

UNIVERSITY OF GHANA

A STUDY OF ACCOUNTABILITY MECHANISMS IN THE GHANA POLICE SERVICE

BY

SYLVESTER BAWIISE BOYUO

(10199404)



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DECLARATION

I do hereby declare that this work is the result of my own research and has not been presented by anyone for any academic award in this or any other university. All references used in the work have been fully acknowledged

I bear sole responsibility for any shortcomings.

.....

SYLVESTER BAWIISE BOYUO

(ID: 10199404)

.....

DATE



CERTIFICATION

I hereby certify that this thesis was supervised in accordance with procedures laid down by the University.

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PROF KWAME AMEYAW DOMFEH
(SUPERVISOR)

.....

DATE

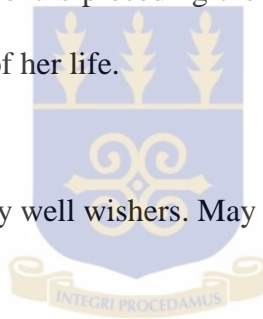


DEDICATION

This work is dedicated to my maker for giving me the strength and will power to undertake this arduous task in the mist of all odds.

Peace of mind is a cardinal variable one needs to have to be able to undertake such a job. I therefore dedicate this work to my family for not saddling me with too many problems during the period of my programme. I especially dedicate this work to my daughter Miss Vida Boyuo, final year French student of the University of Education, Winneba who incidentally had a cancerous thigh bone and had the leg amputated close to the groin on Tuesday 20th March, 2012. It was a difficult but life saving decision to take. One can only imagine the pain, anguish and sleeplessness the family went through the six months preceding the amputation. The dedication is therefore to atone the loss of a leg for the rest of her life.

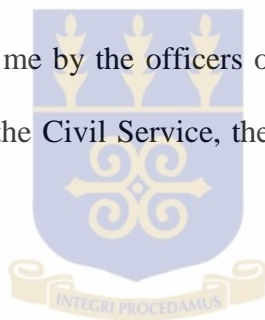
I finally dedicate the work to all my well wishers. May the all mighty God bless each and everyone.



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ABSTRACT

Police are very critical societal agents for the attainment, preservation and promotion of security in society. In order to maintain order and enforce the law in Ghana, the police have been constitutionally and legally endowed with enormous powers. While these powers aim at enhancing security and development in society, if they are not properly regulated, they may become a threat to democracy, development, and human rights. Hence, police accountability mechanisms are designed to ensure that police powers and resources are used responsively and responsibly for the common good. This study attempts to analyse police accountability in Ghana as perceived by the general public and the police themselves. Five hundred respondents in the Greater Accra Region participated in the study. Simple random sampling technique was used to select the respondents. The general public and police officers responded to the questionnaire and their views on police accountability. The major finding of the study was that no significant differences existed between the perceptions of the general public and the police officers about police accountability in Ghana. The study also found that the institutional frameworks for enhancing police accountability are weak. Moreover the regulatory frameworks are not properly understood and adhered to by the police. To enhance police accountability in Ghana, there should be collective effort to improve the institutional regulatory frameworks both at macro and micro levels.

CHAPTER ONE

GENERAL INTRODUCTION TO THE STUDY

1.1 Introduction

The study focuses on study of accountability with specific reference to the Ghana Police Service (GPS) and was carried out in the Greater Accra Region of Ghana. This chapter provides a background to the study and puts the problem statement in the proper context. It also defines the purpose of the study, the specific objectives, and research questions. The significance as well as the limitations of the study is also elaborated.

1.2 Background to the study

It is well recognized all over the world that peace and security of life and property are the primary conditions for progress and development of any society. In line with this, the 1992 Constitution of the Republic of Ghana (Republic of Ghana, 1992 Constitution) provides that the security and welfare of the people shall be the primary purpose of government. All over the world, the principal agency charged with the responsibility of internal peace and security of nations is the Police. As a result, a lot of powers are given to the Police to enable it perform its duties. A society without Police or any permanent Law enforcement agency will ultimately degenerate into chaos and anarchy (Zvekic, 1998). The policing function in any society plays a vital role in ensuring peace and development. The policeman maintaining law and order is therefore indispensable to all human societies irrespective of the level of the country or the degree of enlightenment.

Prior to the establishment of the Police Service in Ghana, policing and maintenance of law and order was organized by the traditional authorities such as the local head men and chiefs, who employed unpaid messengers to carry out the executive and judicial functions in their respective communities. According to Pokoo-Aikins (2002), the real work of the police was introduced by

the British Colonial Authorities to the Gold Coast in 1821. The core of the police duties during that era placed the focal point of protection on the central authority and not the governed. The police service then was meant to be the arm of the Colonial State and was primarily responsible for quelling riots and insurgencies and compelling adherence to rules and regulations meant for realising the ends of the colonial state. Thus, the Police in Ghana began as an agency of government wielding brute force to suppress the people's disagreement towards colonial policies (Kyereme and Ansu, 2000).

However, under the democratic dispensation since the beginning of the fourth Republic in 1993, the general purpose of the Ghana Police Service is to protect life and property, to apprehend offenders and to maintain public order and safety of persons and properties. The basic principle of democratic society is that the Police are accountable to the public in the sense that police officers have to answer for their conduct (Schulte, 1996). Accountability is a vital element of policing in any country. Both individual officers and law enforcement agencies should be held to account for their actions. Effective accountability procedures are essential if the police are to achieve their goals of lawfulness and legitimacy. Police service accountability distinguishes policing in democratic states from policing in totalitarian regimes where the police do not have to account to either the public or the law.

Over the years however, considerable questions have been asked by the public about the accountability of police officers for their conduct. The aim of this study is therefore to examine the role and accountability of police officers under a democratic dispensation in Ghana.

1.3 Problem statement

The Police Service renders an invaluable service to the state on a daily basis, through an expeditious performance of its mandatory functions, providing security and ensuring the maintenance of law and order (Loader, 2000). In spite of all the efforts of various governments and police administrations to salvage the police from its faltering image, the service has continued to be under intense pressure and criticisms of corruption, ineptness, unresponsiveness, bias, and unprofessionalism.

In recent times one question that is frequently asked in democratic states is ‘who polices the policeman?’ In other words, who holds the policeman accountable for his conduct? In principle, the police are supposed to be accountable to the public for the performance of their duties. Kyeremeh and Essuman (2001) however aver that police officers are seen as, and indeed carry themselves about as, being above the law and accountable to no one. The conduct of the Police in Ghana occasionally leads to brutality, extortion, and other unsavoury conducts. This has dire consequences for the maintenance of law and order, the safeguarding of life and property, and the protection of citizens.

1.4 Purpose of the study

This study therefore attempts to examine the perception of police service accountability in Ghana. The concept of accountability constitutes one of the foundations of democracy and rule of law. The study investigates the perception of the public and police about police service accountability in Ghana and determines the degree of accountability in the GPS.

1.5 Specific objectives of the study

Specifically, the study addresses the following:

- To establish the public perception about police accountability in Ghana
- To investigate the perception by the police about police accountability in Ghana
- Investigate the institutional and regulatory frameworks of Police Service accountability in Ghana
- Identify and analyse the challenges of police accountability in Ghana and propose effective recommendations for addressing them.

1.6 Research questions

In order to achieve the above objectives, the study seeks to answer the following questions

- What is the public perception about police accountability in Ghana?
- How do the police perceive police accountability in Ghana?
- What institutional and regulatory frameworks are available for ensuring police accountability in Ghana?
- What are the challenges of police accountability in Ghana?
- How can these challenges be effectively redressed?

1.7 Scope and limitations of study

This study focused principally on the Ghana Police Service and its operations. It also covered the civilian population since they are the ultimate beneficiaries of the operations of the service. Geographically, the study covered only the Greater Accra Region for ease of convenience and for the fact that the region possesses highest numbers of police personnel. The study was also limited by the unwillingness and despondent attitudes of the sampled population. However, efforts were made to ensure full free participation of respondents.

1.8 Significance of the study

The significance of the study lies in its ability to generate useful information about the perceptions of accountability in the Ghana Police Service (GPS). It will thus be of immense benefit to the Police Service Administration. By highlighting issues of police service accountability, advocacy groups and the entire citizenry will benefit from the results of the study. The academia will benefit from it because it may become a basis for further research into democratic policing and police service accountability.

1.9 Organization of the study

The study is organized into seven chapters. Chapter one is made up of the general introduction to the study and covers the background, problem statement, objectives, the scope and limitations as well as the significance of the study. The second chapter is devoted to the review of relevant literature on police service accountability and related concepts. The theoretical framework that guided the study is also provided in this chapter. Chapter three examines accountability in the GPS, while chapter four focuses on the methods used in conducting the study. Chapter five deals with the analysis of the data and chapter six presents a discussion of the research findings. The key findings of the study, conclusion, recommendations and suggestions for further research are presented in chapter seven.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

The mission of the police in a democratic society is to protect people and property; to prevent, detect, and investigate crime; to maintain public order; and to support democratic political life. The police undertakes these tasks without fear or favour, but uphold the rule of law and perform their duties with the consent and support of the public and the institutions of democratic governance. Accountable policing creates a “double demand” on police by “requiring that the police adhere to high standards of conduct while also providing high standards of service. This chapter discusses the aspects of accountability in terms of its meaning, types of accountability, accountability framework, and accountability components. The chapter includes a discussion of the four concepts of accountability, which is based upon a comprehensive analysis of relevant literature. Police accountability and its importance are examined from the perspective of both internal and external accountability mechanisms.

2.2 The concept of accountability

The root of the word “accountability” comes from the word ‘account’. In the past, the aspects of accountability have been specifically related to accounting, particularly bookkeeping (Bovens, 2005). Nowadays, accountability is a feature of almost every area, including politics and social science (Mulgan, 2002). In modern democracies, the concept of accountability is linked to the possession of power. Those who wield power are expected to answer for how they use it. However, the concept of accountability is most often used without proper or adequate definition resulting in confusion as to what is implied. For this reason, the General Accounting Office (1995) argues that accountability is an important yet elusive concept whose meaning and characteristics

differ depending upon the context. Similarly, Mulgan (2000b) claims that accountability is a complex and elusive subject while Sinclair (1995) argues that accountability is chameleon-like, and that researchers' in different areas focus on different types of accountability.

According to Schedler (1999), the term accountability expresses the continuing concern for checks and oversight, for surveillance and institutional constraint on the exercise of power. In general terms, Barbara and Melvin (1987) state that, scholars and practitioners freely use the term to refer to answerability for one's actions or behaviour. The Webster's dictionary defines accountability as the state of being accountable; liability to be called on to render an account; the obligation to bear the consequences for failure to perform as expected. It also mentions that the synonym of accountability is answerability. The word "accountability" is often used when considering fair and equitable governance (Bovens, 2005).

Accountability is discussed by many researchers in various fields (Sinclair, 1995). They focus on different issues and disagree about many things. Accountability relationship is the relationship between two parties, groups of people or organizations (Power, 1991; Behn, 2001). Researchers may refer to the first in a variety of ways, including "actor", "accountor", "agent", "steward", or "accountability holdee". The other party may be referred to as "accountee", "principal", "forum", "audience" or "accountability holder". One group is held accountable while the other one holds others to account. The first group is normally called the "accountor" and the second group is called the "accountee". The relationship between these two groups is indicated by types of accountability (Bovens, 2005; Mashaw, 2006), as different types can lead to different types of "accountor" and "accountee", and can affect the types of activities they perform.

2.2.1 Types of accountability

Accountability is not intended to eliminate or undermine power but rather to control it from becoming an instrument of repression and exploitation and to ensure that power is exercised in a transparent manner, and according to rules. Public governance, market, and social accountability are the three main regimes of accountability (Mashaw, 2006). Public governance focuses on the accountability of public sector organizations and the officials they employ. Market is related to accountability in the private sector. For social accountability, accountability among families, professions or teams are the main considerations. A public sector organization is the main focus of this study. For public sector accountability, scholars cite a variety of ideas about the types of accountability. For example, Day and Klein (1987) mention two main types of accountability, political and managerial accountability. Sinclair (1995) focuses on five types, political, public, managerial, professional and personal accountability. In this section, the types of public sector accountability are discussed.

2.2.1.1 Public accountability

The first type is that of public accountability. Sinclair (1995:225) defines this type as “a more informal but direct accountability to the public, interested community groups, and individuals”. This type of accountability is more informal than political accountability. The citizens’ right to know is at the root of this type of accountability (Pablos et al., 2002). Public accountability involves the process of answering public concerns about organisational actions and performance through various mechanisms, such as the media and public hearings (Sinclair, 1995). Public officials should treat the public fairly (Behn, 2001; Axworthy, 2005). The strength of public audit can support public accountability (Stewart, 1984).

2.2.1.2 Political accountability

The next type is political accountability that has been applied since the Athenian era, when it meant holding officials accountable for their actions (Newell and Bellour, 2002). It was then extended to include ministerial and parliamentary accountability. For Day and Klein (1987), political accountability is about those with delegated authority being answerable for their actions to people, whether directly in simple societies or indirectly in complex societies. Here, “accountors” mainly include civil servants, politicians, cabinet members, legislators, and political parties, all of whom should be accountable to their constituents. The chain of political accountability in the parliamentary system links public officials to the directors of particular departments, who are accountable to ministers, then to the cabinet, to the parliament, and finally to the electors (Sinclair, 1995).

2.2.1.3 Organizational accountability

Another type of accountability is organizational accountability, though some researchers use the term “administrative accountability” instead (Mashaw, 2006). This is normally based on the relationship between superiors and subordinates in organizations or hierarchical relationships (Bovens, 2005; Mashaw, 2006). Managerial accountability is defined as “making those with delegated authority answerable for carrying out agreed tasks according to agreed criteria of performance” (Day and Klein, 1987). Day and Klein (1987) argue that this type of accountability can be classified into three sub-types, namely fiscal/regularity accountability, process/efficiency accountability, and programme/effectiveness accountability. These three sub-types focus on input, output, and outcome respectively, and are a means of checking on the appropriate use of resources, accomplishment, efficiency of output, and effectiveness of outcome (Day and Klein, 1987; Sinclair, 1995).

Stewart (1984) argues that managerial accountability involves programme and performance accountability, which focuses on goals and results, and standards and performance. This means managerial accountability focuses on input, output, and outcome. As explained above, some researchers use the word “administrative” instead of managerial accountability. However, others believe that managerial accountability focuses on monitoring inputs and outputs, or outcomes, while administrative accountability focuses on only monitoring processes of the use of inputs (Sinclair, 1995). Additionally, some researchers such as Brinkerhoff (2001), refer to financial accountability and performance accountability instead. Financial accountability relates to controlling and monitoring the use of public resources or inputs. Laws and regulations, and procedures on resource allocation and reporting, should be transparent.

2.2.1.4 Performance accountability

The phrase ‘performance accountability’ is defined as scrutinizing the process of achievement through the use of public resources (Brinkerhoff, 2001). This focuses on “what government does – what it actually accomplishes”, as opposed to “... how government does what it does”, which focuses on accountability for finances and fairness (Behn, 2001). This type is related to outputs and outcomes, and the relationship between managerial accountability and public accountability. In the case of accountability of the government for activities carried out in the public sector, public accountability depends on the existence of managerial accountability (Stewart, 1984).

