police brutality and violence encompassing both physical and verbal assault, harassment and restraints from exercise of their constitutional rights has influenced uncooperative and unsupportive attitude of the public towards the police service. Police roles in issues like workers strike, student demonstration, public procession and demonstration against unpopular government policies have frequently resulted in violence, harassment and intimidation, arrest and detention. However, there is the need for the public to accept the police service and do away with some of the misconceptions they have concerning the police service. Again, for proximity reasons, the study was conducted in the Jomoro Municipality because that is my place of residence and work; therefore, data collection would come with much ease for me. The district police consist of CID, station

duties which comprises guard and patrol duties, accident investigation and traffic management. The Jomoro municipal police divisional headquarters which is situated at Half Assini includes orderly room duties which oversee all administrative duties. In the delivery of their services, they have set for themselves to ensure that crime is combated and property and lives are protected. Each police district is headed by a commander who is an SPO.

Research Design

The research design used for this study was the survey design. The social survey design involves focusing a study on a particular population or phenomenon in order to study some or all of its attributes and characteristics to obtain a uniform standard of information from the group under study (Somuah, 2013). In a survey, a representative proportion of the population called 'sample' is selected for the study. Such a sample is expected to cover all the variants of the phenomenon. Questions are asked in a written interview and answers recorded. The researcher asks numerous questions in a short period and summarizes answers to questions in percentages, tables or graphs. The researcher, however, does not manipulate conditions or situations. The cross sectional survey or single strand retrospective approach would be specifically used as data would be collected at one point in time within a month period from a selected sample to describe the larger population at that time.

This design was chosen because it offers the best opportunity to study the role of the Ghana Police Service in the protection of human rights, the common patterns of police abuse of human rights, the category of the police personnel in terms of men/women, senior/junior, uniform/plain cloth officers

that is more culpable of abusing the rights of people; as well as factors that influence police human rights abuse in the Jomoro Municipality than any other method. Again, it gives the researcher a picture of what many people think.

However, the design has its own weaknesses such as the difficulty associated with its usage, time consuming nature of it and the difficulties that go with its analysis and write up as it is mostly qualitative research (Shuttleworth, 2008). It offers no way to study trends in the data or seasonal variations and no way to tell whether a relationship formed between two variables will remain the same or change with time. Finding out the public perception of the human rights abuse by the GPS is a process and in order to have an objective analysis of the situation on the ground, the researcher would use the survey method which is suitable for practical problems and it is often thought of as being problem-centered.

Sample and Sampling Procedure

Sidhu (1984) postulates that a sample is a small proportion of a population selected for observation and analysis. Thus, observing the characteristics of a sample, one can make certain inferences about the characteristics of the population from which it is drawn. Sampling enables the researcher to study a relatively small number of units in place of the target population, and to obtain a representation of the whole target population. In fact, “samples are expected to be representative. For that reason samples are expected to be chosen by means of sound methodological principles” (Sarantakos, 1997, p. 140).

In all, 452 respondents (68 police officers and 384 adult residents) of the Jomoro Municipality in the Western Region were selected for the study out

of the 73 police officers and 150,107 residents in the municipality, in accordance with Krejcie and Morgan's (1970) criteria for determining a sample size. These constituted the sample size of police officers and residents of the Jomoro Municipality who were used for the study.

Both the purposive and convenience sampling techniques were employed in this work. The purposive sampling procedure was used to select police officers of the in the municipality for the study. "In this sampling technique (also known as judgmental sampling), the researchers purposely choose subjects who, in their opinion, are thought to be relevant to the research topic" (Sarantakos, 1997, p. 152). From my own judgment, purposive sampling was appropriate to use as it helped the researcher to focus on selecting police officers from the Jomoro Municipality because they are relevant to the topic and are in a better position to give the needed information pertaining to the common patterns and factors associated with human right abuse in the district, as well as the role of the Ghana Police Service in the protection of human rights in the municipality. Another reason for using purposive sampling is that it is best used with individuals/groups, which may be well sufficient for understanding human perceptions, problems, needs, behaviours and contexts, which are the main justifications for a qualitative audience research.

Four officers made up of two (2) senior police officers including the Half Assini District Commander and Crime Officer as well as two (2) station officers from Half Assini and Elubo police districts were interviewed; hence, it would be easier to understand the operations and the public perception about them. The method of sampling used in the qualitative study was purposive

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Suggestion: "... to select police officers in the municipality for the study."

sampling because specific officers who play frontline supervisory roles were needed to be interviewed to bring to bear their experiences regarding the topic under investigation. An advantage of purposive sampling is that the people who do not fit the requirements are eliminated, making the expected results to be more accurate. The homogenous and total population purposive sampling were used because of the common characteristics of the police officers as respondents and the total population of 73 was not huge; hence, 68 available officers were purposively selected.

The convenience sampling (also known as availability sampling) was also used in selecting the general public. This is a specific type of non-probability sampling method that relies on data collection from population members who are conveniently available to participate in study or the respondents are selected because they are at the right place at the right time. The sample is chosen on the basis of the convenience of the investigator. Convenience sampling was, therefore, used to select respondents who meet the inclusion criteria for the study. The advantages are that it saves time, it is less expensive and there is no need for a list of all the population elements. However, they are not without limitations; the foremost being variability and bias cannot be measured or controlled. Secondly, results from the data cannot be generalized beyond the sample.

Research Instruments

According to Gay (1992), all research studies involve data collection. The data for the study was collected using the questionnaire and interview guide. Sidhu (1984) says that a questionnaire is a form prepared and distributed to secure responses to certain questions. It is a systematic

compilation of questions that are submitted to a sampling population from which information is desired. This was targeted at the police and the public. As to why the questionnaire was used, it is advantageous whenever the sample size is large enough to make it uneconomical for reasons of time or funds to interview every subject in the study (Osuala, 2005).

McBurney (2007) gave two basic categories of questions as closed ended and open ended questions. Two sets of questionnaires were administered during the data collection, one for the police officers and one for the public respondents in the Jomoro Municipality. The questionnaire for the police officers was in four sections. The first part (A) dealt with the socio-demographic data of the police officers and the remaining three sections (B, C, & D) dealt with the first, second, and fourth research questions respectively. Again, the questionnaire for the public was grouped in four sections. The first part dealt with the socio-demographic information of the respondents, and the remaining three sections dealt with research questions 1, 2, and 4 respectively. Apart from the socio-demographic background which was a mixture of both open and closed ended questions, the rest were on a five point Likert scale.

The structured interview guide was used for two (2) station officers and two (2) senior police officer. This is because this target group is presumed to be highly educated. This aided the research because the responses derived from them were representative of the actual situation on the ground and were detailed enough. This type of instrument was selected because it made it easier for the respondents to develop a sense of freedom and ease in responding to the questions. Relating this to the study, it was easier for the station officers and the senior police officers to respond easily and express their opinions

because the interview is more conversational. In addition, it created room to receive in-depth information around the assessment of operations of the police station.

Field Work

In order to ensure a high return rate, the instruments were self-administered with the aid of some friends who were tertiary students and natives of the study area. Before data collection, copies of introductory letters from the Head of School of Development Studies (SDS), University of Cape Coast (UCC), were presented to the Half Assini Divisional Police Commander as well as the two district police commanders under the division in the Jomoro Municipality. The purpose of this introductory letter was to solicit for cooperation and also to create rapport between the researcher and people who served as respondents for the study. After completing the questionnaire, a convenient time was arranged between the researcher, two (2) station officers and two (2) senior police officers to have the interview with them in order to ascertain the factors associated with police human rights abuses, as well as the role of the police regarding human rights in the Jomoro Municipality. The responses were recorded on a tape recorder and later transcribed for the data analysis.

Ethical Consideration

Ethical approval was sought from the Head of the SDS, UCC before the study was conducted. Also, approval of the police administrators in the Jomoro Municipality was sought before the questionnaires were administered to respondents. The interview sessions were also held. Moreover, the

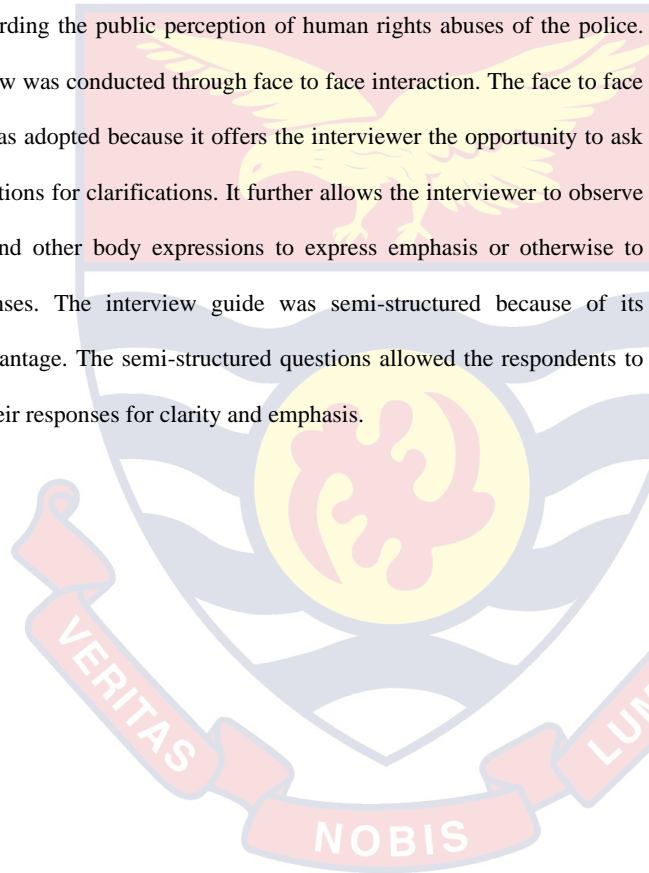
anonymity of the respondents (both the police officers and the residents) of the Jomoro Municipality were greatly assured in order for the Police officers to feel safe of not losing their jobs for divulging information, and for the general public to feel safe that charges would not be preferred against them for the information or the contribution they make. Furthermore, no intimidation or manipulation whatsoever was imposed on the respondents. Last and not the least, names of respondents were not used anywhere in the study.

