

**Refugee Review Tribunal  
AUSTRALIA**

**RRT RESEARCH RESPONSE**

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**Questions**

**What is the effectiveness of police in regional Ghana?**

**RESPONSE**

**What is the effectiveness of police in regional Ghana?**

Limited information was found in the sources consulted regarding the response of the Ghanaian Police Service (GPS) to murders or homicides. According to the USDOS while there is a homicide police unit in Accra there are “significant barriers” in the nationwide provision of specialised services. General information on the GPS indicates serious problems undermining its effectiveness, including corruption, understaffing and police brutality. Sources suggest that the ineffectiveness of the police force and its inability to deal with violent crime has contributed to the rise in ‘vigilante justice’ in Ghana. A recent report on the Northern region states that policing is a problem in this area due to a lack of police staff and the hostility of locals. Information has also been provided in this response regarding the reported lack of police protection and assistance available to gay men in Ghana (US Department of State 2007, *Country Reports on Human Rights Practices 2006 – Ghana*, March, Section I.d – Attachment 1; The Open Society Initiative for West Africa 2007, ‘Ghana: Justice Sector and the Rule of Law’, AfriMap website [http://www.afri-map.org/english/images/report/afri-map\\_ghana\\_justice.pdf](http://www.afri-map.org/english/images/report/afri-map_ghana_justice.pdf) – Accessed 13 November 2007 – Attachment 2; Aning, E.K. 2006 ‘An overview of the Ghana Police Service’, *Journal of Security Sector Management*, Centre for Security Sector Management website, vol.4, no.2, April [http://www.ssr-online.org/jofssm/issues/jofssm\\_0402\\_aning.doc?cfid=350054&cftoken=83202945](http://www.ssr-online.org/jofssm/issues/jofssm_0402_aning.doc?cfid=350054&cftoken=83202945) – Accessed 13 November 2007 – Attachment 3; Gyebi, E. 2007, ‘Northern Region Junior Police Officers Unhappy About Service Conditions’, *Ghanaian Chronicle*, 25 July, All

Africa.com, website <http://allafrica.com/> – Attachment 4; UK Home Office 2007, *Operational Guidance Note*, September <http://www.ind.homeoffice.gov.uk/documents/countryspecificasylumpolicyogons/ghanaogn?view=Binary> – Accessed 14 November 2007 – Attachment 5).

The USDOS *Country Reports on Human Rights Practices 2006 – Ghana* provides the following information on the specialised homicide police unit and barriers to nationwide service provision. The USDOS also reports on police brutality, corruption, negligence and “the widespread perception of police ineptitude” which is seen as contributing to vigilante justice:

The police maintained specialized units in Accra for homicide, forensics, domestic violence, visa fraud, narcotics, and cyber-crimes. However, there were significant barriers to extending such services nationwide, including a lack of office accommodation, police vehicles, and equipment outside of Accra.

The police service came under repeated criticism following incidents of police brutality, corruption, and negligence. Impunity remained a problem. Delays in prosecuting suspects, rumors of police collaboration with criminals, and the widespread perception of police ineptitude contributed to a continued increase in vigilante justice during the year. There were also credible reports that police extorted money by acting as private debt collectors, by setting up illegal checkpoints, and by arresting citizens in exchange for bribes from the detainees’ disgruntled business associates (US Department of State 2007, *Country Reports on Human Rights Practices 2006 – Ghana*, March, Section 1.d – Attachment 1).

A 2007 paper on the “justice sector and the rule of law” in Ghana states that it is the legal responsibility of the GPS to “detect crime” and “to apprehend offenders”. The paper provides the following information on the legal role and powers of the Ghanaian Police Service (GPS):

Policing in Ghana is mainly undertaken by the Ghana Police Service (GPS), with the support of the Ghana Army in certain emergency situations.