2.2.1.5 Professional accountability

Another type of accountability is that of professional accountability. Public officials should be accountable to an expert group of which they are a member (Sinclair, 1995). Normally, subordinates should be accountable to their superiors. However, the difference between bureaucratic or organizational accountability and professional accountability is the degree of

control (Romzek and Dubnick, 1987). The degree of control is high in the case of bureaucratic accountability while it is low for professional accountability. In addition, professional bodies usually have their own code of conduct or standards for all their members to follow (Bovens, 1998). This type of accountability is necessary when a government is dealing with difficult or complex problems and need to use skilled or expert officials (Romzek and Dubnick, 1987).

2.2.1.6 Personal accountability

Personal accountability is defined as fidelity to personal conscience in basic values such as respect for human dignity and acting in a manner that accepts responsibility for affecting the lives of others (Sinclair, 1995). Individuals should be responsible for actions that may affect other people (Bovens, 1998). This type of accountability focuses on a personal ethic of responsibility (Axworthy, 2005). Accountability can be classified as either internal or external accountability (Mulgan, 2000b). Internal accountability relates to individual behaviours, such as professional accountability and personal accountability (Mulgan, 2000b). For these kinds of accountability, individuals have to be accountable for their actions. Regarding external accountability, types of accountability consist of political, public and managerial accountability, and relate to investigating and assessing actions taken by organizations or subordinates and imposing sanctions (Mulgan, 2000b).

Accountability can also be vertical or horizontal. Vertical accountability describes a relationship between unequals. To Schedler (1999) vertical accountability refers to some powerful “superior” actor holding some less powerful “inferior” accountable. This is different from horizontal accountability that describes a relationship between equals: it refers to somebody holding someone of roughly equal power accountable. In democratic theory, the division of power –

executive, legislative, and judiciary constraining each other through the classic “check and balances” – represents its prototypical expression (Schedler, 1999).

Table 2.1 Summary of types of accountability

Type of accountability	Focus	Authorities
Public accountability	process of answering public concerns about organisational actions and performance	Pablos et al.; Axworthy; Sinclair; Behn; Stewart
Political accountability	those with delegated authority being answerable for their actions to people, whether directly or indirectly	Newell and Bellour; Day and Klein; Sinclair
Organizational accountability	relationship between superiors and subordinates in organizations or hierarchical relationships	Day and Klein; Sinclair; Bovens; Mashaw
Performance accountability	related to outputs and outcomes	Brinkerhoff; Behn; Stewart
Professional accountability	accountable to an expert group of which one is a member; accountable to superiors	Romzek and Dubnick; Bovens; Sinclair
Personal accountability	Fidelity to personal conscience; personal ethic of responsibility	Mulgan; Axworthy; Bovens; Sinclair

2.3 Components of accountability

Accountability relationship consists of six main components, namely “accountor”, “accountee”, accountability for what, processes, standards and effects (Mashaw, 2006). In this section, these six components of accountability are discussed.

2.3.1 Accountor

Many scholars give ideas on who should be held accountable. The concise answer to the question, “who is accountable,” is that “... every person who is in a position of power on trust is accountable for the use of that power” (UN, 2004:4). An “accountor” has an obligation to inform the “accountee” about his conduct which can vary “from budgetary scrutiny in the case of financial accountability, to administrative fairness in the case of legal accountability, or even sexual propriety when it comes to the political accountability” (Bovens, 2005:185). According to

Gelfand et al. (2004), accountors can take the form of individuals or groups of people. Individuals are directly accountable to their supervisor, organization, work group, and colleagues. The “accountor” can sometimes be a representative of the group and is answerable to the organization as a whole. In such cases, the relationship of accountability can be either unidirectional or bidirectional.

With regard to public sector accountability, the largest group of “accountors are public officials working in ministries, departments and agencies (Brinkerhoff, 2001). According to Bovens (2005), public officials can play many roles, which can be classified into four types of accountability. The first type is that of corporate accountability, whereby the “accountor” is an entire organization. An essential component of this type is the unity of the organization. The second type of accountability is hierarchical accountability, with a clear chain of command as the main focus. Subordinates have to be accountable to their superior (Brinkerhoff, 2001), while officials in the middle level can be both “accountor” and “accountee”.

The third type is that of collective accountability. Bovens (2005:191) explains that “public organizations are collectives of individual officials”. The “accountee” can choose one official to be a representative of the organization. Finally, there is individual accountability. Each official has to be accountable for his/her own performance. In addition to the above types, public officials should be accountable to citizens during policy implementation and service delivery (Brinkerhoff, 2001). By contrast, some scholars such as Axworthy (2005) argue that civil servants are not required to be directly accountable to citizens.

2.3.2 Accountee

The second component of the accountability relationship is the “accountee”, who has certain rights to hold others to account (Unerman and O’Dwyer, 2006). The scope of the “accountee” within a particular relationship can be classified as either a broad concept, intermediate concept or narrow concept (Unerman and O’Dwyer, 2006). Taking a broader perspective, organizations are accountable to all parties affected by their actions. Regarding the police service, it might be accountable to those for whom they provide services and to people, communities and organizations who receive indirect impact from their actions (Unerman and O’Dwyer, 2006). Many public sector organizations also fall within this scope. At an intermediate level, stakeholders who influence an organization have rights to hold organizations to account. This links into corporate accountability, which is normally developed in business. Private sector organizations are usually accountable to the stakeholders, who have the greatest economic power over the business (Unerman and O’Dwyer, 2006).

A narrow perspective might be when organizations are only accountable to the group of people who manage or give money to organizations, the legal owners, or the shareholders. This is usually applicable in businesses, accountable only to shareholders. The accountability relationship can exist both inside and outside organizations (Ijiri, 1983). Within organizations, staff should be accountable to their superiors. Out with organizations, there are also some forms of the accountability relationship between, for example, officials and the general public, officials and professional peers, and officials and other public sector organizations, dependent on the types of accountability. Regarding public sector accountability, Bovens (2005) proposes five different kinds of accountees based on five types of accountability: organizational accountability, political accountability, legal accountability, administrative accountability and professional accountability.

2.3.3 Accountable for what?

This section discusses what accountors should be accountable to accountees for. Organizations have an obligation to be accountable for their performance (Mulgan, 2000a). Regarding types of organizations, there are some differences between public sector and private sector organizations. Private sector organizations are more accountable in terms of bottom line and profit but public sector agencies focus on the operational process and general policy (Mulgan, 2000a). Both the public and private sectors have an obligation to provide information to citizens or shareholders. However, private sector companies do not have to provide any other information than that which they are required to do so by law. Although public sector organizations provide more information, they do not actually have to present all information, particularly information relating to national security (Birkinshaw, 2006).

For the public sector, one of the most important reasons to be held accountable to the public is because the money spent by governments is actually public money. Thus, they are expected to be responsible when using the money (Ball, 2005). Governments are accountable for their performance and administration (UN, 2004). They should pay attention to the use of public resources, and the results from their operations. Elected officials are responsible for their choices of policies (Mashaw, 2006). For non-electoral accountability, top-level bureaucrats are responsible to elected officials in following through the plans and policies of elected officials (Mashaw, 2006). For organizational and bureaucratic accountability, subordinates are responsible for carrying out their superior's orders or commands (Mashaw, 2006). This relationship is based on hierarchy instead of coordination (Mashaw, 2006). For legal public accountability, public officials should be responsible to individuals and firms by following justiciable legal requirements (Mashaw, 2006).

2.3.4 Processes of accountability

Different types of accountability focus on different processes. Mashaw (2006) argues that for public accountability, public officials are responsible to the public by virtue of legal requirements, which they have to follow. So, the processes of accountability should therefore follow administrative and judicial consideration. For the relationship between superiors and subordinates within organizations, the processes of accountability are managerial rather than legal (Mashaw, 2006). Executives monitor the activities of subordinates.

Political accountability, or the relationship between politicians and constituents, is based on the political process. Voting oversight is an important process of this accountability (Mashaw, 2006). Many scholars give some ideas about factors that can increase the level of accountability. Control and monitoring from both internal and external parties are important for accountability, and the amount of information that controlling agencies can obtain can affect the level of accountability (UN, 2004). Thus, a strong system of checks and balances is important for accountability (Brinkerhoff, 2001). The ability to analyze information and the response from the users of funds are also essential for accountability (UN, 2004).

The establishment of independent agencies is one method used by governments in order to increase answerability and transparency (Brinkerhoff, 2001). Another method is to improve the quality and skill of staff, both officials in the public sector and officials in the independent agencies, e.g. auditors. In other words, the government should improve operational systems in order to support its work. Group norms, corporate cultural norms, and loyalty to superiors and colleagues are important for enhancing accountability (Frink and Klimoski, 2004). One of the main accountability tools required for accountability mechanisms is that of records (McMahon, 1995), but different types of accountability require different tools. For example, for policy

accountability, the main tool is public policy while the main tool for financial accountability is financial reporting (Pablos et al., 2002). Different users require different types and scope of information. General users such as citizens, the media or other organizations do not require detailed information while professional groups such as representatives, creditors, or legislative bodies prefer complete, precise and detailed information (Pablos et al., 2002).

2.3.5 Standards of accountability

With regard to the standards of accountability, different standards are applied to different types of accountability. The standards are used to analyze the actions and performance of the accountant. According to Mashaw (2006), for political accountability, the standards of appraisal are ideology or political preference aggregation. For the relationship between superior and subordinate, the standard is based on instrumental rationality (Mashaw, 2006). The connection between executives and subordinates is strong if the standards are clear and there are a number of rules (Gelfand et al., 2004). Legal accountability is the relationship between public officials and affected persons or organizations (Mashaw, 2006).

This relationship is based on legal requirements; therefore, the standards used are the legal rules. Standards of accountability are either formally codified in laws and regulations or subjective standards or expectations of accountees (Kearns, 2003). Clarity of the standards and number of rules and regulations also affects the accountability relationship (Gelfand et al., 2004). Appropriate laws and regulations, including code of conducts, codes of ethics and standards, are also important elements for increasing the level of accountability (Brinkerhoff, 2001; Osborne, 2004).

2.3.6 Effects of accountability

After the accountant reports information about his/her action to the accountee, the accountee assesses this performance by using standards as a guideline for appraisal. Dependent on the type of the accountability relationship, reward or sanctions are then given to the accountant. Rewards and sanctions can be either formal or informal (Bovens, 2005). With regard to political accountability, this relationship can lead to either re-election or the dismissal of elected officials (Mashaw, 2006). For non-electoral accountability, the range of sanction varies from removal to simple displeasure, or ostracism from the governing body (Mashaw, 2006).

Within public sector organizations, rewards and sanctions can include approval, substitution or action. For example, reaffirming decisions, removing errant officials or redesigning decision structure are all possible effects. For legal accountability, the results of the actions could include either validation or nullification of official acts. In addition, affirmation, remand, injunction, penalties or compensation are also possible effects. Effects, such as sanctions and penalties, are important for accountability mechanisms. Scrutiny and freedom of information, without sanctions, can possibly devalue accountability (Brinkerhoff, 2001). In some societies, accountability is defined as a punishment (Behn, 2001).

2.4 Police accountability

The Police exist to guarantee order, safety and security. In securing these, the police exercise enormous power. According to Goldstein (1977), the police, by the very nature of their function, are an anomaly in a free society. They are invested with a great deal of authority under a system of government in which authority is reluctantly granted, and when granted, sharply curtailed. The specific form of their authority – to arrest, to search, to detain, and to use force – is awesome in the degree to which it can be disruptive of freedom, invasive of privacy, and sudden and direct in

its impact upon individuals. And this awesome authority, of necessity, is delegated to individuals at the lowest level of the bureaucracy, to be exercised, in most instances without prior review and control. Depending on how these powers are used, they may either protect or violate human rights. Consequently, the exercise of police power requires that it should be used responsibly (Lumina, 2008).

In short, accountability is an inherent aspect of professional policing. Accountability of the police is a particularly crucial issue because police are responsible for the safety and security of the public, and are also authorized to use force, and in some cases, can deprive people of their lives and liberty. Police officers must account both for their performance and their conduct in performing those functions. Accountability protects the police service from illegitimate political interference and ensures that police officers are community focused and held to agreed standards of conduct.

Defining police accountability is a complex undertaking, partly because it means different things in different contexts and also because its meaning can change over time depending on who is defining it. Kettl (2000) argues that police accountability provides a level of transparency to communities and also gives them a sense that no-one is above the law, including those who apply and enforce it. Kettl (2000) argues that accountability systems ensure that police account for their actions, and also ensure that they obey the law. According to Walker (1997), police accountability involves not only a general principle, but also that principle's specific application. As a general principle, accountability means that in a democratic society the police should treat all people with respect, fairness and equal treatment and at the same time should be required to answer for their conduct, particularly in cases of alleged misconduct. Police accountability mechanisms are

established to ensure that police powers and resources are used responsively and responsibly for common good.

Accountability involves a system of internal and external checks and balances aimed at ensuring that police perform the functions expected of them to a high standard and are held responsible if they fail to do so. It aims to prevent the police from misusing their powers, to prevent political authorities from misusing their control over the police, and most importantly, to enhance public confidence and re-establish police legitimacy. Accountable policing means that the police accept being questioned about their decisions and actions and accept the consequences of being found guilty of misconduct, including sanctions and having to compensate victims (Schedler, 1999). On the one hand, effective accountability is unlikely in police systems that lack integrity, especially where the lack of integrity and ineffective accountability are connected and mutually reinforcing. On the other hand, transparency, openness to scrutiny, integrity and legitimacy are also mutually reinforcing. Therefore, enhancing accountability can improve police legitimacy and increase public confidence, which, in turn, will reinforce the integrity of the system (UNIDOC, 2011).

The general agreement in the literature is that, the police forces are accountable for three principal issues: performance, conduct, and use of resources (Alemika, 2011; Aning, 2002; Tankebe, 2008). They are also responsible to various external governmental and non-governmental audiences, especially parliamentary committees, police service commissions and councils, ministerial departments, financial audit agencies, commissions of inquiry, office of ombudsperson, human rights commissions and organizations, and civil society organizations such as the mass media, community associations, researchers and research institutes. Beside the external accountability mechanisms, there are internal control and disciplinary mechanisms for holding police officials accountable for their performance, conduct or actions and use of resources allocated to them.

The multiplicity (in types and levels) of mechanisms of accountability is generally considered as distractions and encumbrances by police authorities. Indeed, accountability mechanisms can become dysfunctional and counterproductive if they are not effective, transparent and properly coordinated (Alemika, 2011). However, accountability mechanisms are necessary, given the enormous powers and resources at the disposal of the police, and the significance of police functions for the development and security of citizens and society.

2.5 Importance of police accountability

Police accountability and oversight are necessary for several reasons. Alemika (2011) points out a few salient reasons. Firstly, police have enormous powers that have very profound impact on the rights and liberties of citizens. It is therefore necessary to establish effective mechanisms to monitor the exercise of these powers in order to ensure that they are not used for repression – violation of the rights and liberties of citizens. Secondly, the police are subject to political, economic and social pressures from different groups, including the rulers, to use their powers in ways that are inconsistent with democratic norms and governance. Without effective accountability and oversight mechanism, the police are likely to succumb to partisan interferences to the detriment of democratic governance and economic development.

The third important reason is that the police draw substantial resources from the state for the purpose of carrying out their mandates. The use of the resources must be accounted for. Otherwise, there will be pervasive corruption and resource misallocation that will engender overall functional inefficiency. The fourth reason is that the police service is established to carry out specific functions in order to promote and guarantee safety, security, peace, human rights and necessary conditions for economic development and equity in a nation-state. Therefore there must

be an effective mechanism to determine the effectiveness and efficiency of the police in their functional performance.