Data Analysis

This study sought to investigate the public perception of human rights abuses of the Ghana Police Service (GPS) in the Jomoro Municipality. To answer the research questions that were formulated to guide the study, the type of statistics that was employed in the analysis of the data were qualitative and quantitative techniques (mixed method). The sequential form of mixed method analysis was adopted. The quantitative analysis was done first followed by the qualitative one. By this analysis, much emphasis was, however, placed on the quantitative analysis. The data from police officers and residents were analyzed through the computation of percentages. Descriptive statistics were employed in the data analysis. This was done with the use of computer software called Statistical Product for Service Solutions (SPSS) version 16.

The information gathered from the interview sessions with the police officers were recorded using the tape recorder, transcribed, reduced and organized to bring out the major themes and trends for interpretation and analysis. The data was analyzed under four headings as indicated in the four research questions. In order to have a vivid description of issues concerning the investigation of public perception of the human right abuses of the GPS in

the Jomoro Municipality, the Half Assini Police District Commander and Crime Officer as well as two station officers from Half Assini and Elubo Police stations were interviewed. The data collected with the use of the interview guide was to serve as backup information to check whether the data gathered with the questionnaires were true reflections of the situation on the ground regarding the public perception of human rights abuses of the police. The interview was conducted through face to face interaction. The face to face interview was adopted because it offers the interviewer the opportunity to ask further questions for clarifications. It further allows the interviewer to observe demeanor and other body expressions to express emphasis or otherwise to their responses. The interview guide was semi-structured because of its probing advantage. The semi-structured questions allowed the respondents to elaborate their responses for clarity and emphasis.



CHAPTER FOUR

RESULTS AND DISCUSSION

Introduction

The purpose of this study was to investigate the public perception of the human rights abuse by the GPS in the Jomoro Municipality. Two sets of questionnaires for residents and police officers in the municipality as well as interview guide were employed to gather the requisite data for the study. This chapter presents the interpretations, discussions and inferences that were made from the output.

Background Characteristics of Respondents

The study's population is composed of police officers and adult residents in the Jomoro Municipality. The background characteristics of the respondents are, therefore, divided into two parts. The first part gives the background of the police respondents in the Jomoro Municipality whilst the second part spells out the background characteristics of the residents in Jomoro Municipality.

Table 2 provides the background information of the police officers who were sampled as respondents who participated in the study. Out of the 68 respondents, 58 were men whilst 10 were women, representing 85% and 15% respectively. The number of police women sampled for the study is less as compared to the men. The reality on the ground is that the number of male officers in the Ghana Police Service is far more than the female officers.

Table 2: Background Characteristics of Police Officers.

Sex	Number	Percentage
Men	58	85
Women	10	15
Category	Number	Percentage
Plain Cloth	13	19
Uniform	55	81
Junior	64	94
Senior	4	6
Years	Number	Percentage
1-5years	16	24
6-10 years	40	59
11-15 years	5	7
16 years and above	7	10
Academic Qualifications	Number	Percentage
SSSCE/WASSCE	52	75
HND/Diploma	4	6
Degree/Post Graduate	12	19

Source: Amoah (2017)

According to Human Resource Statistics of the Ghana Police Service 2018, the total number of personnel in the Ghana Police Service is 32,613. Out of the total number, 24,006 are men and 8,607 are women, representing 73.7 percent and 26.3 respectively and ratio of 3:1. However, the demographic profile of Ghana in 2018 indicates that women constitute 51 percent of the total population of 28,102,471. There is vast difference between the

population of women in Ghana and women in the Ghana Police Service. The sharp contrast can be attributed to the fact that policing is still seen as masculine profession. With time, the wide gap between the number of men and women in the Police Service will be bridged.

It could be further deduced from Table 2 that 13 of the respondents were plain cloth personnel (detectives), representing 19%. The remaining 55 personnel were uniform officers, representing 81%. The sharp difference between the detectives and the general duty personnel is due to the fact that many of the core functions of the police such as protection of life and property, patrol and traffic management duties are executed by the uniform personnel.

Table 2 also shows that the police respondents consists of 64 junior officers, representing 94% of the sampled police population and 4 senior police officers, being 6% of the sampled police population. The senior police officers are very few as compared to the junior ones. Explanation to this trend is that all police duties are generally performed by the junior police officers with the senior officers playing supervisory roles. Four senior officers supervising personnel in the municipality is therefore reasonable.

As illustrated in Table 2, Sixteen (16) of the respondents, representing 24%, have served from one to five years whilst 40 of them, representing 59%, have been in the service for a period between six and ten years. Similarly, five of the police respondents, representing 7%, have worked as long as between eleven and fifteen years. The number of respondents who have worked for sixteen years and above in the Ghana Police Service were seven (7), indicating 10%. Conclusion can be drawn from the background data that majority of the

Police officers who were sampled for the study have worked longer in the Ghana Police Service and the study area in particular. Their experiences cannot be underestimated and as such were most suitable respondents for the study.

Another background characteristic of respondents displayed by the table is their level of education. Fifty-two (52) of the respondents, representing 75%, possess West Africa Senior Secondary Certificate (WASSC) or Senior Secondary School Certificate (SSSC) as their highest academic qualification. Also four (4) of them possess Higher National Diploma (HND) or Diploma as their highest academic qualification, with 12 having degree or post graduate degree as highest qualification. It could be deduced that majority of the police officers who were sampled to participate in the study have not attained tertiary academic qualification. It is possible that the level of academic qualification of the personnel may have effect on their duty performance. Those with higher educational background are likely to have been exposed to various analytical issues to sharpen their senses of judgment. Subject to other factors, those with higher level academic qualifications are likely to perform creditably in their profession than their counterparts who have not attained higher education. Although majority of the police respondents were SHS graduates, that did not affect their responses to the questions; they could read, write and understand English coupled with their experiences in the Ghana Police Service.

Table 3: Background Characteristics of the Residents in Jomoro Municipality

Sex	No.	(%)
Men	263	68
Women	121	32
Total	384	100
Educational Level		
None	87	23
BEC	136	35
WASSC	74	19
HND/Diploma	46	12
Degree/Post Graduate	41	11
Total	384	100

Source: Amoah (2017)

Table 3 presents the background characteristics of the sampled adult residents (people aged 18 and above) of Jomoro Municipality. Out of the 384 respondents, 263 were males whilst 121 were females, representing 68% and 32% respectively. According to 2018 demographic profile of Ghana, the total human population in Ghana is 28,102,471. The population of Jomoro Municipality being 150,107 constitutes a percentage of 0.53 of the total Ghanaian population. The national population has 13,855,252 males and 14,247,219 females, representing 49% and 51% respectively. At the Jomoro Municipal level, 73,560 of the total population are males whilst 76,546 are females, representing 49% and 51% respectively. Comparing the percentages of males and females population at the Jomoro Municipality to national percentages of males and females' population, it could be deduced that the Jomoro Municipality trend follows exactly the national trend.

However, the sampled study population of 384 had 263 of them being males and 121 being females, representing 68% and 32% respectively. It is obvious that the representation of males and females in the sampled population does not conform to the municipal and national percentages of males and females populations. Instead of the females being more than the males in the study, the reverse is what Table 3 depicts. The variation can be attributed to two major reasons: the nature of the study and the type of sampling method used. The study is to a large extent tilted towards male respondents. Also, if quota sampling had been used in relation to males and females populations in the municipality, the inconsistency would have been addressed. Notwithstanding the percentage of females sampled as respondents in the study, it can be described as fairly representative.

Table 3 indicates that 87 respondents, indicating 23%, had no formal education but 136 of them, being 35%, had Basic Education Certificate as their highest academic qualification. Seventy four (74) of the respondents, representing 19%, have attained SSSC or WASSC as their highest academic qualification whilst 46 respondents, representing 12%, have HND or Diploma as their highest academic qualification. Furthermore, 41 of the respondents, representing 11% of the sampled population, had degree or postgraduate degree as their highest degree.

Regarding the educational or literacy level of respondents, reference can be made to the definition of literacy as the ability of any person of 15 years and above to read and write (Ghana Demographics Profile 2019). The national literacy population is estimated to be 76.6% whilst the estimated males and females' literacy populations are 82% and 71.4% percent

respectively. Comparing to the educational level of sampled respondents in Table 3, 23% had no formal education. The remaining 77% of the respondents had, at least, completed basic education and satisfied the demographic profile definition. The 77% literacy level in the municipality is approximately the same as the 76.6% at the national level and falls within the females' literacy percentage of 71.4 and males' percentage of 82.