The Police Service Act of 1970 (Act 350) is the single most important legislation governing the police service. The act deals with the functions of the police, the structure and conditions of service, misconduct and unsatisfactory service, complaints and offences, etc. Section 1(1) of the act outlines the functions of the service: ‘to prevent and detect crime, to apprehend offenders, and to maintain public order and the safety of persons and property.’ The police have powers of arrest (either with or without warrant) powers to detain for a period in police custody; powers to grant bail to suspects in police custody; powers of entry, search and seizure, in relation to crime prevention; and powers of taking of confession statements from suspects (The Open Society Initiative for West Africa 2007, ‘Ghana: Justice Sector and the Rule of Law’, AfriMap website, p.89 [http://www.afrimap.org/english/images/report/afrimap\\_ghana\\_justice.pdf](http://www.afrimap.org/english/images/report/afrimap_ghana_justice.pdf) – Accessed 13 November 2007 – Attachment 2).

However, despite the above legal framework, the paper reports on serious problems within the police service including corruption, understaffing and abuses of power. The article reports on public mistrust of the police service and a general lack of police assistance. According to the article there has been a large increase in private security organisations due to the “perceived inability of the GPS police force to meet rising crime”. The following relevant sections of the paper outline current problems within the police force:

In a national survey carried out in 2001, most respondents (75 per cent) understood the role of the police in society to be protection of the society from criminals. Responses to a question whether people had called on the police to assist them was that 22.2 per cent had called on the police for assistance while 76.1 per cent had not. Less than a fifth (17.4 per cent) had personally received help from the police. Some 12.7 per cent said police response to their request for assistance was prompt enough. In response to a question on police assistance to persons known by respondents, 70.4 per cent were unaware of any assistance that the police had offered to people. **Reasons given for no police response included no means of transportation, inadequate manpower at police stations or no responsible officer at the station.** While the public accepted the need for an efficient and friendly service and were in certain instances welcoming of the services provided by the police, there was an underlying sense of mistrust and discomfort. Respondents' perception of the police ranged from protectors and friends, through enemies, to state apparatus for oppressing citizens.

As the survey confirms, the restoration of constitutional democracy has brought with it new demands and challenges to the GPS. Fear and insecurity, violence, lack of faith in the police to deal with the problem, frustration with the criminal justice system, and scarce resources to cope with the rate of crime pose inherent risks to the country's democracy if solutions are not found (p.91).

...Reports of police abuse of citizens, unlawful arrests by policemen, unprosecuted police officers who abuse rights of citizens and improper crowd control techniques all point to the lack of a comprehensive legislative framework within which to check these infractions (p.93).

...According to information posted on its web site, the GPS has a total force of 'a little over 17 000.' Irrespective of a systematic recruitment of personnel by the current administration, the police/population ratio is 1:1100, less than the acceptable international standard of 1:500 (p.94-95).

...A survey by Transparency International (TI), found that the Ghana Police topped the league of corrupt institutions in the country. An overwhelming 90 per cent of Ghanaians believed that the law-enforcing agency has failed in its bid to rid itself of this negative image (p.99).

...Over the years there has been a large increase in the number of private security organisations (PSOs) in the country, in response to a perceived inability of the GPS to meet rising crime (p.101) (The Open Society Initiative for West Africa 2007, 'Ghana: Justice Sector and the Rule of Law', AfriMap website, pp.91, 93-95, 99 & 101 [http://www.afrimap.org/english/images/report/afrimap\\_ghana\\_justice.pdf](http://www.afrimap.org/english/images/report/afrimap_ghana_justice.pdf) – Accessed 13 November 2007 – Attachment 2).

A 2006 report in the Journal of Security Sector Management, by Emmanuel Kwesi Aning, provides an overview of the GPS and describes problems with both the recruitment and retention of police officers (p.20). The paper also states that "probably a new challenge to the Ghana Police Service is the rising spectre of vigilantism as a response to police inability to deal with violent crime". The following is an excerpt of the conclusions of the report:

The point here is that going through the interviews, primarily and secondary documents, there is both a lack of political and administrative will to transform the Ghana Police Service. As has been proved above, while governments have been willing to establish different commissions and committees of inquiry, there has been a shocking silence on the implementation of the recommendations made. The end result is the progressive deterioration of the service to such an extent that it may even be controversial to argue that there is a Ghana police Service. What one can say is that there has been a consistent institutional decay to such an extent that the 'Service' is only in name and not by action or performance.

... Like their counterparts in other parts of the world, the police in Ghana have not been spared the unpleasant indictment of alleged brutalities, improper arrests, unlawful detentions, the conduct of illegal searches, unjustifiable use of force and firearms, oppression and other forms of high-handedness which are patently inimical to the protection of civil liberties.