Accountability and oversight mechanisms should not be established as mere tools of condemnation and criticism. They should rather serve as institutionalized mechanisms for enforcing answerability of the police to democratic authorities with regard to performance, cost and conduct. It is in this light that Schedler (1999) defines accountability as “the continuing concern for checks and oversight, for surveillance and institutional constraint on the exercise of power”. The two critical elements of accountability, according to Schedler, are answerability and enforcement. Answerability, according to him, refers to “the obligation of public officials to inform about and to explain what they are doing”, while enforcement refers to “the capacity of accounting agencies to impose sanctions on power holders who have violated their public duties” (Schedler, 1999).

2.6 Mechanisms of police accountability

Accountability mechanisms are institutions and processes outside the police departments and are introduced to ensure that the activities of the police are monitored and evaluated with regard to effectiveness (level of performance in the discharge of their mandates); efficiency (optimal return to resources expended in the discharge of their functions), and integrity (observance of laws and rules, respect for human rights, and avoidance of corrupt practices and abusive behaviours such as brutality, excessive use of force and extra-judicial killing, and law enforcement decisions based on prejudices against groups of individuals) (Alemika, 2011).

Police complaints institutions, whether within or outside the police force, aim mainly at ensuring police integrity. Mechanisms within the police force designed to receive, investigate, and

determine complaints against officers should be conceived as internal disciplinary measures. They are meant to enhance police integrity, which is an essential requirement for public confidence, and to enforce discipline within the force, which is also necessary for effectiveness and efficiency. Effective internal police disciplinary regime enhances accountability to external authorities and audiences (Alemika, 2011).

2.7 Levels of accountability mechanism in the police service

Three broad levels of police accountability can be identified, firstly, internal or departmental control. This refers to the rules and processes within police departments that are used to ensure compliance with rules; to investigate complaints, determine culpability of officers and to enforce dispositions. Secondly, state or governmental control, which refers to institutions, rules and processes through which the government holds the police accountable for a range of issues – policies, actions, resources, performance and conduct. Lastly, social control or oversight by civil society: groups within society constantly monitor the actions, performance, conduct and resource utilization by the police. The media and human rights organizations are very active in this respect, and this partly accounts for the mutual suspicions between these groups and the police. As a matter of fact, this level may be referred to as watchdog platforms that may be likened to linesmen who draw the attention of match referees to violations by players (Alemika, 2011).

2.7.1 External accountability mechanisms

External accountability mechanisms relate to those organizations and processes established for the purposes of ensuring that the police are efficient, prudent, disciplined and responsive in the discharge of their duties and exercise of their powers. Generally, external civilian accountability mechanisms have several advantages, including (a) greater accessibility; (b) widely publicized and transparent procedure for the intake and investigation of complaints; and (c) minimal chances of

intimidation of complainants by the police. This legitimizes the police, because the process portrays the police department as unobtrusive of investigation, and engenders the attribution of misconduct to “rotten apples” rather than “rotten police agency” (Alemika, 2011).

2.7.2 Internal accountability mechanisms

There are two broad types of internal police disciplinary mechanisms. First, internal administrative disciplinary mechanism: This is an administrative mechanism within the police service. It focuses on intake, investigation and review of complaints against the police by members of the public or by a police officer against another. Second, is the internal investigation mechanism for external review and enforcement. If properly organized and administered internal mechanisms can be effective and efficient routine means for maintaining discipline and integrity mainly because they are administered by superiors who understand the nature and context of misconduct attributed to police officers. However, poor administration and the culture of mutual protection tend to undermine the efficacy of internal mechanisms. As a result, citizens do not usually trust internal administrative review procedures maintained by the police (Alemika, 2011; Alemika, 2003c).

2.8 Theoretical framework

This section reviews the theoretical perspectives of accountability that are relevant for this study. There are many theoretical perspectives on accountability such as agency theory, stewardship theory, stakeholder theory, social contract theory, legitimacy theory and resource dependency theory. However, this study dwells on the stewardship theory because of its appropriateness for this study.

2.8.1 Stewardship theory

Stewardship theory takes as its starting point the assumption of goal alignment, and is increasingly seen as an important framework for structuring relationships (Block, 1996). The origins of the concept of stewardship are biblical. Stewards, as valued employees who are entrusted with running households, are mentioned in both the Old and New Testaments. Stewards were seen as servants of someone or something greater than themselves; they were committed to their work, and had the discretion to take risks on behalf of their masters.

Stewardship theory considers the managers (police) as good stewards who will act in the best interest of the owners (public) (Donaldson and Davis, 1991). The fundamentals of the stewardship theory are based on social psychology, which focuses on the behaviour of executives (policemen). The steward's behaviour is pro-organizational and collectivistic, and has higher utility than individualistic self-serving behaviour and the steward's behaviour will not depart from the interest of the organization because the steward seeks to attain the objectives of the organization (Davis, et al., 1997). In other words, proponents of stewardship theory argue that pro-organizational and collective behaviours are of higher utility than the individualistic, self-serving behaviours.

The assumption in this theory is that the police are stewards whom the general public has put enough power of surveillance, arrest, investigation, search, seizure, interrogation, detention, bail and prosecution. These powers entrusted to the police are aimed at enhancing liberty, security and development in society for the general public. It therefore implies that the police are accountable to the general public who gave them the power they wield. The study will seek to know whether in reality the police behave as the theory proposes.

2.9 Chapter summary and conclusion

This chapter has discussed the theoretical underpinnings of police accountability including the meaning of the term accountability, types of accountability, police accountability, and internal and external mechanisms of accountability. The chapter also discussed the theory of stewardship as the theoretical framework that is adopted to guide the realisation of this study. The next chapter analyses empirical literature on police accountability in Ghana.

CHAPTER THREE

THE GHANA POLICE SERVICE AND ACCOUNTABILITY

3.1 Introduction

The role of the police in any democratic society cannot be over emphasized. They protect lives and properties, and hence wield enormous power. However, they also operate within the legal and criminal justice system of a country as they are supposed to account for their stewardship. The objective of this chapter is therefore to provide a background to the Ghana Police Service, its organizational structure and the accountability mechanisms, both internal and external.

3.2 Background to the police in Ghana

According to Afari (2004), before the introduction of British colonial rule, Ghana had a system of maintaining peace and order, which was territorially defined according to each ethnic group (Ansah-Koi, 1981). The social network in those days was such that “each was his brother’s keeper”, and security was the concern of every member of society. British imposition of present-day policing system removed the focus of policing from the society to the governing body, thus making the social network to become passive in matters of security (Anamzoya and Senah, 2011). The policing system, as we know it today, did not exist in the Gold Coast.

As available records indicate, the history of the police system in Ghana dates back to 1821 (Saanid, 1993), when the Crown took over control of the Forts and Castles along the coast, but were later returned to the Council of Merchants headed by Captain George Maclean (Saanid, 1993). When the British and European merchants settled along the coast of the Gold Coast from the New Town in the west to Keta in the east, they employed militiamen to protect their lives and properties and also to guard and escort goods from the coastal areas to the hinterlands together with a few armed Europeans and British who also traded in slaves, gold dust and diamonds (Afari,

2004). These militiamen helped their employers in fighting their enemies and opponents. The training of the militiamen was limited to the use of batons and rifles. Their trainers were discharged British soldiers in the employment of the merchants. One of them, Captain George MacLean who was appointed Governor of the Gold Coast in 1830, attempted in 1831 to train the militiamen to become proper policemen to ensure their efficiency in handling civil disturbances and serious rioting, especially in the capital town, Cape Coast (Anamzoya and Senah, 2011).

According to Anamzoya and Senah (2011), four hundred men were selected from the Gold Coast Constabulary in 1894 to form the Gold Coast Police Force, while the remaining personnel of the Constabulary formed the nucleus of the Gold Coast Regiment. The 1894 Police Ordinance gave legal authority for the formation of a civil police force in the Gold Coast. This led to the creation and establishment of standard police stations in various areas of the country then under British rule and protection. On the attainment of independence in 1957, the Gold Coast Police Force had its name changed to the Ghana Police Force.

In 1958, one year after independence, an Armoured Car Squadron was formed within the police organization, and its duties largely comprised guarding the state's Chief Executive. In 1959, a local Police College for the training of senior police officers was also established while the Police Depot continued to concern itself with the training of recruits. The uniform of the Gold Coast Police Force was discarded. These changes apart, no real fundamental change has occurred with regard to the colonial legacy of the Gold Coast Police which on independence became the Ghana Police Force (Anamzoya and Senah, 2011). In the post independence era it has variously been officially termed the Ghana Police Force and the Ghana Police Service (GPS). Most of the post-independence constitutions gave the organization the nomenclature Police Service; and the latter name still obtains for the organization.

The concern with nomenclature derives from the desire to let the police organization be identified in the public's mind as another service organization existing to cater for society's interest and its general welfare. It is meant to de-emphasize the place of force in the organization, to erase any conception of it as an essentially repressive set-up, and to give it a favourable public image. The abandonment of the 'Police Force' nomenclature for 'Police Service' by Ghana's police organization has however not been accompanied by any fundamental shift in its orientations and role performance. The change has largely been only at the level of semantics. Understandably, most members of the general public as if in recognition of that fact, tend to use Ghana Police Force and Ghana Police Service interchangeably.

3.3 Organizational structure of the Ghana police service

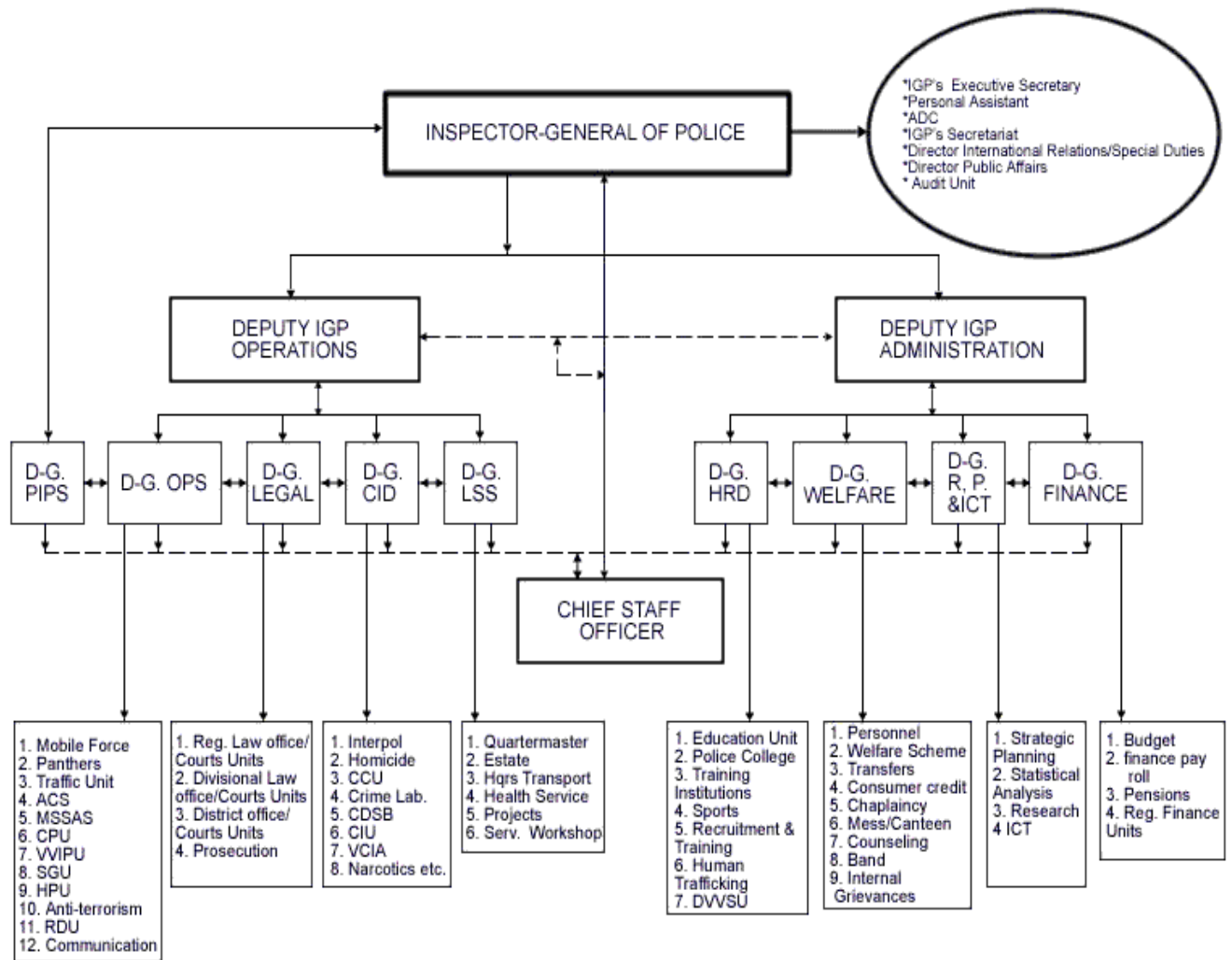
The GPS is structured on national basis, and under a unified command. The administrative head of the GPS is the Inspector General of Police (IGP). He is vested with sole authority to issue instructions and determine the modus operandi of the organization. Responsibilities in the Service and its administration are however decentralized and devolve upon Commissioners of Police, Deputy Commissioners of Police and other officers whose duties involve implementation of instructions emanating from the Inspector-General of Police.

Ghana Police ranks comprise Senior officers echelon made up of the Inspector General of Police, Deputy Inspector General of Police, Commissioner of Police, Deputy Commissioners, Assistant Commissioners, Chief Superintendents of Police, Superintendents of Police, Deputy Superintendents, and Assistant Superintendents of Police. Following these ranks is the Inspectorate stratum, which comprises Chief Inspectors and Inspectors. Below the Inspectorate cadre are the non-commissioned police-officer ranks: Sergeants, Corporals, Lance Corporals and

Constables. The Ghana Police Service comprises a General Pool of service men, Criminal Investigations Department, Special Branch in various departments and units, Motor Traffic Unit and General Police Duties.

In addition to the general duty pool personnel, GPS also incorporates a Women Police division, a Medical Unit, Education Directorate comprising a Police College, Police Driving School, Police Depots, Musical Band Unit, Service Workshop Unit, Railways and Ports Unit, National Road Safety Committee Unit, Police Uniforms Department, Public Relations Directorate and Police Intelligence and Professional Standards Unit (PIPS). Other units within the organization are the Armoured Car Squadron, a Mounted Squadron, Domestic Violence Victims Support Unit (DOVVSU) and Anti Narcotic Unit. The chart below depicts the organizational structure of the GPS.

FIG. 3.1 ORGANIZATIONAL CHART



Legend - Police Schedules	
D-G:	Director General
OPS:	Operations
CID:	Criminal Investigation Department
LSS:	Logistics & Support Services
HRD:	Human Resource & Development
R,P&ICT:	Research, Planning & Information Communication & Technology
PIPS:	Police Intelligence and professional Standards Bureau

Legend - Police Units	
ACS:	Armoured Car Squadron
VVIPU:	Very Very Important Personality Unit
SGU:	Special Guards Unit
HPU:	Highway Patrol Unit
MSSAS:	Mounted Squadron & Special Action Squad
RDU:	Rapid Deployment Unit
CDSB:	Criminal Data Services Bureau
CIU:	Criminal Intelligence Unit
CCU:	Commercial Crime Unit
VCIA:	Vetting Crime Intelligence Analysis
CPU:	Community Policing Unit
DOVVSU:	Domestic Violence & Victims Support Unit
ICT:	Information Communication & Technology

According to Anamzoya and Senah (2011), each of the post-independence constitutions prohibited persons or authorities from raising any police service except under the authority of an Act of

Parliament. Ghana's Constitution established a Police Council charged with the tasks of advising the Executive arm of government on major matters of policies relating to internal security and the role of the GPS, budgeting and finance, administration and the promotion of police officers above the rank of Assistant Commissioner. The Police Council comprises representatives from the Bar, Ministry of Interior, Attorney General's Department, the Inspector General of Police and the Chief Executive of State or his deputy.