The background information of the four interviewed officers reads as follows: all of them were males and had worked for more than fifteen years in the Ghana Police Service. The District Commander had worked in the municipality for just a year but the Crime Officer and the two station officers had worked for more than five years in the jurisdiction under study. The District Commander whose rank was Deputy Superintendent of Police (DSP) had first degree as his highest academic qualification whilst the Crime Officer who was Assistant Superintendent of Police (ASP) had Advance Level Certificate (A Level). The Half Assini station officer whose rank was Chief Inspector had Diploma in Business Studies (DBS) as his highest academic qualification whereas the Elubo station officer had Ordinary Level Certificate. The secondary and tertiary academic qualifications of the selected interviewees and the long service experiences in the police service made them more qualified and competent to respond to the questions. All the interviewees had supervision responsibilities as part of their job descriptions.

Role of the Ghana Police Service in the Protection of Human Rights in the Jomoro Municipality

As shown in Table 4, the responses from the sampled police officers in relation to role and professional conduct of personnel of Ghana Police Service

show that all the 68 respondents, representing 100%, agreed that it is the responsibility of the police to protect the rights of the citizenry. In support of this assertion, all the four officers who were interviewed affirmed that police officers in the municipality were very much aware of their roles in the protection of human rights of residents in the Jomoro Municipality.

The District Commander who was a classroom instructor at National Police Training School (NPTS) emphasized that every officer is taken through series of courses such as criminal and procedure as well as Ghana constitution with special emphasis on chapter five of the constitution which talks about Fundamental Human Rights and Freedoms. He added that these courses equip the trainees with basic knowledge in human rights and therefore appreciates the need to respect and protect the human rights of all persons. He added further that all police officers are aware of the mission and vision statement of the Ghana Police Service as well as the code of ethics of the police service and all of them entreat the officers to ensure that all human beings are treated with dignity in all circumstances.

In addition, 56 of the respondents, representing 82% of the police respondents, admitted that, as law enforcement officers, human rights law stands supreme to all other laws. This assertion confirms the fact that police officers are not oblivious of their responsibility to uphold the dignity of all persons; hence, any violation of human rights by any police officer cannot be attributed to ignorance. Any act of human rights abuse by the police is either accidental or deliberate depending on the circumstance it occurred. Once again, all the 68 respondents, representing 100%, were of the view that as law

enforcement personnel, they should not only observe human rights in discharge of their duties but should also focus on crime prevention.

Table 4: The Views of Police Officers Concerning the Role of the Ghana Police Service in the Protection of Human Rights

Statement	NO.	(%)
Is it police duty to protect human rights of the people?	68	100
As a law enforcer, no law stands higher in authority than that of human rights.	56	82
In providing service, police officers should not only respect people's rights but also focus on preventing crimes and violations of human rights.	68	100
Does the Police Service deal impartially and in accordance with existing laws which must be enforced on all persons in the same way?	22	32
Are you accountable to superiors on one end and to subordinates on the other?	34	50
Does the Police Service show affection in their work?	19	30
Does the Police Service keep professional secrets such as intelligence, operations, working methods, state of weapons and ammunitions and other strands of information confidential?	60	88
Does the police refrain from using words, behaviours and dressings that tarnish the image of the service?	43	63
Does the Police Service eschew bribery, corruption, and embezzlement because they form part of the criminal justice system.	21	31
Does the Police Service use force in their duties when absolutely necessary and to the extent required for the performance of a particular duty, adhering to laws and practices governing the organization?	61	90

Source: Amoah (2017)

By inference, all the respondents are of the opinion that preventive or proactive policing is preferred to reactive policing in order to appreciate the full benefit of human rights policing. In contrast, only 22 out of the 68 police respondents, indicating 32%, confirmed that the police act impartially in the discharge of their duties. The remaining 46 respondents, representing 68%, believed that the police act partially in their service delivery. This assertion confirms the widespread perception of public mistrust in the Ghana Police Service. Similarly, 49 majority respondents, being 70%, expressed that the police do not show affection in discharging their duties.

This implies that police officers in the study area discharge their duties without sympathy or mercy. On the issue of the police being accountable to both superiors and subordinates, there was split view from the respondents. In all, thirty-four (34) of the respondents (50%) agreed that the police are responsible to both superiors and subordinates whilst the remaining half of the respondents had opposing view. Much as the police are accountable to the general public, the junior officers are accountable to the senior officers and vice versa. Furthermore, 60 of the respondents (88%) answered that the police keep secrets pertaining to their work but 8 of them, being 12%, disagreed that the police keep secret with regards to their profession. The Police Service, just like many security organizations, keep information pertaining to the organization as confidential or classified; hence, they are made known to the public or individuals on the need to know basis.

However, some police officers divulge classified and confidential information to the public through print and electronic medium, thereby defeating the purpose of keeping information pertaining to the service secret.

Additionally, the Table 4 confirms that 43 of the respondents (63%) were of the view that the police refrain from behaviours that tarnish the reputation of the service. The remaining 25 respondents, constituting 37%, have the view that the police do engage in acts that tarnish the image of the Police Service. It is a judicial the cooperate image of the Ghana Police Service is dented but the dent is not caused by the entire police population or even majority of them but rather the negative conducts of few police officers. Also, views from majority of the respondents confirm that the police engage in illegal or unethical activities including human rights abuses which eventually compromise the integrity of the service.

Interestingly, only 21 respondents, representing 31% of the sampled population, indicated that the police eschew bribery and corruption. The responses can further be explained that, although the Police Service is largely perceived by the public to be corrupt, the perception does not represent the general view of the public. A few section of the public is of the opinion that some police officers are not corrupt. The remaining 47 majority of the respondents constituting 69% were of the view that the police do engage in bribery and corruption. Views from majority of the respondents collaborate the general perception of Ghanaians that the police are corrupt. It further confirms the annual Afro Barometer report which consistently declares the police as the most corrupt institution.

Finally, 61 of the respondents (90%) affirmed that the police use force in discharging their duties only when absolutely necessary and in accordance with law. The respondents explained further that use of force by the police is never prohibited but must be proportionate. Police are therefore permitted to

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use minimum force to overpower perpetrators of crime but the unfathomable point here is how the minimum force is measured.

Common Patterns of Police Abuse of Human Rights

The residents at the Jomoro Municipality were asked to give answers to statements intended to find out the common patterns of human rights abuse that they faced. The responses given by the residents are shown in Table 5.

Table 5: The Views of Residents Concerning the Common Patterns of Police Abuse of Human Rights in the Jomoro Municipality

Statement	Number	Percentage
Corruption	343	89
Illegal/arbitrary arrest, detention and Deprivation of personal liberties	211	55
Excessive use of force	297	77
Police brutality	313	82
Inhumane cells condition	317	83
Failure to respond to complaints	104	27
When cases are reported at the police stations, it often becomes an opportunity to collect bribes.	327	85
Police beat and abuse suspects, prisoners, demonstrators and other citizens.	197	51
Police cause severe pain or suffering, mental or physical, for the purpose of obtaining information or a confession, punishing, intimidating or coercing.	311	81
Death of culprits through the excessive use of force by the police	63	16
Racial discrimination, distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin	21	6

Source: Amoah (2017)

Table 6 indicates the responses of the respondents regarding the common patterns of human rights abuse perpetrated by personnel of the Ghana Police Service. In the area of corruption as a form of economic rights

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abuse of the citizenry by personnel of the Ghana Police Service, 343 respondents out of the total 384 respondents, representing 89%, were of the view that corruption is pervasive in the Ghana Police Service. Overwhelming majority of the sampled residents, therefore, affirmed the existence of corruption in the Ghana Police Service which infringes the economic rights of the citizens and also compromises the fairness of the personnel who engage in the act of corruption. Based on the responses from majority of police officers and general public, there is enough grounds to draw a conclusion that the police are corrupt. Majority of the respondents (55%) explained that the police engage in illegal arrest, detention and deprivation of liberties. This human rights abuse defeats the fundamental human rights of freedom of movement.

This pattern of human rights violation sometimes occurs in the form of bail denial, especially during weekends and holidays and often used as a means to punish victims. They also violate the rights of people to express domination of power and supremacy. Views were also expressed on the use of excessive force by the personnel of the Ghana Police Service in the discharge of their duties. About two hundred and ninety-seven (297) of the respondents (77%) agreed that the police use excessive force in the course of their duties, especially during arrest and riot control. The use of force by the police has caused permanent injuries or deformities and sometimes even death. This form of abuse as confirmed by the majority of sampled residents was also confirmed by the sampled police respondents. It is evident that citizens are suffering from arbitrary and unreasonable use of force.

Furthermore, 313 of the respondents, representing 82% of the total respondents, responded that brutalities are common patterns of human rights

abuse in the Ghana Police Service. These brutalities usually happen during crowd control events like demonstrations, especially when demonstrators become somehow aggressive. Participants were also asked to express their views on the conditions of police cells. Majority of the respondents, being 317 out of the total respondents of 384, indicating 83%, expressed that conditions of many police cells can best be described as deplorable and inhumane. Although the inhumane cell conditions such as poor ventilation and places of convenience amount to violation of basic human rights of the inmates, the police cannot be blamed much for this violation because it is the responsibility of the state to ensure that the cell conditions are of best standard.