... Probably a new challenge to the Ghana Police Service is the rising spectre of vigilantism as a response to police inability to deal with violent crime (Aning, E.K. 2006 'An overview of the Ghana Police Service', *Journal of Security Sector Management*, Centre for Security Sector Management website, vol.4, no.2, April, pp.20, 25, 26 & 28 [http://www.ssronline.org/jofssm/issues/jofssm\\_0402\\_aning.doc?cfid=350054&cftoken=83202945](http://www.ssronline.org/jofssm/issues/jofssm_0402_aning.doc?cfid=350054&cftoken=83202945) – Accessed 13 November 2007 – Attachment 3).

## **Northern region**

On 25 July 2007 the *Ghanaian Chronicle* reported on problems within the Northern Regional Police Command. According to the report police officers face difficulties in policing the Northern Region due to understaffing and the hostility within local communities towards police officers. The *Ghanaian Chronicle* provides the following report:

SOME JUNIOR Officers of the Northern Regional Police Command have passionately appealed to government through the Interior Ministry to as a matter of urgency, consider the “volatile environment” in which they operate in the North and improve upon their remunerations and general condition of services.

...Meanwhile, The Chronicle can say that indeed security personnel especially the Police were previously undergoing through some kind of hell in maintaining peace and security especially in Tamale.

It is obvious that the Police in exercising their constitutional duties in the Northern Region especially Tamale are sometimes subjected to either public attacks, harassments or beatings by some irresponsible and unscrupulous individuals or group of persons without any justification.

It is also obvious that the Police unlike the Military, are not respected or regarded in Tamale and Northern Region in general, **as they are most at times chased out, prevented or assaulted for effecting lawful arrests on some suspected law defaulters.**

...However, Inspector Adu-Amankwah indicated that the main problem militating against the Northern Regional Police Command was inadequate personnel and therefore called on government to move in quickly to address the problem (Gyebi, E. 2007, 'Northern Region Junior Police Officers Unhappy About Service Conditions', *Ghanaian Chronicle*, 25 July, all Africa.com, website <http://allafrica.com/> – Attachment 4).

## **Police protection of homosexuals**

No information was found in the sources consulted regarding the police response to violent attacks or murders on homosexuals or gay men in Ghana. However, sources report on the lack of police assistance and protection provided to gay men generally. The UK Home Office reported in 2007 that gay men who have sought assistance from the police force have been threatened with imprisonment. The UK Home Office also states that as Ghanaian law criminalises homosexuality, gay men are unlikely to seek or receive state protection. The GPS is also reported to harass, mistreat and physically abuse homosexuals in Ghana (UK Home Office 2007, *Operational Guidance Note*, September <http://www.ind.homeoffice.gov.uk/documents/countryspecificasylumpolicyogns/ghanaogn?vi>

[ew=binary](#) – Accessed 14 November 2007 – Attachment 5; US Department of State 2007, *Country Reports on Human Rights Practices 2006 – Ghana*, March, Section 5 – Attachment 1).

Reports were found in the sources consulted of police inaction regarding attacks on homosexuals in Ghana. On 1 May 2004, Behind the Mask, a website reporting on gay and lesbian affairs in Africa, provided the following report:

Gays / homosexuals in Ghana are living in the state of fear which we think is a form of violence. We have been isolated and our issues are not important enough to be discussed. We are beaten, even when we attend funerals, by young men who think being gay is foolish. We are attacked and robbed and all people say to us is, what where you doing there by that time and who invited you there? There is lots and lots of name-calling and most of these people call as “supi boys or Kwedjo Besia”. This leads some few bad young ones to take advantage of us and rob us and the **police do nothing** (Cobbinah, M.D 2004, ‘Gay life in Ghana’, Behind the Mask website <http://www.mask.org.za/printpage.php?id=239> – Accessed 14 November 2007 – Attachment 6).