The GPS is a full member of the International Association of Police. Its physical presence is established in virtually all human settlements in the State – either through patrolling or through a stationing of police personnel in a locality. It has been noted that Ghana's police is organized on a national and centralized basis. This huge unit is however sub-divided on regional basis for purposes of smooth administration and efficient and effective performance of its functions. The Police Regions are more than the state's regional divisions; and are in the Eastern, Greater Accra, Tema, Western, Central, Volta, Ashanti, Northern, Upper East, Upper West and Brong-Ahafo regions. Regional police divisions are under the general command and administration of an Assistant Commissioner of Police or above. Regional Divisions are further divided into districts under the command of a senior officer, normally an Assistant Superintendent of Police or above. The District Commands do comprise a number of police stations and posts.

The police station is the most common physical unit of the Ghana Police. Virtually each town has a police station, and most urban centres have several police stations. Each police station is normally under the command of a resident Inspector. In the rural parts of the country and in areas with very sparse population, the police post may take the place of a police station. Just two or three police servicemen whose rank fall below the Inspectorate rank man police posts. Each police unit (post or station) has a Station Diary, a Station Visitor's Book, and a Station Inspection Book.

The Station Diary is used to record all occurrences, complaints, reports of crime, accidents, and property received by the police unit; as well as details of persons it has arrested, prisoners in its cells, parades it has held, weather reports, routine movement of members of the Service stationed in that unit, and all other events that the police in that particular unit engage in. These entries must be made immediately and in the order as the events occur.

The Station Inspection Book is kept at all Police Units by the police officer in-charge of the unit in his office. It must be available at all times when the Station is inspected by a senior officer. In the station Inspection Book is a recorded note on inspection made by the senior officers. The Visitor's Book contains brief details of visits by senior police officers, and is distinct from the Inspection Book. Each regional unit of the organization has a confidential Regional Inspection Book in which is recorded all inspection notes on regional matters. Such inspections are as a rule, made by the Inspector-General of Police, a Commissioner of Police, a Deputy Commissioner, or an Assistant Commissioner of Police. The Confidential Regional Inspection Book is kept by the Superior Officer-in-charge of the region in the office safe. Each district also has its Confidential District Inspection Book in which is recorded all inspection notes on district matters; and the book is kept by the senior officer in charge of the district.

Each Police Station also has a "Charge Office" opened twenty-four hours a day, a police cell-room, and an Inspector's Office – in addition to whatever other rooms it might as well possess. Service Instruction number 43 requires all police stations in areas other than urban centres to undertake Foot and Mobile patrols. Police personnel are normally to undertake such patrol in their uniform. At the end of patrol, a Village Patrol Register is filled. At each moment there is an orderly on duty in the station, police personnel appointed for specified periods on a rotating basis by the officer in charge and assigned the following tasks:

- Making of all necessary entries in the Station Diary for the period during which he/she is on duty;
- Making of entries in the Register of Offences, covering reports of crime, accidents, and other unusual occurrences;
- Keeping charge of the articles in the Charge Office; and of prisoners and detained persons in the absence of the officer-in-charge of the station;
- The Receipt and recording of all official telephone calls or other messages while on duty;
- Keeping safe custody of the armoury keys in his/her charge, as well as other station-key committed to his/her charge by the officer-in-charge;
- Ensuring that the station Clock is properly wound and correct as to time and checking twice daily at 8.00 Am and 6.00 Pm with local Post Office (Service Instruction Number 389).

3.4 Accountability mechanisms in the Ghana police service

The problem of how to make the police effective and accountable to the communities it serves has continued to be of major concern to policing policy makers, scholars and civil society groups in many democratic societies and societies in transition. Central to this concern is the clichéd question of how and who to monitor and how to oversee police exercise of the enormous, coercive and often-intrusive powers and discretion entrusted to them under the law? GPS has as its internal and external mechanisms. These mechanisms are established to ensure that police powers and resources are used responsively and responsibly for the common good.

3.4.1 Internal accountability mechanisms in Ghana Police Service

Internal accountability mechanisms according to the Commonwealth Human Rights Initiative (2007) are self-regulatory measures that promote professionalism and responsibility. Internal

systems can be developed to monitor performance, maintain discipline, investigate public complaints against the police, investigate allegations of abuse of power or outright corrupt and criminal behaviours and manage any resulting disciplinary procedures. They have aspects of both carrot and stick. Incentives within the police involve regular and quicker promotions, recognition and honour, while disincentives can include dismissal, reduction in rank, reprimand, fines, and withholding or deferment of extra duty (Commonwealth Human Right Initiative, 2007).

The GPS Instructions contain major internal control mechanisms which are basically a set of conduct guidelines published by the Inspector-General of Police (IGP). He/she is empowered to set these guidelines by both the Constitution and the Police Service Act. According to Tsidi (2006) acts or failures to act that are breaches of discipline are set out in the Police Service Instructions. The Police Service Instructions divide misconduct into breaches committed by senior officers (Chief Inspectors and Inspectors) and other officers (officers' junior to Inspectors). It is important to note that the Police Service Instructions do not apply to officers who are senior to Chief Inspectors – this is a legacy of the colonial roots of the instructions. This must be rectified to ensure that all police officers, regardless of rank, have a set of guiding behaviours to comply with.

Another internal accountability mechanism in GPS is the Criminal Procedure Code which sets out guidelines on the use of force by the police. Sections 3 to 10 of the Code set out procedures for the use of force when arresting or preventing the escape of a suspect. Section 10 specifically states police officers must not engage in acts of torture, ill treatment and violence on citizens in order to solve a problem or case. They must rather be transparent in their dealings with suspects and criminals in particular and the public in general. No police officer shall under any circumstances, inflict, instigate or tolerate any act of torture or other cruel inhuman degrading treatment or punishment to any person.”

A more elaborate internal accountability mechanism is the Police Service Act which is a more democratic document than the Police Service Instructions. It does not discriminate between different ranks and sets out the same standards of conduct for all officers. As Tsidi (2006) noted, the Police Service Act also sets out the types of penalties that can be applied to police officers who engage in misconduct. Penalties include dismissal (which includes forfeiting all retirement benefits), removal (a termination of employment without a reduction in retirement benefits), reduction in rank, deferment or stoppage of increment, imposition of a fine (not exceeding one-eighth of one month's salary), severe reprimand, caution or, in the case of Constables, confinement to barracks for two weeks or less.

However, the misconduct provisions in the Act are not adequate. While they detail individual acts of misconduct, they do not provide the kind of holistic guidance necessary to steer police officers' conduct and behaviours. This can be considered in terms of the use of force – a key issue in Ghana. The Act fails to clearly set out when force may be used, and when use of force will constitute misconduct. A section should be included in the Act that demarcates when force may be used which should provide both the police and the public with a very clear and specific set of guidelines relating to the use of force.

Section 17 of the Police Service Act sets out the following conduct guidelines.

- To be absent from duty without leave or reasonable excuse
- To be insubordinate
- To use, without lawful authority, any property or activities provided for policing work in a way not connected with official duties.
- To engage in any activity outside official duties likely to lead to political controversy.
- To engage in work outside the police without the consent of the Inspector General of Police.

- To join a trade union (or similar organization) that is not authorized by the Minister.
- To sleep on duty.
- To drink alcohol on duty.
- To permit a prisoner to escape (through negligence or willfulness).
- To divulge confidential information to an unauthorized person.
- To do something (without reasonable excuse) that amounts to a failure to perform a duty properly imposed, which contravenes an Act related to the police service, or which is prejudicial to the efficient conduct of the police or brings the police into disrepute.

The Police Service Regulations further define the rules of conduct (Section 18 of the Police Service Act, Act 350 of 1970). According to Tsidi (2006) the regulations make a distinction between acts or omissions committed by any police officer, acts or omissions committed by senior officers and acts or omissions committed by subordinate officers. Senior officers are defined as “officers not below the rank of Assistant Superintendent of Police.” Junior officers are defined as “a member of the police service other than a senior police officer.”

According to Atuguba (2006), as part of the internal accountability mechanism, the Ghana police have sought internal accountability through various public complaint mechanisms. These mechanisms led from the requirement in section 23(1) of the Police Service Act which states that any member of the public shall be entitled... to make a complaint in writing... as to: (a) any instance of bribery, corruption, oppression or intimidation (b) any neglect or non-performance of duty or (c) other misconduct by a police officer (Tsidi, 2006). Under the Act, complaints of bribery, corruption, oppression or intimidation were to be addressed to the senior police officer in the relevant district or unit (or the Inspector-General of Police). Complaints of neglect, non-performance of duty or other misconduct were to be addressed to any senior police officer. After

receiving a complaint, the officer is obliged by section 23(4) of the Act to cause a full and impartial investigation to be made into the complaint, send a report of his or her conclusions to the complainant and take such action as required.

To enable the public to make complaints, various systems were put in place to deal with public complaints. The first of these was the suggestion box. Suggestion boxes were placed in police stations around Ghana in the early 1970s. The box was used to collect public complaints and internal grievances, but in practice the box was used more by members of the police than by the public. This was illustrated by Tsidi (2006) that members of the police, particularly those in the junior ranks, used the suggestion box to report misgivings about the performance of their supervisors. The public had little access to the boxes and made very little use of them.

The Public Complaints Unit replaced the suggestion box system at the police headquarters in Accra in 1978. The Unit was mandated to receive public complaints, conduct investigations and mete out punishment for misconduct. The Special Police Command Unit was inaugurated in the early 1980s as an internal audit unit. It replaced the Public Complaints Unit. An existing Inspection Unit continued alongside the Special Police Command Unit, but was restricted to carrying out inspections of police stations, barracks and offices and ensuring that police procedural rules governing entries into record books, general turnout, and police conduct at the barracks and the use of police books and stationary were all complied with. The Unit was an internal watchdog tasked with dealing with police misconduct.

The Special Police Command Unit was an important step towards ensuring internal accountability. It undertook valuable accountability tasks, such as making unannounced visits to police stations or barracks to check levels of professionalism and general standards (Commonwealth Human Right Initiative, 2007). However, Tsidi (2006) indicates that the Unit was formed during the Provisional

National Defense Council era, following a military coup and was therefore seen as political; officers tended to consider that its main role was to collect intelligence on officers. It was feared internally and seen as a bully. In addition, the Unit was not accessible to the public that it was supposed to serve.

The Monitoring and Inspection Unit was borne out of the recommendations of the Archer Report and the merger of the Special Police Command Unit and the Inspection Unit. The Monitoring and Inspection Unit was based in Accra, and was responsible for nationwide oversight. Despite attempts to travel extensively, the unit was constrained and this limits its impact that it could have. According to Tsidi (2006), the Unit is further restrained by a serious lack of resources for example, the Unit was not equipped with computers, which delayed the finalization of reports. These problems, coupled with low morale within the Unit and resistance to the Unit's work from within the rest of the police service, meant that the Unit was largely ineffective.

In May 2005, the Monitoring and Inspection Unit was replaced by the Police Intelligence and Professional Standards Bureau (PIPS). Tsidi (2006) observed it clear that, the Bureau has proved to be more active and efficient than its predecessor bodies. He espouses that since the Bureau was established, it has conducted a sensitization programme to raise its profile within the police service and an education programme to raise its profile as a complaints unit within the community. Between January and November 2005, the Bureau received 356 complaints against the police. The Bureau has had to deal with a much higher volume of cases than its predecessors. However, logistics, human resources and finances have all conspired to limit its impact and effectiveness. The Bureau has also faced resistance from within police ranks, particularly in regional areas, where Bureau staff are considered to be witch hunters (Tsidi, 2006).

According to Alemika (2011), internal mechanisms if properly organized and administered can be effective and efficient routine means for maintaining discipline and integrity because they are administered by superiors who understand the nature and context of misconduct attributed to police officers. However, poor administration and culture of mutual protection tend to undermine the efficacy of internal mechanisms. As a result, citizens do not usually trust internal administrative review procedures maintained by the police. As Alemika (2003c) indicates, they think that Police commanders do not diligently investigate complaints; solidarity between officers and rank and file inhibits effective investigation; administrative review mechanisms within the police are opaque and lack transparency; the standard of proof used by the police authority is subjective and favours police officers accused of wrongdoing; complainants are intimidated by police officers, and complainants are not adequately informed about how their complaints are processed, and of the final decisions.

3.4.2 External accountability mechanisms in Ghana Police Service

External accountability mechanisms are the systems, processes and means by which the police, as individuals and as an institution, can be made responsible for their conduct and actions. The mechanisms operate outside the police and complement the internal procedures. External accountability mechanisms must be strong, independent and credible. In Ghana, external police accountability mechanisms is the domain of a whole complement of independent oversight bodies, including the Police Council, Regional Police Committees, the Commission for Human Rights and Administrative Justice, the executive (via two Ministries—the Interior Ministry and the Attorney General’s Department), parliament, the judiciary, committees of inquiry, civil society and the media.

The first external police accountability mechanism is the Police Council. The Council is a constitutional body, mandated by Section 203 of the 1992 Constitution to “advise the President on matters of policy relating to internal security, including the role of the Police Service, budgeting and finance, administration and the promotion of officers above the rank of Assistance Commissioner of Police”. The Council’s responsibilities are clarified under Section 10(6) of the Police Service Act. Under the Act, the Council is to advise on the appointment of officers, hear appeals from internal disciplinary hearings, examine and advise on welfare and discipline, recruitment and training, police/public relations, the use of the Police Welfare Fund, the prevention and detection of crime, public order matters, the safety of people and property, and advise the President on making regulations.

The Commission for Human Rights and Administrative Justice (CHRAJ) also serves as an external accountability mechanism for the GPS. CHRAJ is a constitutional body mandated to protect human rights and address issues of administrative justice (Appiagyei-Atua, 2006). It is empowered to investigate complaints of breaches of fundamental rights and freedoms, injustice, corruption, abuse of power or unfair treatment of a person by a public official doing his or her job. By extension the Commission can investigate administrative complaints against the police. The Commission is a major independent body that deals with complaints against the Police. CHRAJ also performs a number of specific functions. It receives complaints from police officers aggrieved by their treatment at the hands of senior officers. It is given the power to investigate the recruitment process into the police, and ensure that it is fair (Atuguba, 2006). It has a rights education role, and has put together human rights education programmes for police officers (Appiagyei-Atua, 2006).

The executive also serves as an external accountability mechanism to the Ghana Police Service. This is done through two Ministries – the Interior Ministry and the Ministry of Justice and Attorney General’s Department. The Ministry of Interior is charged with maintaining Ghana’s internal security. According to Appiagyei-Atua (2006), the Ministry’s role of overseeing the police has, in practice, been as an agency appointing high-level Committees of Inquiry into deaths resulting from police conduct and the relationship between the police and drug dealers. The Interior Ministry is one of the few external accountability mechanisms that appear to be doing its job and succeeding in bringing about positive change within police ranks.

Closely related to the Ministry of Interior is the National Security. The National Security was created to coordinate the activities of the bodies that relate to Ghana’s national security. The agency has the potential to play an oversight role over police agencies. It has the power to investigate allegations of police misconduct, of its own volition or following a public complaint. The Ministry of Justice and Attorney General’s Department has a key role in police accountability, as it is responsible for deciding whether to pursue a prosecution (based on police information) for a serious offence and provides the police with the power to prosecute minor offences itself. The Attorney General’s Department ensures that the police are not able to prosecute for inappropriate reasons, and ensures that criminal charges framed against a police officer for misconduct are prosecuted.