The police are just caretakers of what has been handed over to them by the state. Once again, the respondents gave answers to the issue of police response to crime. Table 5 reveals that minority of the respondents, being 104 (27%) of the total respondents, were of the view that the police do not respond on time to crime. This response implies that majority of the respondents (73%) believed that police officers respond swiftly and rapidly to distress calls and other forms of complaints. The responses from the public indicate that they have high level of confidence in the police when it comes to their response to emergency situations. The issue of bribery followed a similar trend as the corruption. The similarities in responses to the issue of bribery and corruption emanate from the fact that there is a thin line between the meanings of the words and are often used interchangeably. Three hundred and twenty-seven (327) respondents (85%) of the sampled population affirmed that police officers receive bribe from parties to cases which eventually influence their senses of judgment and decisions. It can further be deduced from Table 5 that

311 respondents, representing 81% of the sampled public population, expressed that the police obtain information from suspects under duress, thus subjecting them to inhumane treatment such as torturing, electrocution, starvation and many more. However, the respondents expressed different opinions about the issue of death of people through excessive force and racial discrimination. Only 73 respondents (19 %) of the total respondents were of the view that the police kill people through the use of excessive force. This response does not necessarily imply that majority of the respondents disagree totally that the police kill by means of excessive force but rather the import of the response was that the police do not deliberately use force to cause death of people. Racial discrimination was perceived not in existence when it comes to human rights abuse by the Ghana Police Service. Only 23 out of the 384 respondents (6%) believed that police officers practice racial discrimination. Considering the sampled population, the percentage of respondents who believe that racial discrimination exist as a pattern of human rights by the Ghana Police Service can be described as infinitesimal.

Summarizing from the above analysis, it can be concluded that the residents agreed to common patterns of human rights abuses by GPS such as wide spread corruption, illegal arrest and detention, excessive use of force, police brutality, inhumane prison conditions, and failure to respond to complaints. Other forms included the collection of bribes when cases are reported, police beating and abusing suspects, prisoners, demonstrators and other citizens. However, according to the respondents, racial discrimination, exclusion, restriction or preference based on race, colour, descent or national

or ethnic origin was not found to be a major pattern of human rights abuse perpetuated by the personnel of Ghana Police Service.

Table 6 indicates the views of police officers in Jomoro Municipality regarding the common patterns of human rights abuse by the police in the Jomoro Municipality. Many of the police officers, being sixty-eight (68) out of the 73 officers in the Jomoro Municipality, participated in the study. Concerning the issue of “Wide spread corruption”, 41 respondents (60%) agreed to the assertion that there is wide spread of corruption among the personnel of police in the municipality. Also, 47 respondents (69%) of the sampled population affirmed that the police in the municipality arrest and detain illegally. Comparing the two sets of respondents on the issue of corruption and illegal arrest, both groups of respondents, thus residents and police, agreed that there is widespread of corruption in the Police Service, as well as unlawful arrest and detention.

Table 6: The Views of Police Officers Concerning the Common Patterns of Human Right Abuse by the Police in Jomoro Municipality

Statement	Number	Percentage
Wide spread corruption	41	60
Illegal arrest and detention	47	69
Excessive use of force	39	57
Police brutality	43	63
Inhumane cells condition	51	75
Failure to respond to complaints	49	72
When cases are reported at the police stations, it often becomes an opportunity to collect bribes.	56	82

Table 6 continued

Police beat and abuse suspects, prisoners, demonstrators and other citizens.	44	65
Police cause severe pain or suffering, mental or physical, for the purpose of obtaining information or confession, punishing, intimidating or coercing.	57	84
Death of culprits through the excessive use of force by the police or security forces	35	51
Racial discrimination, distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin	19	30

Source: Amoah (2017)

Similarly, 39 of the respondents, indicating 57%, responded to the assertion that the police in Jomoro use excessive force in the performance of their duties. The majority view of the police respondents collaborate the responses from the residents on the issue of use of force. Following the issue of excess force was police brutalities. Majority of the respondents, being 43 out of 68 (63%), were of the view that the police abuses the rights of people through brutalities. Majority of the police respondent confirmed the fact that use of excessive force and brutalities are common patterns of human rights abuse by the police and is a clear indication of confession and honesty by the police. One would have expected total denial of anything negative towards the police but that was not the case in this study. In addition, 51 respondents (75%) described police cell conditions as deplorable and inhumane. Once again, this is a general problem which cannot be placed at the door step of the

police as an institution. It must be viewed as a menace which ought to be tackled holistically by the state.

The state of some police detention facilities, especially those which were built in the colonial era, only dehumanize the dignity of humanity and therefore need to be modernized as a matter of urgency. Once again, 49 of the sampled police respondents (72%) agreed that the police sometimes fail to respond promptly to complaints of the citizenry. The delay by the police in response to distress calls by the public is attributed to various factors including inadequate personnel to perform duties as well as logistical constraints. Although the division has a number of vehicles to patrol the jurisdiction to ensure quick response to calls, the two districts within the municipality are handicapped in terms of manpower and regular supply of fuel to undertake regular patrol duties. In addition, about 56 police respondents, representing 82% of the sampled population, were of the opinion that the police take advantage of cases reported to them to receive bribe from parties involved in cases. This revelation by the study is another dimension and confirmation of the widespread corruption in the police service. Once more, 44 respondents agreed to the perception that beating and other forms of abuses are meted out to suspects by police officers. In this regard, the police perspective never conflicted with that of the public indicating the reality of abuse of human rights of people in police custody. In furtherance, 57 respondents (84%) of the sampled police population answered in affirmative that personnel of the Ghana Police Service in diverse ways inflict pain to suspects by subjecting them to various forms of torture and inhumane treatment.

Similarly, 35 of the respondents (51%) expressed their views to imply that the police sometimes kill suspects intentionally or accidentally, including innocent personalities. This incident normally occurs during apprehension of serious crime suspects, especially in armed robbery. Contrary to the trend of the respondents, the issue of racial discrimination in terms of origin and colour was rejected by majority of the sampled police respondents. Out of the 68 respondents, only 19 of them (30%) were of the view that police personnel engage in act of racial discrimination. By inference, majority of the respondents, being 49 out of the total sample of 68 respondents (70%), disagreed with the assertion of racial discrimination as a pattern of human rights abuse by the police in Jomoro Municipality.

According to four officers who were interviewed based on their supervisory roles, common patterns of human rights abuse by the Ghana Police Service include: unlawful arrest and detention, brutalities, over detention, bribery and corruption, excessive use of force and inhumane cells conditions. The Crime Officer reiterated that most human rights abuse complaints received frequently from the citizens of Jomoro Municipality were bribery before suspects are arrested or granted bail, as well as over detention, torture and other forms of brutalities. The two station officers also made mention of regular complaint of bribery and unlawful seizure of license from drivers.

Contrary, all the four interviewees stated that it is unusual to receive any complaint against a police officer in the municipality regarding human rights abuse based on racial discrimination. The District Crime Officer and Commander specifically stated that police human rights abuse in the Jomoro

Municipality based on any form of discrimination such as ethnicity, race, creed, colour, etc. is very rare. The station officers added their voice and said that police officers in Jomoro Municipality may be culpable of abusing the basic human rights of the citizenry but hardly will they be culpable in the area of discrimination based on race, colour or creed.

In summary, responses from the police officers who were sampled for the study as presented in Table 6 indicate that the police in Jomoro Municipality perpetrate human rights abuse against the citizenry in the jurisdiction. It is evident that patterns of human rights abuse such as corruption, illegal arrest and detention, excessive use of force, brutalities, inhumane cell conditions, untimely response to complaints, bribery, injury and death of people were committed by the police in Jomoro as majority of the respondents answered in affirmative. Contrary, racial discrimination was rejected to be among the patterns of human rights abuse often perpetrated by the police officers in the municipality of Jomoro. Juxtaposing the responses from the sampled general public with that of the sampled police officers, both categories of respondents were of the opinion that human rights abuse by the Ghana Police Service is pervasive in the Jomoro Municipality. On the other hand, majority of both categories of respondents refused to accept racial discrimination as one of the patterns of human rights abuse perpetuated by the police personnel of Jomoro Municipality.

Category of the Police Personnel who commit Human Rights Abuse

The residents of Jomoro Municipality were asked to respond to various statements to elicit their views on which category of police personnel in terms of male and female officers, junior and senior officers as well as uniforms and

plain cloth officers are more culpable of abusing the rights of people in the Jomoro Municipality. The responses given by the residents are shown in Table 7.

Table 7: Views of Residents Concerning the Categories of the Police Officers who Perpetrated the Abuse

Category	Number	Percentage
Male officers	302	79
Female officers	82	21
Junior officers	291	76
Senior officers	93	24
Uniform officers	226	69
Plain cloth officers	158	41

Source: Amoah (2017)

Table 7 indicates various categories of police officers in Jomoro Municipality and their levels of perpetuating human rights abuse against the citizenry. The categories include male and female officers, junior and senior officers as well as uniform and non-uniform personnel. Out of the 384 sampled respondents, 302 of them (79%) were of the view that male police officers are often involved in human rights abuse of the citizenry whilst 82 of the respondents (21%) expressed that female personnel also engage in various forms of human rights abuse against the citizenry.