On 6 May 2004 the *Chronicle* published an article in which a gay man reported that the police refused to pursue a theft and attack against him:

In a recent 32-page report concerning homosexuality and human rights abuses in different African countries, Prince relates how he was lured by a man he met to visit his store the next day. When he arrived he found that the man had left, only to return with a group of men who beat Prince and robbed him of his mobile phone and wallet. According to Prince, **the police refused to pursue the matter** (‘Is Ghana ready for gay rights?’ 2004, Ghana web, source: *Chronicle*, 6 May <http://www.ghanaweb.com/ghanahomepage/newsarchive/artikel.php?id=57333> – Accessed 14 November 2007 – Attachment 7).

The USDOS *Country Reports on Human Rights Practices 2006 – Ghana* reports on police harassment and mistreatment of homosexuals in Ghana:

The law criminalizes homosexuality, and lesbians and gays face widespread discrimination, as well as police harassment and extortion attempts. There is a minimum misdemeanour charge for homosexual activity, and homosexual men in prison often were subjected to sexual and other physical abuse (US Department of State 2007, *Country Reports on Human Rights Practices 2006 – Ghana*, March, Section 5 – Attachment 1).

More information on the treatment of homosexuals in Ghana is available in the Ghana Gay Resource Guide (Research & Information 2004, *Gay Resource Guide – Ghana*, July).

## List of Sources Consulted

### Internet Sources:

#### **Government Information & Reports**

Immigration & Refugee Board of Canada <http://www.irb.gc.ca/>

UK Home Office <http://www.homeoffice.gov.uk>

US Department of State <http://www.state.gov/>

US Department of State website <http://www.state.gov>

## **Non-Government Organisations**

Amnesty International website <http://www.amnesty.org/>

Human Rights Watch <http://www.hrw.org/>

Human Rights Internet (HRI) website <http://www.hri.ca>

## **International News & Politics**

*BBC News* website <http://news.bbc.co.uk/>

## **Region Specific Links**

AfriMap website <http://www.afrimap.org/researchdetail.php?id=27>

Behind the Mask website <http://www.mask.org.za/>

Centre for Security Sector Management website <http://www.ssronline.org/>

Ghana web <http://www.ghanaweb.com/GhanaHomePage/>

## **Search Engines**

Google search engine <http://www.google.com.au/>

## **Online Subscription Services**

All Africa.com <http://allafrica.com/>.

## Databases:

FACTIVA (news database)

BACIS (DIMA Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)

## **List of Attachments**

1. US Department of State 2007, *Country Reports on Human Rights Practices 2006 – Ghana*, 6 March.
2. The Open Society Initiative for West Africa 2007, ‘Ghana: Justice Sector and the Rule of Law’, AfriMap website [http://www.afrimap.org/english/images/report/afrimap\\_ghana\\_justice.pdf](http://www.afrimap.org/english/images/report/afrimap_ghana_justice.pdf) – Accessed 13 November 2007.
3. Aning, E.K. 2006 ‘An overview of the Ghana Police Service’, *Journal of Security Sector Management*, Centre for Security Sector Management website, vol.4, no.2, April [http://www.ssronline.org/jofssm/issues/jofssm\\_0402\\_aning.doc?cfid=350054&cftoken=83202945](http://www.ssronline.org/jofssm/issues/jofssm_0402_aning.doc?cfid=350054&cftoken=83202945) – Accessed 13 November 2007.
4. Gyebi, E. 2007, ‘Northern Region Junior Police Officers Unhappy About Service Conditions’, *Ghanaian Chronicle*, 25 July, all Africa.com, website <http://allafrica.com/>.
5. UK Home Office 2007, *Operational Guidance Note*, September [http://www.ind.homeoffice.gov.uk/documents/countryspecificasylumpolicyogns/ghanaog\\_n?view=Binary](http://www.ind.homeoffice.gov.uk/documents/countryspecificasylumpolicyogns/ghanaog_n?view=Binary) – Accessed 14 November 2007.
6. Cobbinah, M.D 2004, ‘Gay life in Ghana’, Behind the Mask website, <http://www.mask.org.za/printpage.php?id=239> – Accessed 14 November 2007.
7. ‘Is Ghana ready for gay rights?’ 2004, Ghana web, source: Chronicle, 6 May <http://www.ghanaweb.com/ghanahomepage/newsarchive/artikel.php?id=57333> – Accessed 14 November 2007.