The Parliament as an external accountability mechanism has the power to question police wrongdoing, to correct systemic faults by passing new laws, to seek accounts of police performance, and to keep policing under constant review through question time and by examining policing issues through the parliamentary committee system. The Judiciary forms one of the key components of any criminal justice system. Its role, especially in adversarial legal systems like

Ghana, is to ensure that everyone brought before it has a fair and public hearing by a competent, impartial and independent tribunal. The judiciary has a police accountability function, hearing cases of police misconduct and settling civilian suits related to the police. The court also hears appeals from internal police investigations, which adds an important layer of external oversight and accountability to internal decisions.

The Constitution empowers the President to appoint a Committee of Inquiry to look at matters of public interest. The Constitution also empowers the Council of State to recommend that a Committee of Inquiry be set up, while Parliament can, by resolution, request that a Committee of Inquiry be put together. Such a Committee or Commission is given the powers of the High Court (or a High Court Judge) and so is able to enforce the attendance of witnesses, examine those witnesses and compel the production of documents. By extension, this committee can investigate any police misconduct. Examples of such Committees of Inquiry that have looked at issues involving the police include Presidential Commission into the Ghana Police Service (1999), Presidential Committee of Inquiry into the Accra Stadium Disaster (the Okudzeto Commission, 2001) among others.

Civil society also plays a key role in strengthening police accountability by raising community awareness, promoting debate on important issues, monitoring the performance of government institutions, exposing misconduct, demanding public participation, transparency and accountability and championing reforms. Activities of civil society groups related to the police are broadly of two types. The first comprises the groups that deal with violations of human rights committed by police officers while the second type concerns systemic reforms in the working of the police organization. The media too can play an important police watchdog role, revealing unlawful activity, getting information into the public domain, making comments and creating

public awareness. The media is also a vital part of any police reform effort as strategic media coverage of police abuses can put pressure on the Government to reform the police, to create oversight mechanisms, or to prosecute errant officers. Ghana's media continues to expand its police watchdog role, as both the quantity of reporting of policing issues and police misconduct and the quality of analysis of the relevant issues continue to increase.

Generally, external accountability mechanisms have several advantages, including: greater accessibility; widely publicized and transparent procedure for the intake and investigation of complaints and minimal chances of intimidation of complainants by the police. Alemika (2011) however indicates that many obstacles and challenges like limited functions and powers confront external complaints review system; lack of expertise in investigation, high cost of operation and lack of cooperation from police officers and authorities.

3.5 Conclusion

In this chapter we traced the history of GPS from pre-colonial era through to the post-colonial period. To get an appropriate name for the police, the name Police Force was changed to Police Service. The organogram of the police service was presented and discussed. The IGP is the administrative head. The accountability mechanism of the police service which is the main theme of this chapter was discussed. These accountability mechanisms were divided into two; the internal and external.

The internal accountability measures deal with how internal systems can be developed to monitor performance, maintain discipline, investigate public complaints against the police among others. These internal measures are safeguards by police service instruction, the criminal procedure code and the police service act. However, the Police Council, the Regional Police Committee, CHRAJ,

the Parliament, the Executive, the Judiciary, Committees of Enquiry, civil society and the media form part of the external accountability mechanisms. Despite the fact that these mechanisms are in place to ensure accountability, there are challenges with respect to expertise, operational costs, as well as the absence of cooperation from the police officers and the authorities.

CHAPTER FOUR

METHODS OF DATA COLLECTION AND ANALYSIS

4.1 Introduction

This chapter focuses on the methods used in conducting this study. Issues discussed in this chapter include the research design, the population of the study, sample size, sample technique and procedure and data analysis.

4.2 The research design

A research design specifies the methods and procedures for acquiring the information needed to structure and solve the research problem and stipulates what information is to be collected, from what sources, and by what procedures. A good research design ensures that the information obtained is relevant to the research problem, and that it is collected by objective and economical procedures (Smith and Gerald, 2010). There is no single best research design. Instead, different designs offer an array of choices, each with certain advantages and disadvantages. A survey research design was used to undertake the study on police accountability. This research design was considered appropriate because it is the best method to describe the characteristics, perceptions and preferences of the organization under study (Saunders et al., 2000).

4.3 Population and sample size of the study

Officers of the GPS and the general public (particularly those in the Ministry of Health, Office of the Head of Civil Service, Accra Metropolitan Assembly, Ministry of Women and Children Affairs, Ministry of Youth and Sport, Ministry of Education) in the Greater Accra Region formed the population for the study. Therefore, the population of the study was six thousand. With this as

the population of the study, Cochran's (1977) sample size formula $Sample\ size(n_0) = \frac{t^2 \times (p)(q)}{(d)^2}$ and min. significant sample size $(n_1) = \frac{n_0}{\left(1 + \frac{n_0}{Population}\right)}$

was used to estimate the sample size for the study. In the formula n_0 = sample size, t = value for selected alpha level of .025 in each tail, $(p)(q)$ = estimate of variance and d = acceptable margin of error for proportion being estimated. When this formula was applied, the sample size was six hundred. This sample size technique ensured that the sample chosen is representative enough. The sample size is a fair representation of the unit of analysis since respondents were randomly drawn from appropriate agencies while the respondents of the general public were drawn from variety of organizations in the Greater Accra Region. Therefore, the views of the police respondents and the general public may thus be deemed representative of the entire population.

However, out of six hundred questionnaires distributed, five hundred questionnaires, representing 83.3% were retrieved. Two hundred and fifty from the police service and two hundred and fifty from members of the general public in the Greater Accra Region responded to the questionnaire. These samples were used based on the assumption that all Police Officers and the general public are exposed to the same working environment. Thus, all things being equal, the answers provided by any of them at any time were unlikely to vary from that of the others.

4.4 Sampling and sampling technique

The simple random sampling technique was used to select the respondents for the study. In the police cohort, officers were randomly selected in their offices and during seminars organised for police officers in the Region. They were then given questionnaires to respond to by filling in and selecting from various answers on the questionnaire. In the case of the general public, respondents

were randomly selected and administered with questionnaires in their respective offices. The office-to-office method was adopted because it helped to identify the respondents and thus made the collection of the questionnaires relatively easy. People who did not have fixed addresses were not considered because it was impossible to retrieve the questionnaires. Focus group discussions were also not considered as people rather shy away from issues that border on security.

4.5 Types and sources of data

Both secondary and primary data were used for the study.

4.5.1 Secondary data

Secondary data are processed information that is readily available to be utilized. Some of the secondary data used include the Police Hand Book, the Constitution of the Republic of Ghana, peer reviewed articles magazines and the internet. This basically concern the search for literature on the research topic involved, searching for literature on accountability in general and police accountability in Ghana and Africa.

4.5.2 Primary data

Primary data provides first hand information on any subject under study. The primary data was collected from respondents through the use of a questionnaire, interviews and observations

4.6 Data collection instruments

The main data collection instrument for the study was questionnaire. This was because that was the best instrument that enabled individuals to stay quietly alone at their own free will to answer the questions. Questionnaires were thus used to gather primary data from the police and the general public. Questionnaire was because of the large number of the sample size and also its

convenience. Generally, the questions in the questionnaire were carefully framed, since answers given to questions depend on how the questions are asked. In designing the questionnaire adequate attention was paid to ensuring that the objectives of the research were covered. The questionnaire was developed mainly through a review of relevant documentary materials. The questions were mostly close-ended with few open-ended ones. While the open-ended questions enable the respondents to give elaborate responses and express themselves better, the close-ended questions enabled the researcher to guide the respondents to answer the questions correctly.

There were two questionnaires; one for the police officers and the other for the general public. The questionnaires were divided into three sections; section “A” was made of demographic information of the respondents; section “B” contained questions on police accountability while section “C” solicited recommendations and suggestions for improving accountability in GPS. Please check appendices A and B for details.

4.7 Ethical considerations

Respondents were assured of confidentiality, as their consent was appropriately sought with respect to all information they provided. Respondents were also informed that the work was purely for academic purposes and not for reasons other than that. The privacy and confidentiality of all participants was assured. All documents used and sites visited have also been properly acknowledged and documented to avoid issues of plagiarism.

4.8 Summary and conclusion

This chapter discussed the methods of data collection for this study. It concentrated on the research design, sampling and the sample procedure, sample size as well as the data collection

instrument which was basically a questionnaire. The next chapter will therefore analyze the data that was obtained from the field.

CHAPTER FIVE

PERCEPTION OF POLICE ACCOUNTABILITY IN GHANA

5.1 Introduction

This chapter analyses data collected from the general public and the police on the perception about police accountability in Ghana. In all, a total of 500, people made up of 250 policemen and 250 respondents of the general public randomly selected from the Greater Accra Region of Ghana, responded to the questionnaire. To be able to draw meaningful, valid and reliable conclusions from the data gathered as well as make relevant conclusions and recommendations, descriptive and statistical analysis in the form of frequency tables were constructed showing the frequency as well as the percentage for each item on the questionnaire. The data was analyzed by computer using the Statistical Package for Social Sciences (SPSS) version 16.0 software and was supported by the application of frequency tables. This statistical tool was used because of the researcher's familiarity and ability to use this software as the University of Ghana Business School management organised some courses for research students during the last long vacation.

5.2 Demographic information of respondents

This section gives brief demographic background of the respondents. Table 5.1 shows that a total of 248 out of 250 respondents of the general public indicated their age category. The police personnel who answered the questionnaires also indicated their age categories. The responses of the general public show that majority of the respondents fall within the ages of 26-35 (59.3%). With respect to the police, 37.6% of the respondents fell within the ages of 26-35. The details are shown in table 5.1 below.

Table 5.1: The age distribution of respondents

The General Public			The Police		
Age (years)	Frequency	Percentage	Age (years)	Frequency	Percentage
under 18	5	2.0%	18-25	24	9.6%
18-25	46	18.5%	26-35	94	37.6%
26-35	147	59.3%	36-45	68	27.2%
36-50	44	17.7%	46-55	58	23.2%
51-65	6	2.5%	56-60	6	2.4%
Total	248	100.0%	Total	250	100.0%

In relation to the gender of the total of 248 respondents, 163 respondents representing 65.7% were males while 85 (34.3%) respondents were females in the category of the general public. Similarly, a total of 176 (70.4%) respondents were males while 74 (29.6%) respondents were females in the category of the police. Thus, on both sides of the respondents, males constitute the majority (68.1%), while the females were the minority of 31.9%.

The educational background of the respondents is presented in table 5.2. It shows that only 4.0% of the general public does not have formal education with the remaining 96.0% having all forms of formal education. In the category of the police, only 2.4% of the respondents do not have formal education while the remaining 97.6% have all forms of formal education with Secondary School level being the highest (42.0%)

Table 5.2: The educational background of respondents

The General Public			The Police		
Education	Frequency	Percent	Education	Frequency	Percent
No education	10	4.0%	No education	6	2.4%
Elementary	13	5.2%	Elementary	4	1.6%
SHS	87	34.8%	SHS	105	42.0%
Teacher's Cert A	2	0.8%	Teacher's Cert A	4	1.6%
Diploma	64	25.6%	Diploma	37	14.8%
Degree	56	22.4%	Degree	73	29.2%
Masters	14	5.6%	Masters	12	4.8%
Others	4	1.6%	Others	9	3.6%
Total	250	100.0%	Total	250	100.0%

On the issue of rank, 2.4% were Assistant Commissioners of Police as against 6.0% who were Superintendents of Police and 10.8% as Deputy Superintendents of Police. Also, 13.2% were Assistant Superintendents of Police, 1.6% Chief Inspectors, 9.6% Inspectors, 6.4% Sergeants, 22.0%, Corporals, 27.2% Constables and 0.8% Lance Corporals.

Table 5.3: Rank of respondents in the police service

Rank	Frequency	Percent
Assistant Commissioner	6	2.4%
Superintendent of Police	15	6.0%
Deputy Superintendent	27	10.8%
Assistant Superintendents of Police	33	13.2%
Chief Inspector	4	1.6%
Inspector	24	9.6%
Sergeant	16	6.4%
Corporal	55	22.0%
Constable	68	27.2%
Lance Corporal	2	0.8%

Out of 250 respondents, 1(0.4%) represented the position of Regional Commander, 1 (0.4%) also represented the position of Deputy Regional Commander, 6 (2.4%) were in the position of Operations Commanders, 10 (4.0%) were in the position of Divisional Commanders, 26 (10.4%) were in the position of District Commanders, 31 (12.8%) were in the position of Crime officers, 22 (8.8%) were in the position of Station officers, 35 (14.0%) were in the position of Detective officers, 43 (17.2%) were in the position of Patrol officers, 61 (24.4%) were in the position of Office staffs, and 14 (5.6%) were in the position of Unit Commanders. The details are presented in table 5.4 below.

Table 5.4: Job position of respondents in the police service

Position	Frequency	Percent
Regional Commander	1	0.4
Deputy Regional Commander	1	0.4
Operations Commander	6	2.4
Divisional Commander	10	4.0
District Commander	26	10.4
Crime Officer	31	12.4
Station Officer	22	8.8
Detective Officer	35	14.0
Patrol Officer	43	17.2
Office Staff	61	24.4
Unit Commander	14	5.6
Total	250	100.0%

5.3 Public contact with the police

This section of the chapter describes respondents' interaction with the police, the forms of interaction, whether respondents were satisfied with their interaction, and some of the challenges they encountered during their interaction. The results of the field data analysis shows that, out of the total of 250 respondents, 152 respondents (60.8%) indicated that they had contact with the police within the past 12 months while 98 or (39.2%) respondents -constituting the minority - indicated otherwise.

Table 5.5: Respondent's contact with the police

Contact with the police	Frequency	Percent
Yes	152	60.8%
No	98	39.2%
Total	250	100.0%

These contacts with the police took the form of persons reporting crimes, accused of committing a crime, stopped and questioned by the police, asked by the police for some information, involved in an accident and asked to produce driving documents by the police. The respondents were

further asked about their satisfaction or otherwise with their contact with the police. Out of 147 people who responded to this question, 12.2% indicated they were “very satisfied”, while 45.6% said they were “satisfied” with their contact with the police. They claimed the police attended to their calls promptly and fairly. On the contrary, 35.4% were dissatisfied with the way the police dealt with them while 6.8% were not sure whether they were satisfied with the way the police dealt with them.

Table 5.6: Respondents satisfaction with the police

Level of satisfaction	Frequency	Percent
Very satisfied	18	12.2%
Satisfied	67	45.6%
Dissatisfied	52	35.4%
Not sure	10	6.8%
Total	147	100.0%

The 35.4% of the respondents who were not satisfied with their contact with the police may be ascribed the police refusing to help; unnecessary delays at police stations, the police were impolite or were rude to them, the police harassed them or the police stopped and searched them without good reasons. One reason given for their dissatisfaction was that though they know bail does not attract fees, they were usually made to pay money before bail was granted. Some respondents reported that the way the police treat the general public is unfair. In Ghana, the public experience with the police is marred by widespread corruption, illegal arrest and detention, excessive use of force, and a failure to respond to complaints (CHRI, 2007). These are all hallmarks of a Police Service that is not held accountable for its actions.