This revelation by the study is less surprising due to the following factors. The number of male police officers in the Ghana Police Service are far more than their female counterparts at all levels; hence, they perform much of the police duties. Consequently, the male officers have direct and regular encounter with the public and as such are more likely to offend the public by way of human rights abuse than the female officers. Furthermore, the

masculine nature of men makes them more violent and aggressive than women, thereby making them more prone to perpetuating human rights abuse.

Regarding the category of the police personnel in terms of men/women officers who were more culpable of abusing the rights of people in the Jomoro Municipality, all the four interviewers unanimously admitted that the male officers are more culpable of abusing the rights of the citizenry. The district and crime officers were, however, quick to add that the male officers being more culpable of human rights abuse was not surprising in the sense that the male officers outnumber their female counterparts with a ratio of about 3:1; hence, the men feature in police operations and other duties more than the female. The District Commander said 'because the men encounter more frequently with the public, the more likelihood they are to abuse them and the reverse is to the female officers'.

Similarly, 291 of the respondents (76%) answered that junior ranks of the Ghana Police Service are more culpable when it comes to human rights abuse by the Ghana Police Service but 93 of the respondents (24%) were of contrary view and therefore answered that senior police officers are culpable of human rights abuse of the people of Jomoro Municipality. Similar interpretation can be deduced from responses regarding the junior and senior police officers.

The junior officers outnumber the senior officers at all levels. The junior officers further perform all the frontline duties whilst the senior officers perform supervisory roles over the juniors. It is, therefore, within reasonability that the junior officers who have regular interactions with the public will step

on the toes of the citizenry as compared to the senior officers who have very little or no interaction with the public.

The two senior police officers interviewed further added that human rights abuse by the officers of the Ghana Police Service in the municipality were often perpetuated by the Junior Police Officers (JPOs). Although the other two interviewed station officers whose rank fall within the category of junior officers did not oppose to the two senior officers assertion, they added that the junior officers constitute the workforce of the service; hence, they face the risk of violating human rights. The station officers added 'the senior officers are responsible for the actions and inactions of the junior ones; hence, they are deemed to be equally guilty of the human rights abuse'.

Furthermore, 226 of the total sampled respondents (59%) indicated that uniform wearing officers are mostly the perpetrators of human rights in Jomoro Municipality whilst 158 of the respondents (41%) held the position that non-uniform wearing police officers are equally guilty of human rights abuse. The attribution of human rights abuse to the uniform personnel is largely due to the fact that they are easily identified by the uniform they wear. On the other hand, the plain cloth personnel may perpetuate an act of human rights abuse but may not be identified as an officer of the police service.

Similarly, the four officers interviewed were asked to comment on which category of police personnel is noted for perpetuating human rights abuse in terms of the general duty personnel (uniform wearing officers) and criminal investigators (non-uniform wearing officers). The District Commander and the two station officers answered that both the uniform and non-uniform wearing officers are guilty of human rights abuse but each

category has a unique trend of abuse. The Crime Officer affirmed the position of the commander and the station officers giving example that the investigators are notorious in abuse of human rights in terms of unlawful arrest and detention as well as over detention whilst the uniform personnel, especially those in action units, are noted for brutalities, assault and excessive use of force. All the interviewees further answered that abuse of human rights by the police in Jomoro cuts across both the uniform and non-uniform officers when it comes to bribery and corruption.

In summary, male police officers are perceived to be human rights abusers as compared to their female counterparts. In a similar comparison, junior police officers were found, according to the study, to be more culpable of human rights abuse though the senior officers are not entirely excluded from perpetuating acts of human rights abuse against the citizens of Jomoro Municipality. Once again, the study revealed that police officers who wear uniform are noted for abusing the rights of citizens of Jomoro Municipality. Although the plain cloth police officers (detectives) were also found to be among the categories of human rights abusers, their propensity was not alarming as that of the uniform personnel.

Factors Influencing the Police in Abusing Human Rights

The police officers were asked to respond to various questions intended to find out from them the factors that influence them to abuse the fundamental human rights of the residents of Jomoro Municipality. It was important to find out the views of the police officers because they are at the center of the discussion; hence, their views about the topic under discussion

were very important. The responses given by the Police officers are shown in Table 8.

Table 8: The Views of Police Officers Concerning the Factors that Influence Them in Abusing Human Rights

Statement	No.	Percent
Resistance by suspects upon invitation or arrest by the police	57	84
Interference of police operations by the citizens	49	72
Logistical constraints hampering police performance	51	75
Inadequate police personnel in the municipality	41	60
Lack of infrastructure which results in abuse of victims' right	43	63
Attack on police officers and damage to properties	68	100
Lack of capacity building and refresher courses on human rights to improve and sharpen the skills of personnel	63	93
Lack of crime detection gadgets	60	88

Source: Amoah (2017)

Table 8 depicts the responses from police officers in respect of factors that influence them to abuse the fundamental human rights of Jomoro people. According to the Table, 57 of the sampled respondents (84%) expressed that there is resistance by suspects during arrest. This phenomenon compels police officers to use additional force which they normally refer to as minimum force but has the propensity to cause physical abuse, injuries and sometimes death. The security officers parlance which states 'if persuasion fails, force must be applied' is another motivating factor which makes police officers to abuse the rights of people. Interference of police operations by the public was identified by the study as one of the reasons that influence police officers in Jomoro Municipality to abuse the rights of the citizenry. As indicated on Table 8, 49 of the respondents (72%) agreed to the assertion that the citizenry often interfere police operations unnecessarily, especially by people who have no business to do with the operation at hand.

The undue interference sometimes culminates in human rights abuse of the people. Additionally, logistical constraint was found to be another reason for human rights abuse by the Ghana Police Service in Jomoro Municipality. For example, police officers sometimes fail to respond promptly to emergency situations not because of work apathy but non availability of fundamental logistics like vehicle. Confirming this phenomenon according to Table 8, fifty-one (51) of the sampled respondents (75%) agreed that logistical constraint is one of the reason underpinning human rights by the Ghana Police Service. Once again, the research revealed inadequate personnel as one of the major reasons that account for human rights abuse by the Ghana Police Service. Out of the total sampled population of 68 respondents, 41 of them (60%) answered to confirm that police to citizen ratio in Ghana is far above the United Nations ratio of 1:500. This situation puts undue pressure on the available personnel, thereby making them ineffective and act unprofessionally sometimes by way of abusing the rights of the populace. It is obvious that excessive workload on one or few people will yield fruitless.

Furthermore, the responses from the respondents as indicated on the Table confirmed lack of infrastructure as an avenue through which the police abuse the rights of people, especially suspects. For example, the conditions in the cell dehumanize the inmates as many of the inmates eat and sleep with their excreta. Some suspects sleep on the floor without even a blanket in overcrowded and poorly ventilated cell. The respondents recounted that another reason which accounts for human rights abuse by the police is lack of capacity building or refresher courses on human rights to sharpen and improve the knowledge and skills of personnel of the police service. This assertion was

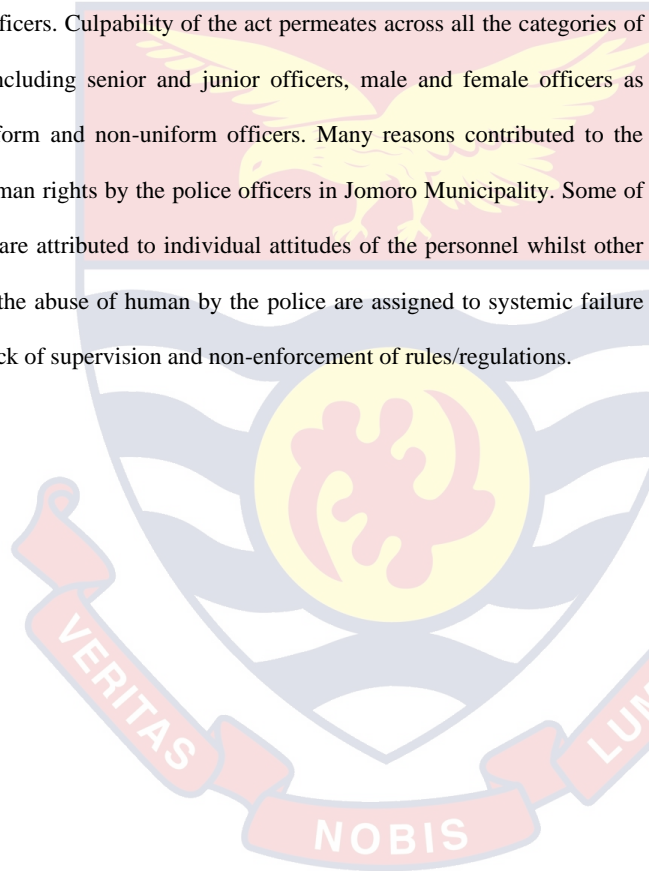
confirmed by the responses from the respondents as majority of them, being 63 out of the 68 sampled respondents, representing 93%, answered in affirmative that they have never been taken through any human rights training course after their basic police training. This situation has made many officers handicapped when it comes to appreciating the modern trends and standards of human rights.

Last and not the least reason for police abuse of human rights in the Jomoro Municipality is lack of crime detection gadgets or logistics. This reason compels the officers to resort to torture and other inhumane treatments to elicit information from suspects under duress. As presented on the table, 60 of the sampled respondents (88%) highly agreed that lack of modern crime prevention and detection equipment such as fingerprint analysis machines at the district and divisional levels have contributed to abuse of human rights by police in Jomoro Municipality.

Considering the factors that influence human rights abuse by the police in the Jomoro Municipality, all the four officers interviewed agreed that inadequate knowledge of some Police officers about human rights abuse is a contributing factor to the menace. The District Commander and one of the station officers elaborated that the type of physical training given to police officer during their recruit training makes them have little or no respect for human rights. The colonial police force training which was characterized by brute force and torture is still being practiced. They pass out with theoretical orientation of human rights but do not appreciate the concept practically. Additionally, all the interviewees postulated that the act of human rights abuse by police officers in the Jomoro Municipality with impunity has brought about

enmity and mistrust between the police and the public. The two station officers stated that the police are often described by the public as 'corrupt, intolerant, insensitive and bullies'.

Summarizing the responses given by the four police officers, it could be deduced from the interview session that human rights abuse is perpetuated by police officers. Culpability of the act permeates across all the categories of personnel including senior and junior officers, male and female officers as well as uniform and non-uniform officers. Many reasons contributed to the abuse of human rights by the police officers in Jomoro Municipality. Some of the reasons are attributed to individual attitudes of the personnel whilst other reasons for the abuse of human by the police are assigned to systemic failure including lack of supervision and non-enforcement of rules/regulations.



CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

Summary of Research Process

This research sought to investigate the public perceptions of human rights abuse by the GPS in the Jomoro Municipality. Specifically, the research sought to find out the roles of the Ghana Police Service in the protection of human rights, examine the common patterns of police abuse of human rights, ascertain the category of the police personnel in terms of men/women, senior/junior, and uniform/plain cloth officers who are more culpable of abusing the rights of people and examine the reasons that influence human rights abuse by the police in Jomoro Municipality in the Western Region of Ghana.

In order to find answers to the research questions that were formulated to guide the study, the survey research design was employed. The study covered police officers and residents in the Jomoro Municipality in the Western Region of Ghana. In all, 452 respondents consisting of 68 police officers and 384 residents in the Jomoro Municipality were selected to participate in the study. The purposive and convenience sampling procedures were used to select the police officers and the residents respectively to serve as respondents.

Two main instruments namely questionnaire and interview guide (semi structured) were used to gather the requisite data for the study. Two sets of three point Likert scale type of questionnaires were used to gather data from both the police officers and the residents. An interview guide was designed for two station officers, the District Crime Officer and Commander in order to

back up the data which were gathered with the questionnaires. It is worthy to note that these instruments were subjected to reliability and validity test. The data gathered from the police officers, residents as well as the station officers, District Crime Officer and Commander were analyzed quantitatively and qualitatively through the use of Statistical Package for Social Science (SPSS) and thematic analysis respectively. The following were the main findings of the study.

Summary of Key Findings

1. Concerning the roles of the Ghana Police Service in the protection of human right in the Jomoro Municipality, the study revealed that the police officers were very much aware of their roles in the protection of human rights of residents in the municipality. In this regard, the police officers indicated that; it was their responsibility to protect human rights of the people; and no law stands higher in authority than that of human rights. It was also found in the study that police officers dealt impartially and in accordance with existing laws which must be enforced on all persons in the same way devoid of discrimination.

The results of the data gathered through the questionnaire administration were confirmed by the interview sessions held with the two station officers, District Crime Officer and Commander. The police officers being conscious of their role to protect life and property of the citizenry is in tandem with the philosophies of Will Theory proponents like Jeremy Bentham, David Lyons Joseph Raz and Neil McCormick. These philosophers argued that a person has rights when others have duties that to protect those rights. Raz (1986) specifically contends that a person has right if the person's

interest is sufficient for holding some other person to be under duty. Police in the Jomoro Municipality are, therefore, under obligation to protect the basic human rights of the citizens; hence, they must be held accountable in their human rights violations. Pogge (1995) also argued that the moral burden of securing human rights should fall disproportionately upon institutions because they are best placed and most able to perform the task. This explains the reason why the police as a government institution have been entrusted with the responsibility to ensure that the rights of every person in Ghana are protected. The police is, therefore, trained intellectually and physically and equipped with logistics by the government to perform their legally mandated responsibility of law enforcement which includes human rights law enforcement.

2. The study further revealed that police officers who are mandated to protect the rights of citizens rather violate the rights of the people. A great majority of both sampled residents and police officers agreed to common pattern of abuses that are meted out to the citizenry in Jomoro Municipality by the police to include the following: wide spread corruption; illegal/unlawful arrest and detention; excessive use of force; police brutalities; inhumane cells condition; and failure to respond promptly to complaints. Other forms included collection of bribes when cases are reported; assault, torture and other forms of brutalities on suspects and demonstrators.

Proponent of the Will Theory, Hart (1955), argued that all rights are reducible to single fundamental rights which he referred to as 'equal right of all men to be free'. According to him, human liberty supersedes all other forms of human rights. However, the study identified unlawful detention which includes over detention as one of the major patterns of human rights abuse perpetrated by the police. The finding, therefore, contradicts the philosophy of the Will Theory. Shue (1996) further argued that human rights transcend individual liberty to encompass security from violence and necessary material conditions for personal survival, thus grounding his rights upon liberty, security and subsistence. Juxtaposing the findings regarding the common patterns of police abuse of human rights to the philosophy of the proponents of the Will Theory, it could be deduced and concluded that the general attitude of the police in Jomoro Municipality regarding human rights of the citizenry is not good and contradicts the human rights position of the Will Theory. However, same majority of both police and public respondents rejected the human rights abuse by the police officers with regards to racial discrimination, exclusion, restriction or preference based on colour, creed, descent, nationality or ethnicity.

3. Regarding the category of the police personnel in terms of men/women, senior/junior, and uniform/plain cloth officers who were more culpable of abusing the right of people in the Jomoro Municipality, the study revealed that majority of the human rights abuse perpetrators were male officers. This finding according to the study is attributed to the fact that the male officers are more than their female counterparts and hence they perform

many of the duties and therefore have regular interface with the public whilst the female officers have very little interactions with the public.

Similarly, it was deduced from the study that police officers who perpetrate human rights abuse were mostly junior ranks. This revelation from the study is explained by the fact that the junior officers are mostly the frontline officers and first point of contact by the public. This finding does not exculpate senior officer from culpability because they superintend over the activities of the junior officers. Furthermore, majority of the perpetrators of human rights abuse were found to be uniform personnel but a number of plain cloth personnel were equally guilty of the abuse according to the study.

4. Concerning the reasons that influence police abuse of human rights, the study revealed the following: resistance by suspects upon invitation and arrest by the police; insufficient police personnel in the study area which impedes police visibility in the communities and quick response to crime scenes; as well as lack of infrastructure which compels police officers to keep suspects and accused persons in dehumanizing cell conditions.

Other reasons include lack of modern investigation equipment which compels officers to elicit information from suspects under duress as well as unlawful interference of police activities by the public, especially during operations.

Conclusions

The following conclusions could be drawn from the findings of the study. Regarding the roles of the Ghana Police Service in the protection of human right in the Jomoro Municipality, it can be concluded that the roles of the police in the protection of human rights included: protection of human

rights of the people; being aware that no law stands higher in authority than that of human rights; and dealing with people impartially and in accordance with existing laws which must be enforced on all persons without discrimination. The study indicated that the police officers do encounter a number of challenges that prevent them from responding promptly to crime calls in order to discharge their duties effectively. For example, inadequate personnel and logistics were found to be a major challenge that impedes prompt police response to crime scenes. The government of Ghana is mandated per article 200 (3) of the 1992 Constitution to equip and maintain the Ghana Police Service to perform its traditional roles of maintaining law and order. However, individuals and private organizations can support the government to honour this responsibility, especially in the area of providing logistics to enable police function effectively and efficiently.

In addition, it could be concluded that wide spread corruption, illegal/unlawful arrest and detention, excessive use of force, police brutalities, inhumane cell conditions, assault and torturing of suspects as well as illegal arrest and detention were the common patterns of human rights abuse by the police in Jomoro Municipality. It is judicial notice that these situations have led to public mistrust of the Police Service. There is no shred of doubt that the police administration abhors the negative attitudes of its personnel that bring the name of the service into disrepute and therefore exploring all possible avenues to weed out those police officers whose behaviours in one way or the other dent the reputation of the entire Police Service. Despite the administration's effort, these behaviours are still prevalent in the service,

suggesting that much needs to be done to restore public trust and confidence in the GPS.

Again, it can be concluded that majority of the personnel who often abuse the rights of the citizenry in the study area were males who were mostly junior ranks. Also, a significant number of the perpetrators of human rights abuse were uniform personnel as compared to their plain cloth counterparts.