5.4 Police accountability

The respondents were asked certain questions to ascertain their perception about police perception in Ghana. These questions were posed to both the police officers and the general public and the

responses captured in table 5.7(a). The first question was about the honesty of the police. The responses from the general public indicated that 11.9% of the respondents “strongly disagreed” that the police in Ghana are honest, while 18.1% “disagreed.” Many people felt that though the government is now paying the police the highly improved “single spine salary,” they still collect GH¢1.00 notes from drivers on the roads and also collect money from suspects before granting bail. On the contrary, 24.3% “agreed” and 7.4% “strongly agreed” that the police in Ghana are honest. They felt the police are always prepared to preserve lost items intact until their owners are found. However, 38.3% of the respondents remained “neutral” as captured in table 5.7(a).

From the perspective of the police, 5.3% “strongly disagreed”, while 12.2% “disagreed” that the police in Ghana are honest. On the other hand, 29.7% “agreed”, while 19.5% “strongly agreed” that the police in Ghana are honest. But 33.3% were “neutral” as to whether the police are honest or not. They say they themselves are connected to so many under-hand dealings and also it is the public who tempt them with money and other items to bribe them. The results of the data analysis clearly shows that while the public think the police is not honest, the police think that they are honest. It is clear that the police will never openly say something negative about themselves. The fact that some of the police “disagreed” (5.3% “strongly disagreed”, while 12.2% “disagreed”) that the police are honest goes to confirm the public concern about the honesty of the police in Ghana. To some extent it can be concluded that the police in Ghana are not honest.

With respect to the professionalism of the police in Ghana, as depicted in table 5.7(a), 5.3% of the general public “strongly disagreed” while 16.0% “disagreed” that the police in Ghana act and behave professionally. On the other hand, 31.7% of the general public “agreed” and 12.8% “strongly agreed” that the police in Ghana are professional. This means 34.2% of the respondents remained neutral on this issue. The responses from the police however indicated that 3.6%

“strongly disagreed” while 6.4% “disagreed” that the police in Ghana act professionally. But 38.2% “agreed” and 37.3% “strongly agreed” that the police in Ghana are professional while 14.5% were neutral. What accounts for the different responses from the police and the general public? While the police think they are professional the public thinks otherwise. Naturally, the police will not go against themselves while the public will not also agree absolutely that the police are professional because of the bad and unpleasant experiences they sometimes receive from the police.

Fairness is also another measure of police accountability. The data in table 5.7(a) from the general public shows that 13.6% “strongly disagreed” and 25.6% “disagreed” that the police in Ghana are fair. On the other hand, 18.2% and 6.2% of the police “agreed” and “strongly agreed” respectively that the police in Ghana are fair while 18.2% were “neutral”. On the part of the police, 4.9% “strongly disagreed” and 14.6% “disagreed” that the police in Ghana are fair. Some respondents, 38.5% and 13.4% “agreed” and “strongly agreed” respectively that the police in Ghana are fair in their dealings with them.

Similarly, the respondents expressed their views on transparency of the police in Ghana. As indicated in table 5.7(a) 22.6% of the public “strongly disagreed” while 18.9% “disagreed” that the police in Ghana are transparent. Also, while 35.4% were neutral 16.9% and 6.2% “agreed” and “strongly agreed” respectively that the police in Ghana are transparent. From the perspective of the police, 9.6% and 9.6% “strongly disagreed” and “disagreed” respectively that the police are transparent while 32.8% “agreed”: and 15.2% “strongly agreed” that the police are transparent with 32.8% remaining neutral. In any case the police cannot be held accountable if the public does not have information with which to assess police conduct and to evaluate claims of misconduct or

malpractice. In Ghana, the general public often finds it difficult to access information from the police and this constrains police accountability in terms of transparency assessment.

Respect for the law was another important indicator of police accountability. From the data depicted in table 5.7(a), respondents showed divergent views of the public from that of the police. For the general public, 10.3% “strongly disagreed” and 24.7% “disagreed” that the police in Ghana respect the law while 28.8% were neutral. Those that indicated that the police do not respect the law felt that police particularly do not respect traffic rules yet they do not arrest themselves. They further argued that they have never seen a police officer being prosecuted for breaking traffic laws. On the other hand, 17.3% “agreed” and 18.9% “strongly agreed” that the police in Ghana respect the law. For the police respondents, 3.2% “strongly disagreed” while 7.7% “disagreed” that the police respect the law. On the positive side, 35.6% “agreed” and 38.5% “strongly agreed” that the police in Ghana respect the law.

Accountability also means that the police should allow themselves to be questioned and to provide answers for their actions and inactions. This question was posed to both the police and the general public as to the willingness of the police to be questioned. To be questioned means that the police should provide answers for queries for their actions and inactions in the course of the performance of their duties. Table 5.7(a) indicate that from the perspective of general public, 16.3% “strongly disagreed” and the same percentage “disagreed” that the police allow themselves to be questioned while 21.6% and 17.9% “agreed” and “strongly agreed” respectively that the police allow themselves to be questioned. However, 14.1% “strongly disagree” while 22.3% “disagreed” that the police give answers to the public about their actions and inactions. On the other hand, 27.3% and 16.1% “agreed” and “strongly agreed” respectively that the police give answers to the public about their actions and inactions.

From the perspective of the police, 5.6% “strongly disagreed” and 7.6% “disagreed” that the police allow themselves to be questioned. It was found that 41.8% “agreed” and 24.5% “strongly agreed” that the police allow themselves to be questioned. Indeed, whether we take the view of the police or the general public, the bottom line is that some policemen and the majority of the public agreed that the police do not allow themselves to be questioned. And where applicable, some do not give the correct answers for their actions and inactions.

Table 5.7 (a): Police Accountability
Honesty of the police in Ghana

Response from the General Public			Response from the Police		
Response	Frequency	Percent	Response	Frequency	Percent
Strongly disagree	29	11.9%	Strongly disagree	13	5.3%
Disagree	44	18.1%	Disagree	30	12.2%
Neutral	93	38.3%	Neutral	82	33.3%
Agree	59	24.3%	Agree	73	29.7%
Strongly agree	18	7.4%	Strongly agree	48	19.5%
Total	243	100.0%	Total	246	100.0%
Professionalism of the police in Ghana					
Strongly disagree	13	5.3%	Strongly disagree	9	3.6%
Disagree	39	16.0%	Disagree	16	6.4%
Neutral	83	34.2%	Neutral	36	14.5%
Agree	77	31.7%	Agree	95	38.2%
Strongly agree	31	12.8%	Strongly agree	93	37.3%
Total	243	100.0%	Total	249	100.0%
Fairness of the police in Ghana					
Strongly disagree	33	13.6%	Strongly disagree	12	4.9%
Disagree	62	25.6%	Disagree	36	14.6%
Neutral	88	36.4%	Neutral	71	28.7%
Agree	44	18.2%	Agree	95	38.5%
Strongly agree	15	6.2%	Strongly agree	33	13.4%
Total	242	100.0%	Total	247	100.0%
Transparency of the police in Ghana					
Strongly disagree	55	22.6%	Strongly disagree	24	9.6%
Disagree	46	18.9%	Disagree	24	9.6%
Neutral	86	35.4%	Neutral	82	32.8%
Agree	41	16.9%	Agree	82	32.8%
Strongly agree	15	6.2%	Strongly agree	38	15.2%
Total	243	100.0%	Total	247	100.0%
Respect for the law by the police in Ghana					
Strongly disagree	25	10.3%	Strongly disagree	8	3.2%
Disagree	60	24.7%	Disagree	19	7.7%
Neutral	70	28.8%	Neutral	37	15.0%
Agree	42	17.3%	Agree	88	35.6%
Strongly agree	46	18.9%	Strongly agree	95	38.5%
Total	243	100.0%	Total	247	100.0%
Willingness of the police in Ghana to be questioned					
Strongly disagree	39	16.3%	Strongly disagree	14	5.6%
Disagree	39	16.3%	Disagree	19	7.6%
Neutral	67	27.9%	Neutral	51	20.5%
Agree	52	21.6%	Agree	104	41.8%
Strongly agree	43	17.9%	Strongly agree	61	24.5%
Total	240	100.0%	Total	249	100.0%

The rights of individuals are protected in this democratic era and particularly in democratic policing. Thus respecting the rights of individuals is an important component of police accountability. The results from the general public as seen in table 5.7(b) show that 17.4% “strongly disagreed,” while 26.4% “disagreed” on the view that the police respect the rights of individuals. On the other hand, 23.1% and 12.0% “agreed” and “strongly agreed” respectively that the police respect the rights of individuals while 21.1% were “neutral”. The public felt that the police unnecessarily beat suspects in order to extract information from them. Indeed, one does not expect the general public to totally agree that the police respect the rights of individuals when 35.4% have stated in table 5.6 that they were dissatisfied with their interaction and contact with the police. Obviously, they had bad experiences and will definitely disagree that the police respect the rights of individuals.

But what are the police themselves saying about the respect for the rights of individuals in Ghana? From the police respondents (table 5.7(b)), 2.4% “strongly disagreed” while 7.2% “disagreed” that the police respect the rights of individuals. However, 42.8% “agreed” and 27.2% “strongly agreed” that the police respect the rights of individuals. The police claim that they strictly follow what is written in their code of conduct and the laws of Ghana. A sharp contradiction emerged between the responses of the police and the general public. The fact some policemen agreed that the police do not respect the rights of individuals (2.4% strongly agreed and 7.2% disagreed) goes to confirm that indeed the police do not at all times respect the rights of individuals. Thus, respecting the right of individuals means that the police must guide and assist members of the public and ensure their rights and privileges under the law. They must also ensure that a person taken into custody is protected, and that the reason for the arrest is promptly communicated to the person or the counsel of his/her choice. This seems missing from the perspective of the public and some members of the police.

The most important question posed to the respondents was whether the police in Ghana are accountable. This question was just to confirm the responses to police accountability in Ghana and was posed to both the general public and the police. From the view of the general public, as shown in table 5.7(b), 28 (11.4%) “strongly disagreed” and 24.1% “disagreed” that the police are accountable. On the contrary, 20.0% and 11.8% “agreed” and “strongly agreed” respectively that the police in Ghana are accountable. From the perspective of the police, table 5.7(b), 12 (4.9%) “strongly disagreed” while 6.5% “disagreed” that the police are accountable. On the other hand, 38.5% and 25.5% “agreed” and “strongly agreed” that the police are accountable.

Clearly, while the police are praising themselves as being accountable, the public thinks otherwise. Indeed one does not expect the police to criticise themselves while the public will not absolutely agree that the police are accountable. Of course, some of the police have indicated that they are not accountable meaning the public is justified by accusing the police of not being accountable. It can be seen from table 5.6 that 35.4% have stated that they were dissatisfied with their interaction and contact with the police and this could go a long way to affect the public perception about police accountability.

**Table 5.7 (b): Police Accountability
Respect for the rights of individuals by the police in Ghana**

Response from the General Public			Response from the Police		
Response	Frequency	Percent	Response	Frequency	Percent
Strongly disagree	42	17.4%	Strongly disagree	6	2.4%
Disagree	64	26.4%	Disagree	18	7.2%
Neutral	51	21.1%	Neutral	51	20.4%
Agree	56	23.1%	Agree	107	42.8%
Strongly agree	29	12.0%	Strongly agree	68	27.2%
Total	242	100.0%	Total	249	100.0%
Accountability of the police in Ghana					
Strongly disagree	28	11.4%	Strongly disagree	12	4.9%
Disagree	59	24.1%	Disagree	16	6.5%
Neutral	80	32.7%	Neutral	61	24.7%
Agree	49	20.0%	Agree	95	38.5%
Strongly agree	29	11.8%	Strongly agree	63	25.5%
Total	245	100.0%	Total	247	100.0%

5.6 Code of conduct and institutional checks on police accountability in Ghana

A number of instruments and institutions have considerable relevance to police accountability in Ghana. The police are subject to rule of law and to legislation enacted by parliament. These institutions include the National Security Council, Parliament, Ministry of Interior, the Attorney-General, the Police Council as well as the code of conduct of the Ghana Police Service which serves as checks on the Ghana Police Service. Therefore, the question was posed to both the public and the police as to whether these institutions really ensure police accountability. Table 5.9 depicts the responses from the general public: 51.3% indicates that the institutions that are supposed to ensure police accountability are enforcing the law while 48.7% said otherwise. From the perspective of the police, 72.9% said the institutions that are supposed to ensure police accountability are enforcing the law while 27.1% said otherwise. Even though some of the respondents explained that these institutions are not ensuring accountability (indeed minority of the respondents,) the overwhelming majority support the fact that these institutions ensure police accountability and that their existence serve a very useful purpose.

Those who responded that the institutions are not really making the police accountable indicated that these institutions are not effective and competent enough to enforce and ensure effective police accountability while others stated that these institutions have inadequate resources to enforce and ensure police accountability. Similarly, 35.8% of the respondents indicated that these institutions have poor supervisory measures with a lot of bureaucratic tendencies and political interferences. There is also lack of cohesion and collaboration between the institutions and the police service. On the extreme side, the respondents said the institutions are corrupt and do not subject themselves to questioning.

With respect to the police abiding by their own code of conduct and the code serving as a check on them, the question was posed to only the police and not the general public because it is likely that most of the general public may not know or have an idea about the police code of conduct. The responses showed that 7.6% “strongly disagreed” that the police in Ghana follow their code of conduct, 7.2% “disagreed” and 13.7% were “neutral”. On the other hand, 41.4% and 30.1% “agreed” and “strongly agreed” respectively that the police in Ghana follow their code of conduct. Clearly, a total of 71.5% “agreed” that the police in Ghana follow their code of conduct. But the question remains, will the police truthfully speak against themselves? Obviously they will not. There is therefore the need for further research into this using other methods to find out the real situation.

Table 5.8 Code of conduct and institutional checks on police accountability in Ghana
Institutional checks on police accountability in Ghana

The General Public			The Police		
Response	Frequency	Percent	Response	Frequency	Percent
Yes	119	51.3%	Yes	180	72.9%
No	113	48.7%	No	67	27.1%
Total	232	100.0%	Total	247	100.0%

Police in Ghana follow their code of conduct		
Response	Frequency	Percent
Strongly disagree	19	7.6%
Disagree	18	7.2%
Neutral	34	13.7%
Agree	103	41.4%
Strongly agree	75	30.1%
Total	249	100.0%

5.7 Demographic characteristics and police accountability

After examining the distribution of each of the variables, the study’s next task is to look for relationships among two or more of the variables and this is based on cross tabulations. This is done by crossing accountability against demographic characteristics such as age, rank, education and position to see their relationship. Table 5.9a is a cross tabulation of gender of the police

against police accountability. In table 5.9a, it can be observed that more males see the police to be less accountable as 124 of them did not agree with the assertion that the police are accountable in Ghana. Thus, whereas 124 of the males see the police to be less accountable, only 40 of the females see the police to be less accountable. This could probably be due to the fact the male police have more contacts with the public and are likely to be seen as such.

Table 5.9a Gender and police accountability

Accountability	Sex		Total
	Male	Female	
Strongly disagree	83	26	109
Disagree	41	14	55
Neutral	29	18	47
Agree	14	9	23
Strongly agree	9	7	16
Total	176	74	250

With regard to gender and police accountability, the cross tabulation as shown in table 5.9b indicate that more males perceived the police to be less accountable. That is, 93 males see the police to be less accountable with corresponding 54 females perceiving the police to be less accountable. This may probably be due to the fact that the males have more contact with the police than the females.

Table 5.9b Gender and police accountability

Accountability	Sex		Total
	Male	Female	
Strongly disagree	52	33	86
Disagree	41	21	62
Neutral	37	13	50
Agree	18	10	28
Strongly agree	15	8	23
Total	163	85	248

The study also looked at the relationship between age and police accountability from both the perspective of the police and the general public. The police cohort, as shown in table 5.10a, those between the ages of 36-45 perceived the police to be less accountable followed by those between the ages of 25-35. This may be due to the fact that, in this age range, they are still in the lower ranks who receive orders from their superiors and also most of the time have contact with the public and therefore see the police as less accountable.