Finally, many reasons were identified to be the underpinnings of the human rights abuse by the Police officers in the municipality of Jomoro. Some of the reasons were as a result of deliberate disregard for human rights on the part of the police officers as well as resistance to police arrest and unlawful interference in police operations.

Recommendations

Based on the results and conclusions drawn from the study, the following recommendations have been made to the appropriate authorities for consideration and possible implementation.

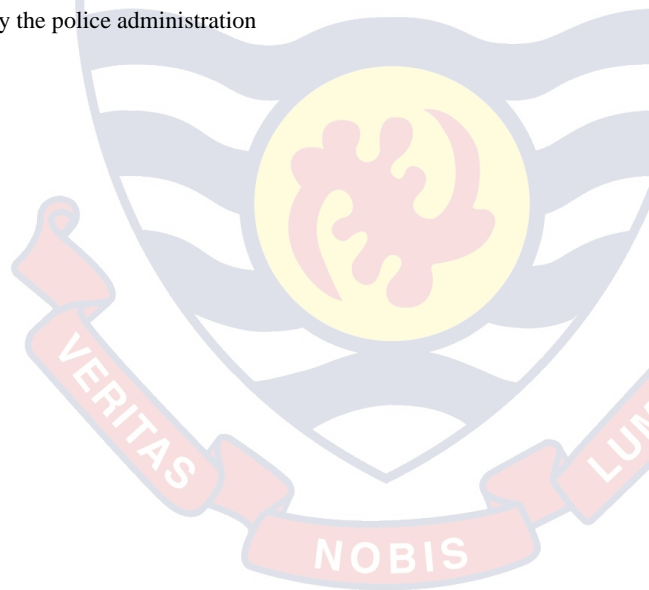
1. The police administration must ensure that Human Rights as a subject is featured in the curriculum of all the training institutions of the Ghana Police Service such as the recruit training school, detective training academy, police training academy as well as the staff and Command College. Human Rights should not just be taught theoretically as a subject but must be practiced by all personnel. Regulatory documents of the Ghana Police Service such as Code of Ethics, Constitutional Instrument (CI) 76 and Police Service Act must be enforced fully to ensure that personnel adhere to tenets of human rights.

The Jomoro Municipal Commission for Civic Education must be empowered to educate people in the municipality on their fundamental human rights and responsibilities to enable them know what to do or not to uphold their fundamental human rights.

2. The police administration must ensure that all police officers who are found perpetuating human rights abuse are punished to serve as deterrent to others and further implement stringent measures to forestall any future occurrence of human rights abuse by police officers.
3. The Inspector General of Police in collaboration with the Police Management and Advisory Board (POMAB) must ensure that activities of the junior ranks, especially the males, are closely monitored by their senior officers and hold them accountable for their actions.
4. The police administration should organize regular in-service training or refresher courses for both junior and senior officers to sharpen their skills in operational tactics and knowledge in human rights. The administration should further establish good communication with the public to win their confidence and trust.
5. The government of Ghana through the Ministry of Interior should provide police officers with necessary equipment to enable them perform their core functions efficiently. Also, outmoded police cells should be replaced with modern ones which are well ventilated and fitted with basic amenities such as wash rooms to ensure that dignity and sanctity of people who are kept therein is maintained. Furthermore, the government should recruit more police officers to augment the numerical strength of the officers and ensure that they respond promptly to calls of the citizenry.

Areas for Further Research

This study investigated the public perception of the human rights abuse by the GPS in the Jomoro Municipality. The study could be replicated in other districts, municipalities, metropolis or regions in the country to find out what persists there. Again, it is suggested that a thorough investigation should be conducted to look into training and development policies and practices in the Ghana Police Service as well as the extent to which the police officers are resourced to promote and protect the rights of people in the country. Once again, similar study could be replicated to unearth the frequency of reported cases of human rights abuse of police officers and outcome of investigations conducted by the police administration



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APENDIX A

CODE OF ETHICS OF THE GHANA POLICE SERVICE

Ethically, the Police are duty bound to exercise high standard of professionalism in all aspects of their service delivery. Officers are therefore expected to live up to the task taking into consideration the following:

Priority of law and impartiality: Police officers should act impartially and in accordance with existing laws which must be enforced on all persons in the same way.

Responsibility: Policing is a profession that requires heavy responsibility. Responsibility in this sense means accountability to superiors on one and to subordinates on the other. Officers are also responsible for duty performance.

Affection to the profession: Loving the profession and colleagues can also be considered as showing affection to it. It is the police officers compassion for the job that makes the profession valuable.

Confidentiality: One of the requirements of police responsibility is to keep professional secrets confidential. These include intelligence, operations, working methods, state of weapons and ammunitions are among strands of information to be kept secret.

Appearance and behavioral patterns: Every police officer should refrain from words, behaviours and dressings that humiliate or tarnish the image of the service. Personal problems should not be carried out or transferred into the service. Professional and social life must be dealt with in isolation.

Showing empathy: Police personnel should view cases from other person's point of view, understanding clearly the feelings and opinions. Empathic behaviours of Police officers can therefore help in better understanding of cases and finding solutions to problems at early stages.

Eschewing bribery, corruption, embezzlement: These are unpleasant practices that are prohibited by every organization especially the Police Service which forms part of the criminal justice system that fights against such practices.

Discrimination: Service delivery to the citizenry by the police should be done without partiality and discrimination.

Torture, violence and ill treatment: Police officers must refrain from any act of torture, violence and ill treatment on citizens in their quest to solve deal with a case or problem. They must rather be friendly but firm in dealing with suspects and criminals in particular and the public in general. No Police officer under any circumstance inflicts or instigates any act of torture or other cruel, inhuman and degrading treatment or punishment to any person.

Respect for human rights: Police officers in the course of discharging their duties shall respect and protect human dignity and uphold the rights of all persons. The police are encouraged to share information approved and authentic information with the media and general public but information that impacts negatively on human rights must be withheld.

Use of force: Police officer may resort to the use of force in their duties when absolutely necessary and to the extent required for the performance of a particular duty, adhering to laws and practices governing the organization.

Protection of persons in custody of police: Police officers shall ensure the protection of the health of persons in custody and particularly shall take immediate action to secure medical attention whenever required.

Victims of crime: All victims of crime shall be treated with compassion and respect. Police officers shall ensure that, prompt and proper aid is given as and when necessary.

Respect for the rule of law: All police officers shall respect and uphold the rule of law in accordance with statutes of the country.

Trustworthiness: It is the demand of the public that, the integrity of police officers is beyond reproach. Police officers shall therefore behave in a trustworthy manner and avoid any conduct that might compromise their integrity and thus undermine the public confidence in the Service.

Corruption and abuse of power: No police officer shall commit or attempt to commit any acts of corruption or abuse of Power. They shall rigorously oppose and combat all such act. They shall also not accept any gifts, presents, subscription, favours, gratitude or promises that could be interpreted as seeking to influence the Police in their performance of official responsibility other than in a manner as required by law.

Professional Conduct: In accordance with the code of ethics of the Ghana Police Service, personnel must treat all persons in courteous manner and their

conduct must be exemplary and consistent with the demands of the profession and the general public that they serve.



APPENDIX B
UNIVERSITY OF CAPE COAST

INSTITUTE FOR DEVELOPMENT STUDIES

Questionnaire on public perception of the human rights abuse by the Ghana Police Service (GPS) in the Jomoro District. This questionnaire is purely for academic work. I therefore ask for your maximum co-operation and assure you that information provided here will be treated with outmost confidentiality.

QUESTIONNAIRE FOR POLICE OFFICERS

Please respond to each of the following items by ticking (✓) the appropriate response box.

SECTION A

1. Gender:
 - a. Male []
 - b. Female []
2. Religious Affiliation
 - a. Christianity []
 - b. Islam []
 - c. African Traditional Religion []
 - d. Others (please specify).....
3. For how long have you been in the Police service?
 - a. less than a year []
 - b. 1 - 5 years []
 - c. 6 -10 years []

- d. 11 – 15 years []
- e. e.16 years and above []

4. How long have you also worked in the Jomoro district?

- a. less than a year []
- b.1 - 5 years []
- c. 6 -10 years []
- d.11 – 15 years []
- e. 16 years and above []

5. What is your highest academic qualification?

- a. Diploma []
- b. Bachelor’s Degree []
- c. Master Degree []
- d. PhD []
- e. Other (specify).....

6. Position in the Service

- a. Senior officer []
- b. Junior officer []

7. Which department do you work?

.....

8. What is your rank?

.....

9. Which category of personnel do you belong to?
 a. Uniform personnel [] b. Plain cloth personnel []
10. Have you ever abused a civilian in your line of duty?

.....
 If yes, what circumstances led to that abuse?