Table 5.10a Age and police accountability

Accountability	Age					Total
	18-25	25-35	36-45	46-55	56-60	
Strongly disagree	8	30	33	2	1	74
Disagree	7	17	19	4	2	49
Neutral	2	20	9	20	3	54
Agree	3	15	4	17	0	39
Strongly agree	4	22	3	15	0	44
Total	24	94	68	58	6	250

Table 5.10b display the relationship and across tabulation of police accountability and age from the public perspective. It was found that those between the ages of 26-35 perceived the police to be less accountable followed by those between the ages of 18-25. This may be due to the fact that this category of young men and women are less likely to respect the laws of the nation and will likely have confrontations with the police, hence their perception that the police are not accountable. In fact this should not be a surprise as 35.4% of the respondent from the public are not satisfied with their interaction as shown in table 5.6.

Table 5.10b Age and police accountability

Accountability	Age					Total
	under 18	18-25	26-35	36-50	51-65	
Strongly disagree	0	19	73	18	1	111
Disagree	3	13	41	10	3	70
Neutral	1	11	18	8	2	40
Agree	1	3	9	4	0	17
Strongly agree	0	0	6	4	0	10
Total	5	46	147	44	6	248

The next cross tabulation was educational level against police accountability. This data as presented in table 5.11a, was observed that those with SHS perceived the police to be less accountable followed by those with first degrees. Thus, 55 of SHS holders disagreed that the police are accountable while 21 of degree holders disagreed to same.

Table 5.11a Educational level and police accountability

Accountability	Educational level							Total	
	No Educ.	Elementary	SHS	Cert. A	Diploma	Degree	Masters		Others
Strongly disagree	0	0	33	0	9	9	2	0	53
Disagree	0	1	22	1	8	12	3	1	48
Neutral	3	1	20	1	11	18	2	2	58
Agree	2	2	17	1	2	12	2	3	41
Strongly agree	1	0	13	1	5	22	3	3	48
Total	6	4	105	4	37	73	12	9	250

On the perspective of the general public, the trend was not so much different as the data shows in table 5.11b that first degree holders (44) perceived the police to be less accountable followed by SHS holders (49) and diploma holders (49). The interesting revelation here is that those with higher educational level tend to see the police as less accountable than those with lower education. One reasonable explanation here is that those with higher education know their rights and operations of the police and can easily recognize when the police are wrong.

Table 5.11b Educational level and police accountability

Accountability	Educational level								Total
	No Educ.	Elementary	SHS	Cert. A	Diploma	Degree	Masters	Others	
Strongly disagree	6	6	31	0	30	36	6	2	117
Disagree	2	4	18	2	19	8	4	1	58
Neutral	1	2	21	0	2	7	2	1	36
Agree	1	1	8	0	8	2	1	0	21
Strongly agree	0	0	9	0	5	3	1	0	18
Total	10	13	87	2	64	56	14	4	250

The issue of rank was also not left out as it was considered very important by this study to establish a relationship between police accountability and police rank. The result is presented in table 5.12. From the table, it was found that, Assistant Superintendents of Police (26) perceived the police to be less accountable followed by the Inspectors (18), Constables (25) and Corporals (25). It can be realized from this that those in the lower ranks tends to see the police as less accountable as compared to the senior officers. Clearly, the senior ranks will not want to tarnish the image of the police service as they are supposed to keep the service accountable.

Table 5.12 Rank and police accountability

Accountability	Corporal	Constable	Lance Corporal	Assist. commissioner	Rank			Chief inspector	Inspector	Sergeant	Total
					Sup. of police	D. Sup. of police	A. Sup. of police				
S. disagree	13	14	0	0	3	5	18	0	16	3	72
Disagree	12	11	0	0	4	7	8	2	2	4	50
Neutral	17	8	0	1	1	3	1	0	5	3	39
Agree	7	20	0	2	4	4	4	3	1	2	35
S. agree	6	15	2	3	3	8	2	0	0	4	42
Total	55	68	2	6	15	27	33	4	24	16	250

Again, when the position of police was cross tabulated against accountability, it was found that, the Patrol Officers (28) perceived the police to be less accountable followed by the District Commanders (17) and Detective Officers. The details are shown in table 5.13 below.

Table 5.13 Job position and police accountability

Accountability	Job Position											Total
	R. Comm	O. Staff	U. Comm	D. R. Comm	Op. Comm	Div. Comm.	Dist. Comm.	C. Officer	S. Officer	Det. Officer	P. Officer	
S. disagree	0	1	0	0	0	0	12	4	5	8	18	48
Disagree	0	7	2	0	1	1	5	6	8	5	10	45
Neutral	0	12	5	0	1	2	6	2	3	6	12	50
Agree	1	18	3	0	2	4	2	8	4	7	2	49
S. agree	1	23	4	1	2	3	1	11	3	9	1	49
Total	1	61	14	1	6	10	26	31	22	35	43	250

5.8 Police accountability measures and policies

At least the average Ghanaian knows that the police are governed by some regulations and institutions but most of them do not know the specifics. As a result, the study tried to find out from the perspective of the police, some of the accountability measures and regulations. Some of the measures and institutions that the study identified from the respondents include; the Police Service Instructions, Criminal Procedure Code, the Police Service Act, Act 350 of 1970, Police Intelligence and Professional Standards Bureau, the Police Council, the Commission for Human Rights and Administrative Justice, Ministry of Interior, the Legislature, and National Security. Obviously, one does not expect the police to get this wrong. However, one difficult issue was that many of the respondents did indicate that they were not aware of the specifics of each regulation and the exact roles that the various institutions were playing in ensuring police accountability.

5.9 Challenges of ensuring police accountability

Accountability in the West Africa sub-region and Africa in general is very challenging. Indeed, in trying to ensure police accountability in Ghana, the Ghana Police face several challenges. It was found out from the field survey that the most significant difficulty in ensuring police accountability is political interference. To this effect 55.9% of police respondents indicated that when they want to take lawful actions, there is always interference from the political authorities not to take those actions. Again, 87.9% of the public respondents also said they at times used

politicians to influence certain police actions. This constrains the police themselves and other external and internal accountability institutions and policies to work well.

Another issue that was raised by the police in trying to ensure police accountability is bribery and corruption. The respondents indicated that there are several police personnel especially those in the Motor Traffic and Transport Unit (MTTU) who extort money from motorists and this impacts negatively on police accountability. Respondents also revealed during the interviews that their contacts with the police mostly ended up in exchange of money; either paying money unlawfully to secure a bail or giving money to escape punishment for a crime committed. Pressed further, they say a policeman will frustrate you so much or make the bail terms so difficult to meet that it is better to pay some money and gain your freedom.

The Ghana Police Service is confronted with inadequate logistics and equipment to carry out its work effectively and efficiently. It is important to note that, the service has inadequate vehicles such as patrol cars and communication equipment. Again, insufficient and defective communication equipment affects the police in their ability to respond to crime alerts and to fight crime effectively. The slow response of the police to emergencies has always been a matter of concern to the public. Thus, an accountable police means that the police should be able to protect the public against aggression at any time. However, logistical constraints make this impossible and as a result the general public sees the police as not being effective and working in their interest, thus tagging them as non-accountable. The consequence of this is that the public resort to taking the law into their own hands. Policing oneself has become common in many communities and high profile persons tend to engage the services of macho men popularly known as 'land guards' to protect their interest.

Favouritism and nepotism are some of the factors that constrain police accountability in Ghana. The police stated that more often than not there are interferences from friends, families, politicians and colleagues in the police service that in one way or the other flout the rules and regulations of the police service. There are cases you have to spare a criminal or somebody who has offended the law simply because of interference or pressure from colleagues, friends and families. This is making police accountability extremely difficult. The issue of ineffective collaboration between supporting and supervisory institutions was also high on the challenges of police accountability agenda. Supporting and supervisory institutions like the Police Council, National Security, the Public Accounts Committee, Parliamentary Subcommittee on Security, the Ministry of Interior among others are most often not effective because there is also lack of collaboration between these institutions and the police service. The non-collaboration between the institutions makes accountability of the police very difficult as their actions rather tend to confuse the police.

5.10 Summary and conclusion

This chapter has been used to discuss the perception of police accountability in Ghana from the perspective of the general public and the police themselves. Accountable policing should be focused on service to the public, the protection of rights and freedoms, respect for the rule of law and securing a safe and secure environment for all. The responses from the field survey show that policing in Ghana does not totally reflect this model. Instead, the public thinks that the police serve only the interest of the elite, more often violate people's rights than protect them, and act with impunity and disregard for the law.

No one can deny the extremely challenging circumstances the police face - both in terms of their service conditions and the external environment. This however cannot be used as a justification for abusive police practices. Again, it would be unfair and incorrect to tag all the police officers

with the same perception and categorise them all as brutal or abusive or non- accountable. Indeed to some extent, the public agree that some of the police officers are accountable. Yet, the public experience of policing is largely characterised by excessive use of force, failure to follow due process, bias, discrimination, and corruption. Indeed, the police themselves have stated and explained the challenges they face in trying to ensure accountability.

CHAPTER SIX

DISCUSSION OF RESEARCH FINDINGS

6.1 Introduction

This chapter provides a discussion of the data collected from the field and analysed in the previous chapter. Accountability involves a system of internal and external checks and balances aimed at ensuring that the police perform the functions expected of them to a high standard and are held responsible if they fail to do so. It aims to prevent the police from misusing their vast powers, to prevent political authorities from misusing their control over the police, and most importantly, to enhance public confidence and establish police legitimacy.

6.2 Elements of police accountability

The principle of accountability and its corollary of responsibility lie at the base of exercise of power and authority. Police accountability is critical in this era of democratic dispensation. The police officer is an authority vested with certain powers on account of the law to discharge certain defined responsibilities. In the discharge of these responsibilities, the police are supposed to work within the framework of the law. An accountable police organization is one that is accountable to the law, and is not a law unto itself; it is accountable to democratic structures and the community; it is transparent in its activities; it gives top operational priority to protecting the safety and rights of individuals and private groups, and protects human rights; it provides professional services; and is representative of the community it serves. That is all that police accountability is about.

The study found that most of the public respondents are of the view that the police are not honest while the police indicated that they are honest. This is clearly documented in the literature in Ghana. In fact a study conducted by the Commonwealth Human Rights Initiative (CHRI) in 2007 indicated that 92% of Ghanaians have paid a bribe to the police at some point. It goes further to

state that every rank of the police service – from junior officers on traffic duty, to mid-ranking officers demanding extra cash from complainants, to senior officers skimming bags of cocaine off drug bust hauls – has been accused of rampant corruption. The honesty of the police cannot be guaranteed as issues such as corruption, bribe, connivance with criminals, engaging in crime themselves and also engaging in illegal activities are concerned. From the perspective of the police officers, the police are honest, but very unfortunate for them 5.3% and 12.2% of the police themselves “strongly disagree” and “disagree” that police officers are honest.

Respect for human rights is central to how the police do their work. Unlike any other branch of government, the police are given wide powers, including the authority to use force against citizens. This power to infringe on citizens’ freedoms carries with it a heavy burden of accountability. With respect to the police respecting the rights of individuals, 43.8% of the respondents from the general public disagreed that the police respect the rights of individuals. However, the majority of the police respondents agreed (70.0%) that the police respect the rights of individuals. The contradiction here may be the result of the public experiences with the police and what they have been hearing concerning the abuses of the police both in the print and electronic media.

African Peer Review Mechanism (2007) states that there has been a general impression from various discussions that the Ghana Police and other security agencies have continued to violate and infringe on the human rights of citizens. Suspects have been detained or held in custody without trial indefinitely and, in some cases in the past, extra-judicial killings were carried out. The Police Hand Book (2010) states that police officers shall respect and protect human dignity, maintain and uphold rights of all persons. It further states that police officers shall treat all

suspects as innocent persons, politely, respectfully and professionally. However, the study revealed that generally these are not being practised.

In fact this is what the police have set for themselves. However, that is not what the public experience and their conduct seems to contradict their own rules and ethics. This is consistent with the findings of Guarneri (1983) who points out that more than any other government official, the police officer, in the exercise of his functions, can interfere with fundamental rights. When one examines the duties devolved upon the police in the protection of human rights, one generally considers the question from one aspect: how to limit the powers of the police in order to protect the citizen and safeguard his rights.

Transparency is a critical concept in accountability. In a democratic dispensation, good policing is policing that is effective, fair and transparent. Police who are ineffective and lack transparency or are unfair in protecting the public against crime will lose the public's confidence. Thus, the findings of this study show that 51.5% of the public respondents disagree that the police in Ghana are transparent. However, 58.0% of the police indicated the police are transparent. The concern of the public can be viewed from the perspective that over the past two to three decades, there have been national scandals concerning police misconduct, including human rights violations, excessive use of force and corruption, issues of police mishandling drugs and several other crimes involving the police themselves resulting in public outcry, and questioning of the transparency of the police service. What the police therefore need to do to enhance the public trust in them is primarily to establish, restore or enhance public trust and rebuild the legitimacy that is a prerequisite for effective policing. Some approaches to this should be creating awareness in the public by way of education using the Community Policing Unit effectively, organising joint

games, demystifying hitherto conception that police have no friends, creating hotline telephone lines to easily communicate with the public and generally operating open door administration.

The professionalism of the GPS was questioned by the study. The general public disagreed that the police in Ghana act professionally because of the way they behave. To them, the lack of an effective and open system for dealing with police misconduct undoubtedly undermines public confidence in the police, and reduces the effectiveness of police operations. This is an indication of lack of confidence in the police service. The data showed that 21.3% of the general public disagreed that the police act professionally but the majority of the police respondents (75.5%) indicated that the police act otherwise.

One of the tenets of democratic policing is whether the police has been allowed to be questioned and to provide answers for such questions. Schedler (1999) said accountable policing means that the police accept being questioned about their decisions and actions and accept the consequences of being found guilty of misconduct, including sanctions and having to compensate victims. Without this, corruption and other forms of police misconduct thrive, given that some secrecy is inevitably associated with misconduct. The study shows that half of the respondents from the general public agreed that the police allowed themselves to be questioned while majority of the police respondents agreed that the police allow themselves to be questioned. Similarly, they provide answers for such questions.

Police officers shall respect and uphold the rule of law (Police Code of Conduct, 2010). Thus, police officers must obey the law in the same way as members of the public and their activities are restricted by the Police Code of Conduct. However, the findings from the general public show that 35.0% of the respondents disagreed that the police respect the law. On the other hand, 74.1% of

the police agreed that the police respect and act within the purview of the law. The police consistently argue that the limits of their powers and their procedures are defined by legal constraints. To them they are answerable to the law. The framers of the Police Hand Book (2010) have added the clause that police officers shall perform their duties without partiality and discrimination to all persons. Thus, police officers are supposed to work with fairness and discharge their duties without favour or fear. However, results of the data analysis indicate that this is not the case because the police in Ghana demonstrate bias on the basis of religion, ethnicity, gender and political affinity. Indeed, Kyeremeh and Essuman (2001) found that, in principle, the police are supposed to be accountable to the public for the performance of their duties but in practice police officers are seen to carry themselves above the law and not accountable to the public.