11. In your opinion, what category of police personnel are culpable of abusing the rights of people? Tick as many as applicable.
- a. Male Officers [] b. Female Officers []
 c. Senior Members [] d. Junior Members []
 e. Uniform Officers [] f. Plain cloth officers []
 g. None of the Above []

SECTION –B

Please tick the appropriate box to indicate your opinion on these statements.
 Key: Agree (A); Uncertain (U); Disagree (D)

The Role of the Ghana Police Service in the Protection of Human Rights

STATEMENT	A	U	D
12. It is my duty is to protect human rights of the people.			
13. As a law enforcer, no law stands higher in authority than that of human rights.			
14. In providing service, police officers should not only respect people’s human rights by detecting and fighting crime, but also focus on preventing crimes and violations of human rights.			
15. I deal impartially and in accordance with existing laws which must be enforced on all persons			

in the same way.			
16. I am accountable to superiors on one and to subordinates on the other.			
17. I love the profession and colleagues also show affection to it.			
18. I keep professional secrets such as; intelligence, operations, working methods, state of weapons and ammunitions and other strands of information confidential.			
19. I refrain from words, behaviours and dressings that humiliate or tarnish the image of the service.			
20. As a Police, I view cases from other person's point of view, in order to understand clearly their feelings and opinions.			
21. As a Police, I eschew bribery, corruption, and embezzlement because they form part of the criminal justice system.			
22. Service delivery to the citizenry by the Police should be done without partiality and discrimination.			
23. I refrain from any act of torture, violence and ill treatment on citizens in my quest to solve or deal with a case or problem.			
24. I am friendly but firm in dealing with suspects and criminals in particular and the public in general.			
25. In the course of discharging my duties, I respect and protect human dignity and uphold the rights of all persons.			
26. I use of force in my duties when absolutely necessary and to the extent required for the performance of a particular duty, adhering to laws and practices governing the organization.			

27. I ensure the protection of the health of persons in custody and particularly take immediate action to secure medical attention whenever required.			
28. Victims of crime are treated with compassion and respect and proper aid is given as and when necessary.			
29. I behave in a trustworthy manner and avoid any conduct that might compromise and undermine the integrity and the public confidence in the Service.			
30. I do not accept any gifts, presents, subscription, favours, gratitude or promises that could be interpreted as seeking to influence me in my performance of official responsibility other than in a manner as required by law.			
31. I treat all persons in courteous manner and ensure that my conduct is consistent with the demands of the profession and the general public that I serve.			
32. As a Police Officer, I respect and uphold the rule of law in accordance with the statutes of the country.			

Others Please Specify

.....

.....

SECTION –C

Please tick the appropriate box to indicate your agreement or disagreement to the statements on the common patterns of police abuse of human right.

Key: Agree (A); Uncertain (U); Disagree (D)

Common Patterns of Police Abuse of Human Rights

STATEMENT	A	U	D
33. Widespread corruption.			
34. Illegal arrest and detention.			
35. Excessive use of force.			
36. Police brutality.			
37. Inhumane prison conditions.			
38. Failure to respond to complaints.			
39. When cases are reported at Police stations, it often becomes an opportunity to collect bribes.			
40. Police beat and abuse suspects, prisoners, demonstrators, and other citizens.			
41. Police cause severe pain or suffering, mental or physical, for the purpose of: (a) Obtaining information or a confession; and (b) Punishing, intimidating or coercing.			
42. Arrest, detention, abduction or other deprivation of liberty by the Police or acquiescence, where the fate or whereabouts of the victim is not disclosed or custody is not confirmed.			
43. Death of culprits through the excessive use of force by police or security forces.			
44. Arbitrary arrest and detention through deprivation of liberty without lawful reason.			
45. Racial discrimination, distinction, exclusion, restriction or preference based on race, colour, descent or nationality or ethnic origin.			

Others Please

SECTION –D

Please tick the appropriate box to indicate your opinion on these statements.

Key: Agree (A); Uncertain (U); Disagree (D)

Factors that Influence Police Human Rights Abuse

STATEMENT	A	U	D
46. Resistance by suspects upon invitation by the Police.			
47. Family interference of police operations.			
48. Police inability to provide satisfactory assistance to victims of crime due to lack of infrastructure.			
49. Police inability to respond promptly to calls about crimes (e.g. robbery, assault) due to poor road networks and lack of infrastructure.			
50. Insufficient police personnel in the area which impeaches police visibility in the community.			
51. Lack of infrastructure which results in low level of protection of life and property.			
52. Slow process in the apprehension and prosecution of offenders which reduces public confidence and satisfaction in the police service.			
53. Lack of capacity of the Police Service to improve its human resources through training and development of personnel and by recruiting appropriate skills and competencies.			
54. Lack of capacity to acquire relevant, modern information and communication technologies that would enable the force perform its services.			

Others Please Specify

.....

**APPENDIX C
UNIVERSITY OF CAPE COAST**

INSTITUTE FOR DEVELOPMENT STUDIES

Questionnaire on public perception of the human right abuse by the Ghana Police Service (GPS) in the Jomoro District. This questionnaire is purely for academic work. I therefore ask for your maximum co-operation and assure you that information provided here will be treated with outmost confidentiality.

QUESTIONNAIRRE FOR RESIDENTS

Please respond to each of the following items by ticking (✓) the appropriate response box.

SECTION A

55. Gender:

c. Male []

d. Female []

56. Religious Affiliation

e. Christianity []

f. Islam []

g. African Traditional Religion []

Others (please specify).....

57. Have you ever been abused by a police officer?

.....

If yes, was the police officer a male or female?

.....

If yes, was the police officer a senior officer or a junior officer?

.....

If yes, was the officer a uniform personnel or plain cloth personnel?

.....

SECTION –B

Please tick the appropriate box to indicate your opinion on these statements.

Key: Agree (A); Uncertain (U); Disagree (D)

The Role of the Ghana Police Service in the Protection of Human Rights

STATEMENT	A	U	D
58. It is the duty of police to protect human rights of the people.			
59. The police as law enforcer, no law stands higher in authority than that of human rights.			
60. In providing service, police officers should not only respect people’s human rights by detecting and fighting crime, but also focus on preventing crimes and violations of human rights.			
61. The police deals impartially and in accordance with existing laws which must be enforced on all persons in the same way.			
62. The Police isaccountable to superiors on one and to subordinates on the other.			
63. The police officers must refrain from words, behaviours and dressings that humiliate or tarnish the image of the service.			
64. The Police eschew bribery, corruption, and embezzlement because they form part of the criminal justice system.			
65. The Police renders service delivery to the citizenry without partiality and discrimination.			
66. The police refrain from any act of torture, violence and ill treatment on citizens in their quest to solve or deal with a case or problem.			
67. The police is friendly but firm in dealing with suspects and criminals in particular and the public in general.			
68. In the course of discharging their duties, the			

police respect and protect human dignity and uphold the rights of all persons.			
69. The police use force in their duties when absolutely necessary and to the extent required for the performance of a particular duty, adhering to laws and practices governing the organization.			
70. The police ensure the protection of the health of persons in custody and particularly take immediate action to secure medical attention whenever required.			
71. Victims of crime are treated with compassion and respect and proper aid is given as and when necessary.			
72. The police behave in a trustworthy manner and avoid any conduct that might compromise and undermine the integrity and the public confidence in the Service.			
73. The police do not accept any gifts, presents, subscription, favours, gratitude or promises that could be interpreted as seeking to influence the police in the performance of their official responsibility other than in a manner as required by law.			
74. The police treat all persons in courteous manner and ensure that their conduct is consistent with the demands of the profession and the general public that I serve.			
75. Police Officers in the district respect and uphold the rule of law in accordance with the statutes of the country.			

Others Please Specify

.....

SECTION –C

Please tick the appropriate box to indicate your agreement or disagreement to the statements on the common patterns of police abuse of human right.

Key: Agree (A); Uncertain (U); Disagree (D)

Common Patterns of Police Abuse of Human Rights

STATEMENT	A	U	D
76. Widespread corruption.			
77. Illegal arrest and detention.			
78. Excessive use of force.			
79. Police brutality.			
80. Inhumane prison conditions.			
81. Failure to respond to complaints.			
82. When cases are reported at Police stations, it often becomes an opportunity to collect bribes.			
83. Police beat and abuse suspects, prisoners, demonstrators, and other citizens.			
84. Police cause severe pain or suffering, mental or physical, for the purpose of: (a) Obtaining information or a confession; and (b) Punishing, intimidating or coercing.			
85. Arrest, detention, abduction or other deprivation of liberty by the Police or acquiescence, where the fate or whereabouts of the victim is not disclosed or custody is not confirmed.			
86. Death of culprits through the excessive use of force by police or security forces.			
87. Arbitrary arrest and detention through deprivation of liberty without lawful reason.			
88. Racial discrimination, distinction, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin.			

Others Please Specify

.....

SECTION –D

Please tick the appropriate box to indicate your opinion on these statements.

Key: Agree (A); Uncertain (U); Disagree (D)

Factors that Influence Police Human Rights Abuse

STATEMENT	A	U	D
89. Resistance by suspects upon invitation by the Police.			
90. Family interference of police operations.			
91. Police inability to provide satisfactory assistance to victims of crime due to lack of infrastructure.			
92. Police inability to respond promptly to calls about crimes (e.g. robbery, assault) due to poor road networks and lack of infrastructure.			
93. Insufficient police personnel in the area which impeaches police visibility in the community.			
94. Lack of infrastructure which results in low level of protection of life and property.			
95. Slow process in the apprehension and prosecution of offenders which reduces public confidence and satisfaction in the police service.			
96. Lack of capacity of the Police Service to improve its human resources through training and development of personnel and by recruiting appropriate skills and competencies.			
97. Lack of capacity to acquire relevant, modern information and communication technologies that would enable the force perform its services.			