6.3 Law enforcement institutions and police accountability

Law enforcement institutions are entrusted with a diverse set of tasks requiring a high degree of integrity within police agencies and their oversight. Where this does not function well, law enforcement officers may become vulnerable to acting unlawfully and outside their remit. In Ghana, institutions that are supposed to ensure police accountability include Parliament, the Police Council, National Security, the Ministry of Interior, the Attorney-General, CHRAJ and other mandated institutions to ensure police accountability. The findings showed that the general public disagreed that these institutions are effective in ensuring police accountability because of lack of capacity, ineffectiveness and corruption on the part of these institutions. The police however agreed that these institutions are effective in ensuring police accountability and recommended that these institutions should be well equipped to be able to exercise the maximum oversight responsibility over the police service.

6.4 Conclusion

The Police wields enormous powers in the performance of its duties. If these powers are not subjected to the mechanism of accountability, the rights and freedoms of citizens can be adversely affected. There is always the challenge of “guarding the guardian” or “policing the police.” As a result, different countries have put in place several mechanisms to hold the police accountable. These include, among other things, constitutional guarantees of fundamental rights which serve as a limitation on the exercise of police power; statutory provisions on procedures for policing and law enforcement; civilian oversight body; judicial system and special investigation commissions.

In Ghana, the general observation is that the police have been severely criticized by the public for corruption, brutality, torture, and hostility towards members of the public, and above all non-accountability. An accountable, transparent and efficient police service in Ghana is essential for the safety and well being of all citizens, national stability and in the longer-term growth and development, particularly the creation of a secure environment which is conducive to consumer and investor confidence.

CHAPTER SEVEN

SUMMARY OF FINDINGS, RECOMMENDATIONS AND CONCLUSION

7.1 Introduction

The previous chapter discussed the findings of the study. The purpose of this chapter is to summarise the main findings of the study, draw a conclusion and provide recommendations for redressing the identified challenges.

7.2 Summary of key findings

The policing function of any society plays a vital role by ensuring that law and order, as well as protection of human rights are secured. Therefore, debates around the control of the police and police accountability have become one of the growth areas of scholarly interest. At the centre of the debate are citizens concerns about police exercise of the enormous and often intrusive powers they enjoy under the law. This thesis investigated police accountability in Ghana from both the perspective of the general public and the police themselves. The study reviewed relevant literature on the concept of accountability, types of accountability, police accountability, police accountability mechanisms in Ghana, both internally and externally.

The study focused on the Greater Accra Region of the Ghana police. The study population was made up of both the general public and the police officers. A simple random sampling technique was used to select 500 respondents for the study. Questionnaires were distributed to the respondents and the collected questionnaires edited, coded and entered into the SPSS where percentages were generated for the discussions in both chapters five and six. The main findings of the study are as follows;

Firstly, the study found that police accountability in Ghana is not given the necessary attention resulting in the tendency to abuse the rights of citizens. In other words, accountability in terms of respect for the right of individuals is not upheld by the police. The police have continuously violated and infringed on the human rights of Ghanaian citizens. Suspects have been detained or held in custody for periods exceeding 48 hours or indefinitely without putting them before court for proper remand or trial. In many instances, police officers have treated suspects like guilty persons condemned to death, have been impolite and rude to persons who call at the charge offices and treat citizens without regard to their human rights. Police operations generally lacked transparency and most of the times they acted unprofessionally.

Secondly, the study found that the police officers are not accountable in terms of respect of the law. Police officers in Ghana put themselves above the law and often resulted in widespread police abuse of their powers and this has adversely affected the rights of citizens in Ghana and the loss of protection of life and property. With regard to honesty, the study found that most of the public respondents were of the view that the police are not honest and that the service as an institution in Ghana is characterized by corruption, bribery, connivance with criminals to commit crimes, involving in crime themselves, and engaging in illegal activities. The study revealed that fairness as a component of accountability is not upheld by GPS. To the respondents, the police are not the representatives of the public as they always demonstrated bias in their actions on the basis of religion, ethnicity, gender and political affinity.

Again, the study found that the challenges of ensuring police accountability in Ghana often resulted in impunity and illegitimate political interference from politicians and other powers. Police personnel have at times taken unlawful actions because of interferences from politicians and other powerful individuals. Issues of favouritism and nepotism also impede police

accountability in Ghana. Despite the increase in the salaries of police officers, they still frustrate suspects for financial gain and in many cases, circumvent the facts. Inadequate logistics and equipment such as patrol vehicles and communication gear constitute a serious challenge confronting the police in the performance of their duties.

Also, with respect to the oversight agencies and institutions, the study showed that the general public disagreed that these institutions are effective in ensuring police accountability because of lack of capacity, ineffectiveness and corruption on the part of the oversight institutions themselves. Even though the police did not agree that these institutions are ineffective in ensuring police accountability, they totally agreed with the general public that the institutions face some challenges in trying to ensure police accountability. They were also unanimous on the lack of collaboration between the police and the oversight institutions which makes accountability difficult.

From the perception of the police, they police indeed abide by their code of conduct. The code of conduct which is available to all police officers regulates their conduct and behaviour. The public were not asked about the police abiding by their code of conduct because they might not have enough knowledge about the code. This assertion by the police must be treated with caution as the police would normally not speak “evil” against themselves.

Finally, the study revealed that police accountability institutions in Ghana include the Police Council, the Ministry of Interior, and National Security Council, the Legislature, specifically the Parliamentary Sub-committee on Security, the Attorney-General as well as CHRAJ. Special committees are sometimes set up with powers to investigate the police on accountability issues. Similarly, accountability instruments include the Police Service Instructions, Criminal Procedure

Code (Act 29), the Police Service Act (Act 350) and the Police Intelligence and Professional Standards Bureau (PIPS). These institutions and instruments are serving as accountability mechanisms on the Ghana Police Service.

7.3 Recommendations

Based on the findings of the study and suggestions of the respondents, the following recommendations are proposed for improving police accountability in Ghana.

7.3.1 Placement of priority on accountability

The leadership of the GPS needs to make police accountability a national functional policing priority. This should start from the top Police management and the Senior Police Officers. This is because leadership is important and can serve as a driving force for cultural change in the GPS. The police hierarchy should see accountability as a tool for achieving their values, mission and vision. Accountability systems can be used proactively to promote a new culture and establish minimum standards for the police as a whole. The system could then be used not only to set clear standards for the police institution but could also be used in a fair and consistent manner to remove those police officers who undermine the transformation and effectiveness of the service.

7.3.2 Review of the code of conduct

There is an urgent need to review the police code of conduct. This review should seek to reduce the rather lengthy code in size so that it can easily be internalized by police officials. It should emphasize the service nature of police and incorporate standards contained in the United Nations Code of Conduct for Law Enforcement Officials. Towards this end, a committee should be set up with members from the Police Service Council (PSC), the Ministry of Interior, the National

Security Council and the Public Accounts Committee of Parliament to review the code. They should also solicit the inputs of civil society groups and the general public.

7.3.3 Recruitment and training must be revised

It is recommended that the Ghana police must aim to recruit police officers through normal channels and processes of the Police Service. Instances of politicians influencing the recruitment process must be stopped. Training systems must be redeveloped to build a thorough foundation in human rights of citizens, accountability concepts and the practical application of these ideas to new recruits. Training must be structured to be consistent and continuous to ensure that all officers are equipped with the appropriate levels of training and skills.

7.3.4 Effective collaboration of oversight institutions

There must be effective and strong collaboration between the oversight institutions and the Police Service. The institutions should be as independent as much as possible. Be fair and firm in the discharge of their duties and share information among themselves timously. This will allow the institutions to know regularly the operations within the police to be able to act swiftly and effectively in all breaches of police accountability. These institutions must also be resourced adequately to enable them to function properly.

7.3.5 Stiffer and consistent punishment

The laws and code of conduct of the Police Service must be made to work such that police officers who are caught acting illegally, abusing the rights of individuals, taking bribes, and engaging in unlawful acts are made to face the law just as any other citizen will face. Officers who are found to be guilty of breaches of the law must be punished most severely to serve as deterrent to those who may be contemplating committing same or similar offences. Not only must this punishment

be made stiffer but also consistent to all offenders such that some are punished while others are spared.

7.4 Conclusion

Police accountability in Ghana is still a recent practice, having only come into being following the return to democratic rule in 1992. Police accountability in Ghana is too important to neglect and too urgent to delay. This study has highlighted the role the police play in Ghana and the perception of police accountability in the country. The study has also shown that in theory there are several accountability mechanisms, and institutional frameworks in the Ghana Police Service which are made up of both internal and external mechanisms. The difficulty however is their enforcement. Therefore, the perception of police accountability by the general public in Ghana is characterized by human rights violations, corruption, nepotism, and favouritism. Hence, the public confidence and trust in the GPS is deeply eroded to such an extent that any attempt or action by the oversight institutions and the police themselves is treated with suspicion. The oversight institutions are also incapacitated as a result of lack of control and effectiveness to perform their duties as expected. Hence, the general public tends not to see the GPS as an accountably organisation. A sizeable percentage of the police themselves agree they are not accountable therefore implying that they are not the stewards of the public that they are supposed to be.

The theory of stewardship suggests that leaders (in this case police officers) are agents and the public are principals. In the case of this study, the police are servants and their powers are giving to them to maintain law and order on behalf of the public. However, the findings of the study show that this is not always the case in GPS as most of the respondents agree that the police abuse the powers entrusted to them and are not accountable for most of their actions. Indeed there is a sharp contradiction between the findings of this study and what the theory of stewardship

prescribes. Instead of the police serving the interest of the public and using those powers entrusted to them to protect the public, the police rather use the powers to their personal advantage. Stewardship theory also recognizes the importance of structures that empower the steward and offers maximum autonomy built on trust. These structures are the police oversight institutions such the National Security, the Ministry of Interior, Parliament, the Police Council and the code of conduct for police officers. But the findings of this study show that these institutions are not strong enough to ensure police accountability.

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**APPENDIX A: QUESTIONNAIRE FOR POLICE PERSONNEL
UNIVERSITY OF GHANA BUSINESS SCHOOL**

This survey is designed to assess police accountability in Ghana. Please read the following questions carefully and answer according to your own experiences. Please note that answers to these questions will be treated as confidential

SECTION A: DEMOGRAPHIC DATA

1. How old are you?

18-25 [] 26-35 [] 36-45 [] 46-55 [] 56-60 []

2. Are you

Male [] Female []

3. Educational level

No education [] Elementary [] SHS [] Teachers Cert A [] Diploma []
Degree [] Masters [] PhD [] Others (specify).....

4. In terms of religion, are you?

Christian [] Moslem [] Traditional [] Others (specify).....

5. Your rank in the police service?

Commissioner of Police [] Deputy Commissioner [] Assistant commissioner []
Superintendent of Police [] Deputy Superintendent [] Assistant Superintendents of
Police [] Chief Inspector [] Inspector [] Sergeant [] Corporal []
Constable []

6. What is your position in the police service?

Regional Commander [] Deputy Regional Commander []
Operations Commander [] Divisional Commander []
District Commander [] Crime officer [] Station Officer []
Detective officer [] Patrol Officer [] Office Staff []

SECTION B: POLICE ACCOUNTABILITY

Please indicate your level of agreement or disagreement with each of the following statements by circling the appropriate number. Strongly agree [5] Agree [4], Neutral [3], Disagree [2], Strongly disagree [1].

7. The police in Ghana are honest	1	2	3	4	5
8. The police in Ghana are professional	1	2	3	4	5
9. The police in Ghana are helpful	1	2	3	4	5
10. The police in Ghana are fair	1	2	3	4	5

11. The police in Ghana are accountable	1	2	3	4	5
12. The police in Ghana respect the law	1	2	3	4	5
13. The police in Ghana follow their code of conduct	1	2	3	4	5
14. Do the police carry themselves as above the law	1	2	3	4	5
15. The police allow themselves to be questioned	1	2	3	4	5
16. The police in Ghana are democratic	1	2	3	4	5
17. The police respect the rights of individuals in Ghana	1	2	3	4	5
18. The police in Ghana are transparent	1	2	3	4	5
19. The police in Ghana give answers to the public about their actions and inactions	1	2	3	4	5

20. Do you think the institutions that are suppose to ensure police accountability are enforcing the law?

Yes [] No []

21. If no, why not?

SECTION C: SUGGESTIONS FOR IMPROVEMENT IN POLICE ACCOUNTABILITY

What do you think the public should do to make the police accountable?

What do you think should be done by the police authorities to keep the police accountable?

What do you think should be done by the accountability institutions in Ghana to make the police accountable?

Thank you for completing the questionnaire

**APPENDIX B: QUESTIONNAIRE FOR THE GENERAL PUBLIC
UNIVERSITY OF GHANA BUSINESS SCHOOL**

This survey is designed to assess police accountability in Ghana. Please read the following questions carefully and answer according to your own experiences. Please note that answers to these questions will be treated as confidential

SECTION A: DEMOGRAPHIC DATA

1. How old are you?

Under 18 [] 18-25 [] 25-35 [] 36-50 [] 51-65 [] Over 65 []

2. Are you

Male [] Female []

3. Educational level

No education [] Elementary [] SHS [] Teachers Cert A [] Diploma []
Degree [] Masters [] PhD [] Others (specify).....

4. In terms of religion, are you?

Christian [] Moslem [] Traditional [] Others (specify).....

5. Employment Status

Unemployed [] Employed []

SECTION B: CONTACT WITH THE POLICE

6. Have you had any contact with the police within the past 12 months?

Yes [] No []

7. What form did this contact take? You can choose multiple

You reported a crime [] You witnessed a crime []

You were accused of committing a crime [] You were stopped and questioned []

You asked for some information [] You were involved in an accident []

You were required to produce your driving documents []

Others (specify)_____

8. Overall, how satisfied were you with how the police dealt with you

Very satisfied [] Satisfied [] Dissatisfied [] Not sure []

9. Have you ever experienced any problems with the police?

Yes [] No []

10. What types of problem have you experienced? You can choose multiple

The police service was unsatisfactory [] The police refused to help you []

The police didn't follow up a call you made [] An officer was rude or impolite to you []

The police harassed you [] The police stopped and searched you without reason []

Others (specify)_____

11. Did you make a complaint about any of these incidents

Yes [] No []

12. Who did you go to first about your complain

Police [] Solicitor [] NGO [] Others (specify).....

SECTION C: POLICE ACCOUNTABILITY

Please indicate your level of agreement or disagreement with each of the following statements by circling the appropriate number. Strongly agree [5] Agree [4], Neutral [3], Disagree [2], Strongly disagree [1].

13. The police in Ghana are honest	1	2	3	4	5
14. The police in Ghana are professional	1	2	3	4	5
15. The police in Ghana are helpful	1	2	3	4	5
16. The police in Ghana are fair	1	2	3	4	5
17. The police in Ghana are accountable	1	2	3	4	5
18. The police in Ghana respect the law	1	2	3	4	5
19. The police in Ghana follow their code of conduct	1	2	3	4	5
20. Do the police carry themselves as above the law	1	2	3	4	5
21. The police allow themselves to be questioned	1	2	3	4	5
22. The police in Ghana are democratic	1	2	3	4	5
23. The police respect the rights of individuals in Ghana	1	2	3	4	5
24. The police in Ghana are transparent	1	2	3	4	5
25. The police in Ghana give answers to the public about their actions and inactions	1	2	3	4	5

26. Do you think the institutions that are supposed to ensure police accountability are enforcing the law?

Yes [] No []

27. If no, why not?

SECTION D: SUGGESTIONS FOR IMPROVEMENT IN POLICE ACCOUNTABILITY

What do you think the public should do to make the police accountable?

What do you think should be done by the police authorities to keep the police accountable?

What do you think should be done by the accountability institutions in Ghana to make the police accountable?

Thank you for completing the questionnaire